



Ararat Rural City

# MINUTES

## UNSCHEDULED COUNCIL MEETING

**Tuesday 15 February 2022**

Held in the Alexandra Oval Community Centre  
1 Waratah Avenue, Ararat  
(Livestreamed)

Commenced at 6.00pm

Council:

Cr Jo Armstrong (Mayor)

Cr Gwenda Allgood

Cr Rob Armstrong

Cr Peter Beales

Cr Henry Burridge

Cr Bob Sanders

Cr Bill Waterston



Ararat Rural City

A recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the Council Meeting.

The recording is being streamed live via Facebook, to improve transparency between council and the community and give more people the opportunity to view what decisions are being made. You do not require a Facebook account to watch the live broadcast, simply enter [www.facebook.com/araratruralcitycouncil](http://www.facebook.com/araratruralcitycouncil) into your address bar.

Recordings of Council Meetings (excluding closed sessions) are made available on Council's website.

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**PRESENT:**

Cr Jo Armstrong (Mayor), Cr Gwenda Allgood, Cr Rob Armstrong, Cr Peter Beales, Cr Henry Burridge, Cr Bob Sanders, Cr Bill Waterston,  
Dr Tim Harrison, Chief Executive Officer,  
Veronica Schilling, Manager Planning, Community & Compliance,  
Josie Frawley, Executive Assistant.

**SECTION 1 – PROCEDURAL MATTERS**

**1.1 LIVE STREAMING**

Council is keen to engage with members of the community and live streams the formal Council Meetings to make them accessible. The stream is available to view on Council's Facebook page from 6pm and on Council's website following the Council Meeting.

**1.2 TRADITIONAL ACKNOWLEDGEMENT/OPENING PRAYER/COUNCILLORS PLEDGE**

*Traditional acknowledgement- CR ALLGOOD*

We acknowledge the traditional owners of the land on which we meet today, and pay our respects to their elders, past, present and emerging.

*Opening Prayer- CR SANDERS*

Almighty God, we humbly ask you to help us, as elected Councillors of the Ararat Rural City Council. Guide our deliberations. Prosper what is your will for us, to your honour and glory and for the welfare and benefit of the people whom we serve in the Ararat Rural City.

*Councillors Pledge- CR R ARMSTRONG*

We will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions invested in us under the *Local Government Act 2020* and any other Act to the best of our skill and judgement.

**1.3 APOLOGIES**

There were no apologies.



#### 1.4 DECLARATION OF CONFLICT OF INTEREST

A Councillor who has a conflict of interest in a matter being considered at a *Council meeting* at which he or she:

- 1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Council meeting* immediately before the matter is considered; or
- 2 intends to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Council meeting* commences a written notice:
  - (a) advising of the conflict of interest;
  - (b) explaining the nature of the conflict of interest; and
  - (c) detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the:
    - name of the other person;
    - nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
    - nature of that other person's interest in the matter,and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The Councillor must, in either event, leave the *Council meeting* immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

**There were no Declaration of Conflict of Interests received.**

### 1.5 REQUEST TO ADDRESS COUNCIL

Three objectors submitted requests to address Council forms. Each objector was given the opportunity to address Council at the Council Meeting in-person:

John Hannett- 6:02pm-6:07pm

Colin Driscoll- 6:08pm-6:15pm

Chris Traynor- 6:16pm-6:20pm

*RECCOMENDATION*

*Cr Beales recommended to move forward Item 2.2, to 2.1, so that the gallery can have their matter dealt with first.*

**MOVED CR BEALES  
SECONDED CR SANDERS**

Cr Beales recommended to move forward Item 2.2, to 2.1, so that the gallery can have their matter dealt with first, and then leave if they wish to.

**CARRIED 4565/22**

## SECTION 2 – REPORTS REQUIRING COUNCIL DECISION

### 2.1 PLANNING APPLICATION NO. PA3085 FOR 5 LOT SUBDIVISION OF 1 BLACKIE AVENUE, ARARAT

RESPONSIBLE OFFICER: Manager Planning, Community and Compliance  
DEPARTMENT: Planning, Community and Compliance  
REFERENCE: Planning Application No. PA3085

#### OFFICER DIRECT OR INDIRECT CONFLICT OF INTEREST:

Officers providing advice to Council must disclose any conflict of interest.

No person involved in the preparation of this report has a conflict of interest requiring disclosure.

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#### EXECUTIVE SUMMARY

Application for Planning Permit No. PA3085 was lodged by Sudhanshu Goel of e2eGrowth Consultants Pty Ltd for a 5-lot subdivision at 1 Blackie Avenue Ararat.

The land is zoned General Residential Zone (GRZ1) and has no overlays.

Notice of application was carried out by forwarding notices to respective owners and occupiers in the surrounding area. Following the fourteen-day period, 6 objections were received for the application, with the primary concerns being laneway access, servicing and privacy/noise concerns.

The proposal represents a future opportunity to diversify housing stock and increase housing affordability within Ararat. By doing so, the subdivision supports the local economic growth of this General Residential area, as the proposed lots could accommodate smaller dwellings in the future which would appeal to a range of occupants including older residents / single residents seeking to keep maintenance down, or young residents seeking housing affordability.

The subdivision is compliant with the Planning Scheme design and subdivision provisions in Clause 56.

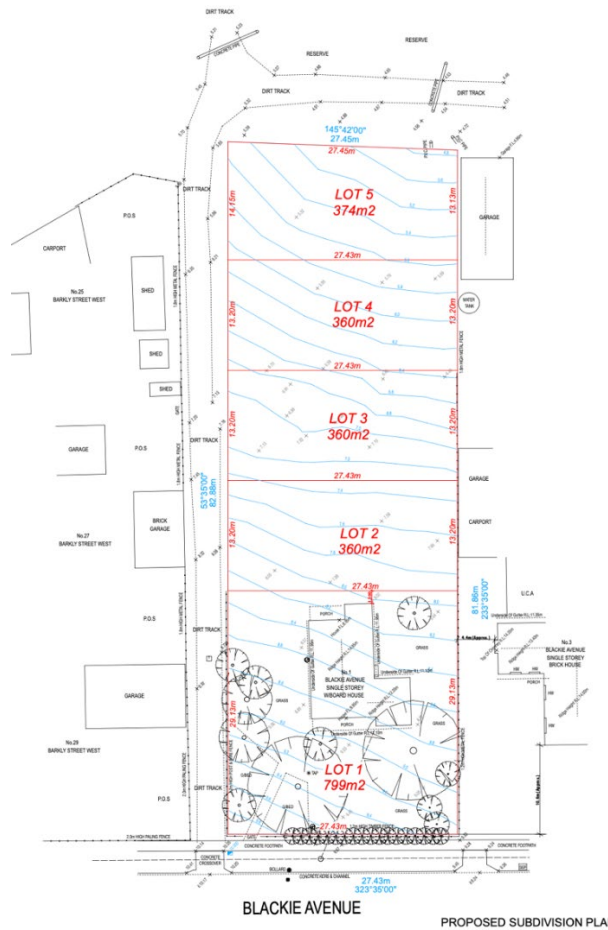
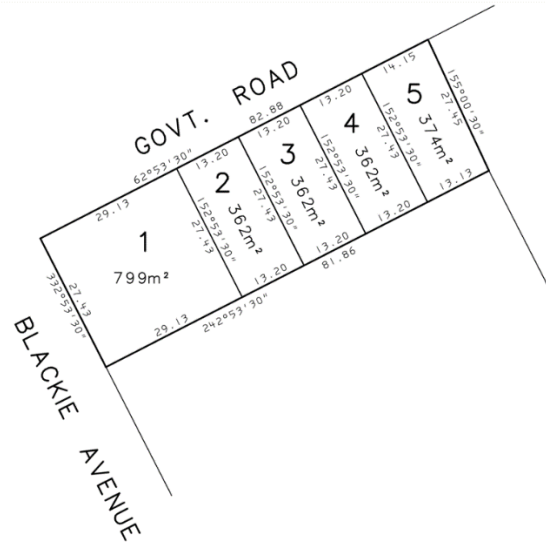
While all necessary documentation has been submitted to Council, and the relevant planning requirements have been met in relation to this subdivision, the difference of the subdivision to the existing area, and the scale of future development on site are the primary issues for consideration. Council should reflect on the preferred scale the subdivision offers and whether such development is preferred for the municipality, and particularly for central Ararat moving forward, as well as the growing need for increased and diverse housing stock, and affordability.

#### **The Proposal**

The proposal consists of an application for a 5-lot subdivision at the property 1 Blackie Avenue Ararat – subdividing the existing dwelling with frontage to Blackie Avenue and creating 4 new, smaller lots behind the existing dwelling. The total areas of the proposed lots consist of:

Proposed Lot	Total Area (m <sup>2</sup> )
Lot 1 (with existing dwelling)	799
Lot 2	360
Lot 3	360
Lot 4	360
Lot 5	374

Site Plan of Proposed Subdivision



The subject site is regular in shape and approximately 2,253m<sup>2</sup> in area. The property has road frontage to Blackie Avenue, as well as a frontage to an unsealed Government Road (referred to as the Laneway throughout the report) to the side of the site.

Located on the south-west of the site is an existing 4 bedroom dwelling with associated outbuildings and some scattered vegetation. Both the outbuildings and scattered vegetation proposed to be removed as part of the proposal in order to create vacant lots.

The property is surrounded by lots of a similar area, also used for single storey dwellings. To the rear of the site is a significant patch of remnant vegetation on Crown land managed by DELWP.

### Aerial View of Subject Site



### Street View of Subject Site from Blackie Avenue

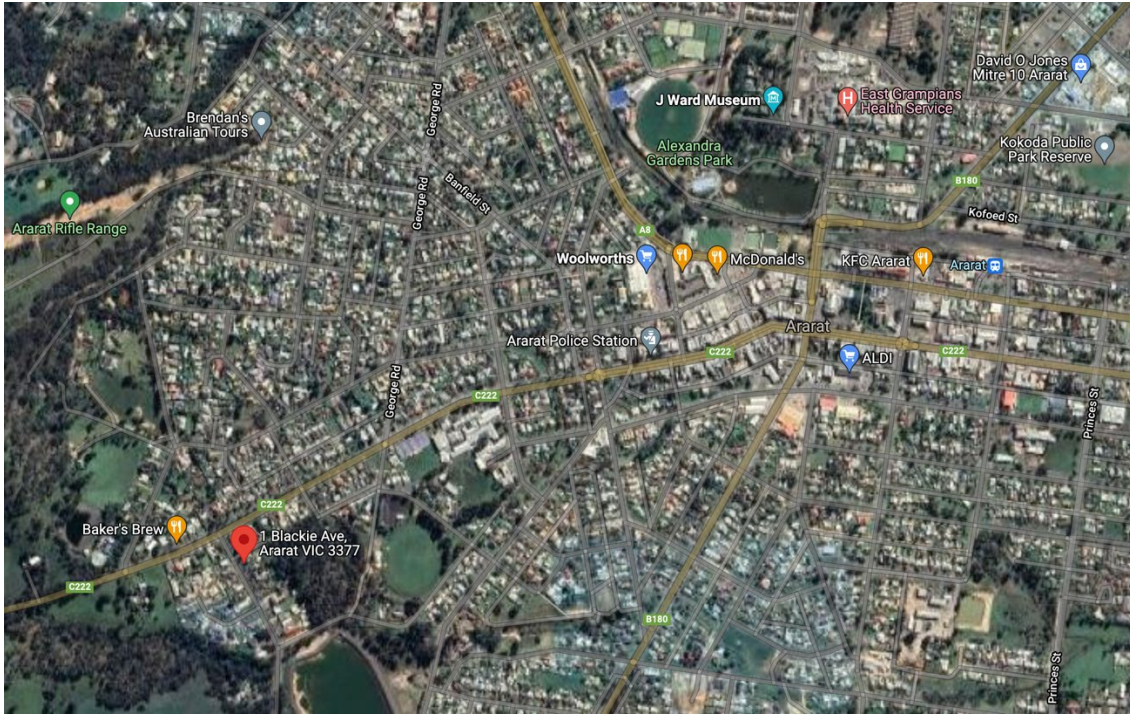


### Surrounding Area

The site is located 1.5km to the west of the Ararat town centre, and close to Ararat College as well as having ready access to the town centre with its public facilities, public transport and shops.

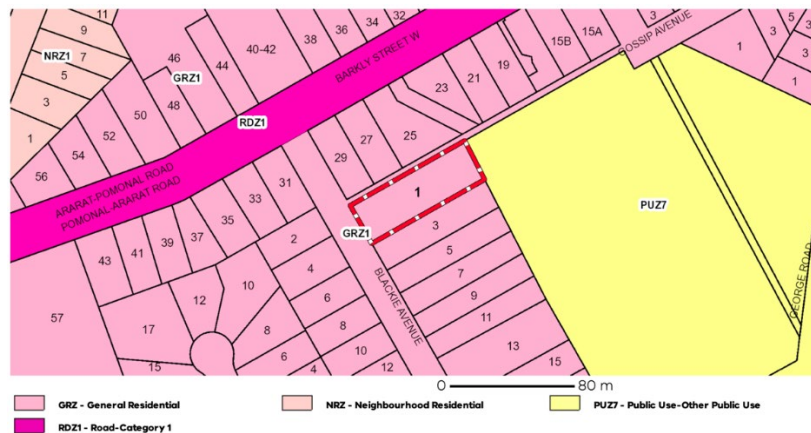


### Locality Map



The subject site is located within the General Residential Zone. Surrounding sites are likewise zoned General Residential Zone, with the exception of parcels to the east zoned Public Use-Other Public Use Zone.

Surrounding lots range from approximately 900m<sup>2</sup> to over 2,000m<sup>2</sup> (like the subject site). Many of the surrounding blocks measure approximately 1,300m<sup>2</sup>; notably significantly larger than the proposed lots. The nearest small lots are approximately 134m eastward on Vanstan Street and 193m north-east at Bailey Lane.



## Notice of Application

Notice of application was carried out in accordance with Section 52 of the *Planning and Environment Act 1987* by forwarding notices to 11 surrounding owners and occupiers.

Objections have been received from 6 local residents, one of which has been resolved.

In accordance with the Section 60 of the *Planning and Environment Act 1987* the Council must consider '*all objections and other submissions which are received, and which have not been withdrawn*'.

All objections are discussed elsewhere in this report.

## Referrals

The application was forwarded to a range of external and internal agencies for feedback. A summary of the responses from these agencies were as follows:

Agency / Organisation	Response
External State Agencies	
GMW Water	Approved with conditions
Powercor	Approved with conditions
Downer	No Response
Internal Council Teams	
Assets	Approved with conditions
Rates	Approved with conditions

Mandatory conditions set by State agencies are included in the proposed permit conditions.

## Previous Relevant Applications

Records show two previous related application for the subject site.

An older application (PA02694/0) on the site, with the details listed below:

Town Planning		
PA02694/0	Construction of 2 additional dwellings and subdivision into 3 lots. <i>Note: This permit remains current until mid-2022.</i>	12 September 2017

More recently a general enquiry from the applicant regarding the site. The details of the general enquiry are listed below:

General Enquiry		
GE2021542	Construct 3-4 units in rear of current house (retain current house)	1 October 2021



## PLANNING POLICIES AND DISCUSSION

### Planning Scheme Provisions

The subject site is zoned General Residential Zone, with no overlays applying. The planning application responds to the planning triggers at Clause 32.08-3 Subdivision of land in the General Residential Zone

### Planning Policy Framework

The relevant provisions of the Planning Policy Framework and local clauses within Planning Policy Framework of the Ararat Planning Scheme are as follows:

#### **Clause 11.01-1L Settlement – Ararat Rural City**

*This policy applies to land in Ararat Rural City settlements identified in the plan at Clause 02.04 and in policy maps to this clause including:*

- *For the regional centre, the Ararat framework plan (outer city area) and Ararat framework plan (inner city area).*

The proposal is consistent with these Clauses, promoting development which is developed in accordance with the framework plan / strategic policy (*Ararat Sustainable Growth Future Plan*).

The land is served by reticulated water and sewerage. It is well-located close to shops, services and transport infrastructure within a walkable distance, and the town centre and community infrastructure.

#### **Clause 15.01-3S Subdivision design**

*To ensure the design of subdivisions achieves attractive, safe, accessible, diverse, and sustainable neighbourhoods.*

The proposal results in 4 additional lots to the current site on the current site. It has relatively close proximity to the Ararat town centre and associated shops and services. The additional lots range in areas from 799m<sup>2</sup> for Lot 1 which retains the existing dwelling, to Lots 2, 3 and 4 which measures between 360m<sup>2</sup> and 374m<sup>2</sup> each. Thus, the proposal will contribute to the creation of an accessible, diverse and sustainable neighbourhood, enabling a diversity of housing options in the immediate area.

#### **Clause 15.01-5S Neighbourhood character**

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

The proposal does not negatively effect current neighbourhood character, largely reflecting the surrounding site context by retaining the frontage and character by keeping the existing dwelling fronting Blackie Avenue. Moreover, the proposal retains valued elements of the subject site and surrounding area, including walkable access to shops and services.

#### **Clause 15.01-4S Healthy neighbourhoods**

*To achieve neighbourhoods that foster healthy and active living and community wellbeing.*

The subject site is located approximately 1.2km / a 15-minute walk from the middle of Barkly Street with access to many shops and services, as well as only 1.5km to the town hall and library. Thus, the site is highly walkable, which fosters healthy and active living. This access is also suited to people using electric mobility devices.

#### **Clause 16.01-1S Housing supply**

*To facilitate well-located, integrated, and diverse housing that meets community needs.*

The proposal is appropriately located, with ready access to most services, restaurants and retailers. While this proposal does not include dwellings, the application will facilitate additional dwellings in the future in a well-located location.

It is considered that the proposed subdivision will be able to contribute to a liveable, healthy, and sustainable neighbourhood meeting the wider objectives of the Planning Policy Framework and Planning Scheme.

### Strategic Consideration and Merit

The Council's *Ararat Sustainable Growth Future Report (February 2014)* is an essential strategic planning document in relation to Ararat Rural City subdivisions and development – underpinning Council's sustainable growth plan and vision for the future of Ararat.

The report indicates that *"the substantial majority of dwellings in the municipality are separate houses (93%) with only 4% being flat, unit or apartment type dwellings (ABS 2011)."* At the time of the preparation of this report, the average household size was 2.44 people, indicating a variety of housing is required to provide diversity for the residents of Ararat and provide accommodation options that would better meet the wider community's needs.

Additionally, the report notes that demand projections range between 30-53 new dwellings per annum over the next 20 years, expecting that the majority of these dwellings will be constructed in the Ararat Township. Since this report was prepared prior to the emergence of the COVID global pandemic in 2020, some Victorians have sought to relocate to a rural city whether it be for lifestyle changes or work opportunities, access to family or other reasons. The impact has been a further strain on the housing supply and adding to the dwelling demand within the Ararat area.

More broadly regional Australia experienced a net inflow of 43,000 people from the Capital cities in 2020. During the pandemic people were both moving to the country and others were choosing to stay put in regional areas. This will begin to change as the cities regain freedom and people (in particular, young people) look to move for more education and work opportunities.

Council Plan 2021-2025 lists a number of growth targets for the municipality, including:

- *Available residential land increased by 600 lots by 30 June 2025*
- *Residential housing stock increased by 300 properties by 30 June 2025*
- *Total population of the municipality increased by 750 by 30 June 2025 (6.3%)*

In order to achieve these growth targets, Ararat needs more residential subdivisions and development.

Ararat does not have a large variety of housing typologies, with 90.6% of dwellings being low-density detached dwellings. 74.3% of houses have 3 bedrooms or more while single or lone persons makeup 34.5% of household compositions (10% higher than the state average).

Ararat also has a shortage of medium-high density housing, which is generally more affordable and more easily managed, especially for those living alone. Given the increase in housing demand, in addition to the smaller scaled average household size, subdivisions and development that assist both these housing concerns would be of great benefit to the continued growth of the Ararat community.

The provision for a variety of housing stock that is outside of single dwelling homes is essential to the growth of Ararat's local community and economy. If Council was to continuously delay the commencement of growth of this area it will significantly impact the local economy and the strength of the community in the future, with residents likely to seek other rural opportunities instead of Ararat which offer employment opportunities, housing diversity, and commercial facilities and services that one expects within a well-established township.

## Zoning

The subject site is located within the General Residential Zone. The General Residential Zone aims to achieve the following:

- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

Under Clause 32.08-3, a permit is required to subdivide land, and must meet the nominated requirements of Clause 56.

The proposal meets the purpose of the zone, providing a diversity of housing types in the future, as well as housing growth in an accessible location close to the Ararat town centre.

The proposal will minimise the impact on neighbouring sites and neighbourhood character by keeping the existing dwelling and street frontage and maintaining the existing feel and character when experienced from the street. It is acknowledged that given the laneway and Crown land adjoining the site, residents of 3 Blackie Avenue will experience the biggest change given their location as the only neighbours sharing a boundary with the proposal.

The proposal meets the decision guidelines of the General Residential Zone. The pattern of subdivision is appropriate for the area, given its relative proximity to the town centre. The spacing of the subdivision is appropriate – facilitating space for dwellings as well as a shared access for new dwellings on the site utilising the lane.

The subdivision is consistent with other recent subdivisions and developments in surrounding areas of Ararat, providing smaller lots with less land to maintain, as well as providing housing diversity and affordability distributed throughout the town, adding to the choice of locations for future residents, or existing residents seeking to downsize or enter the property market.

## Overlays

No overlays apply to the subject site.

## Particular Provisions

- Clause 56 Residential Subdivision

The proposal has been assessed under Clause 56 and found to comply with all objectives and most standards relating to residential subdivision.

At time of writing, the proposal did not meet standard C11 as the proposal did not specify areas of common land as required. As access will primarily utilise the existing lane, common land will only be necessary if required for service provisions. A detailed assessment of the proposal against the objectives and standards of Clause 56 can be found in Appendix 1.

- Clause 53.01 Public Open Space Contribution and Subdivision

Under Clause 53.01, a public open space contribution of 5% is required. Given the ready access of this land to Crown land at the rear and footpaths fronting Barkly Street to access other recreational spaces, it is recommended that a financial contribution be collected.

Decision Guidelines

Clause 65.01 – Approval of an Application	Comment
The matters set out in section 60 of the Act.	The provisions of the Act have been considered throughout this report.
Any significant effects the environment, including the contamination of land, may have on the use or development.	The property has been used for residential use for many years, and thus contamination of land is unlikely. Moreover, the proposal will not adversely affect surrounding uses.
The Municipal Planning Strategy and the Planning Policy Framework.	It is considered that the proposal aligns with the Planning Policy Framework.
The purpose of the zone, overlay or other provision.	It is considered that the proposal aligns with the purpose and strategic intent of the General Residential Zone, and relevant Particular Provisions (Clause 56) as discussed in detail within this report.
Any matter required to be considered in the zone, overlay or other provision.	As above.
The orderly planning of the area.	<p>The proposal is a potential catalyst for the increased growth of the town and local economy. The economic growth has largely plateaued by the limited number of workers and residents of the area, due to the minimal housing stock or affordable accommodation alternatives being developed in the last ten years.</p> <p>The proposal to increase housing options provides for the orderly planning for growth of the wider area.</p> <p>Notably, this must be balanced however, avoiding the over-development of sites, thus maintaining amenity for residents now and in the future. This must occur via upholding the Planning Scheme through the likes of the objectives and standards of Clause 56, as well as seriously taking into consideration the voices of objectors, working with applicants and the community to achieve good outcomes for all parties.</p>
The effect on the environment, human health and amenity of the area.	<p>No significant impact on environment, human health or amenity of the area is expected to result from this application.</p> <p>Council notes that this application will provide the opportunity for an increase in dwelling density in the future, and therefore a point of departure from the traditional housing stock of Ararat, featuring single story detached dwellings on large lots.</p>
The proximity of the land to any public land.	The subject site abuts an area of public land, consisting of an area of remnant vegetation managed by DELWP.

Factors likely to cause or contribute to land degradation, salinity or reduce water quality.	There are no works proposed that would have a detrimental effect on the immediate environment.
Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.	While it is unlikely that works proposed would have a detrimental effect on stormwater, conditions to the permit have been attached to mitigate any detrimental effects regarding stormwater.
The extent and character of native vegetation and the likelihood of its destruction.	No native vegetation is to be removed as part of this proposal.
Whether native vegetation is to be or can be protected, planted, or allowed to regenerate.	As above.
The degree of flood, erosion or fire hazard associated with the location of the land and the use, development, or management of the land so as to minimize any such hazard.	The proposal does not propose any works that could create significant detriment to the environment in terms of fire, flood or erosion.
The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts	No loading/unloading is proposed with this application. Management of construction works will occur under the Building Code of Australia and local laws.
The impact the use or development will have on the current and future development and operation of the transport system.	The current transport system will accommodate future growth which may be generated by the proposed subdivision.
<b>Clause 65.02 – Approval to Subdivide Land</b>	<b>Comment</b>
The suitability of the land for subdivision.	<p>Due to the encouragement of higher dwelling densities, the property is suitable for land subdivision, with no minimal lot size set in the Planning Scheme.</p> <p>Additionally, there are no Section 173 agreements or restrictions on title to prohibit the subdivision of the subject site.</p>

The existing use and possible future development of the land and nearby land.	The surrounding uses are largely residential, consistent with the strategic vision and intent for this immediate area.
The availability of subdivided land in the locality, and the need for the creation of further lots	There are no lots within the immediate area that provide this type of lot size. This application injects a small number of new dwellings to Ararat, providing housing affordability and diversity of choice.
The effect of development on the use or development of other land which has a common means of drainage	The development is not expected to have an impact on the drainage of the surrounding properties.  Conditions within the proposed planning permit include a requirement for the provision of a drainage discharge plan.
The subdivision pattern having regard to the physical characteristics of the land including existing vegetation	The subdivision pattern has taken into consideration the existing boundary interfaces, boundary dimensions, surrounding vegetation and fall of the land.  The existing laneway separates the development from Barkly Street west land.
The density of the proposed development	The proposal meets relevant density requirements of Clause 56.
The area and dimensions of each lot in the subdivision	The area and dimensions for each lot meet the requirements of Clause 56.
The layout of roads having regard to their function and relationship to existing roads.	No new roads are proposed. The existing laneway will form the basis of the access to the lots and surrounding yards.
The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.	The shared accessways is dimensioned to allow for safe and efficient movements when entering and exiting the development in accordance with Council's subdivision standards outlined in the Infrastructure Design Manual.
The provision and location of reserves for public open space and other community facilities.	No space is proposed by the development, but residents will have ready access to the adjoining Crown Land and quiet street network of paths to the east.
The staging of the subdivision	Not proposed.
The design and siting of buildings having regard to safety and the risk of spread of fire.	The subject site is not affected by the Bushfire Management Overlay; however any future dwellings must comply to planning requirements relating to fire risk.
The provision of off-street parking.	Each unit has the required number of resident spaces, with road spaces also available for visitors.
The provision and location of common property.	At time of writing, designs did not include location of common property.
The functions of anybody corporate.	Any function of a body corporate will need to be done in accordance with Owners Corporation Act 2006.
The availability and provision of utility services, including water,	All utilities will need to be provided by the applicant during the development of the property. All servicing authorities have provided support for the application subject to conditions.

sewerage, drainage, electricity and gas.	
If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sillage within the boundaries of each lot.	The development is to be sewered in accordance with GWM Water's conditions. This will ensure no issue with wastewater management.
Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.	No vegetation is required to be removed from the site for this application.
The impact the development will have on the current and future development and operation of the transport system.	As noted previously, the proposal will not overly burden the transport system.  That being said, as the town grows, there are facilities in place to increase the frequency of this bus route, if required by increased demand. The proximity to the town centre and high school makes walking or cycling for short trips possible.

### COMMENTS MADE IN OBJECTION

Objections have been received from 6 local residents. Each objection letter and any secondary comments have been attached to this report in Attachment 1. Through the mediation process, one objection has been resolved.

The topics of objections and the officer response to each are set out below (summarised).

<b>Objection</b>	<b>Response</b>
Privacy	It must be acknowledged that most of the objectors raising privacy as a concern did so in relation to dwellings, and not to the application for this subdivision.  Any future development on the site will need to meet planning and building standards relating to privacy, overlooking and overshadowing (among other things) to protect surrounding amenity.
Noise	This application is for a subdivision and not for the development of dwellings, thus most of the objections were not strictly related to the application.  Any future development on the land will need to meet planning and environmental standards relating to the likes of noise, designed to protect surrounding amenity. The standards currently apply to all residents of the town area, restricting what residents can do on their property.  Objections highlighted that the proposal would have detrimental ongoing effects to residents, including negatively effecting livelihoods for those working from home and those with home-based businesses. It is unclear how the addition of 4 new dwellings on the proposed lots will impede the ability of others to work and make a living.



	<p>If in the future development goes ahead and for any reason disturbs the amenity through noise, both the Council and EPA should be contacted in order to establish if any breach is occurring.</p>
<p>Safety / Access</p>	<p>Objections discussing safety / access were not strictly related to the application, instead talking about potential future dwellings or use of the laneway which is not part of this application.</p> <p>The proposal meets the relevant standards regarding vehicle and pedestrian access, as well as visibility of sites and 'eyes on the street' for passive safety have standards for development addressing these concerns.</p> <p>Several objectors noted the laneway as a problem for the application. At the point of subdivision, the critical question is if the laneway provides suitable access to the proposed lots. Construction plans for development on the site in the future will be assessed by Council engineering staff to determine if access via the lane is suitable and safe. At this stage in the process, the engineering staff have advised of the widening and construction needs, which can be managed by conditions.</p> <p>Moreover, in terms of concerns regarding future vibration, air pollution or noise concerns in the laneway, these concerns are not relevant to the current application; yet are also unlikely in the future if the site is fully developed. If for any reason in the future dwellings on the sites create such problems, both Council and the EPA should be contacted.</p>
<p>Utility Capacity</p>	<p>The development/construction of the laneway will provide access to both the new parcels and continuing access to the rear of existing lots. Utility capacity has been confirmed with referral authorities, and conditions of these agencies are attached.</p> <p>Referral agencies for utility capacity will advise Council if services are available to the new lots.</p> <p>Any future dwelling design on site will ensure stormwater drainage can be managed to pre-development levels.</p>
<p>Overdevelopment and Neighborhood Character</p>	<p>Serious concerns regarding the changing neighbourhood character and feel of Ararat, as well as the notion of retaining <i>healthy country living</i> were raised by objectors.</p> <p>Council is bound by State planning controls, which are promoting higher density developments, particularly in the General Residential Zone. Council must abide by these state-wide controls.</p> <p>Council is seeking to find a balance between an increase in development / higher densities / better uses of space / diversity of housing / housing affordability. The current approach will see the spread of these opportunities across the town, allowing people a broader choice of housing lots / housing stock to suit their needs.</p> <p>Council must seriously consider the concerns of residents regarding overdevelopment and neighbourhood character, as once site is developed / character is lost, it cannot be reverted. Council must also work to promote sustainable growth and development for the municipality's economy, as well as to provide a much needed diverse and affordable housing stock.</p>

### Mediation Meeting

A mediation meeting was held between the applicant and objectors on the 27 January 2022.

Objectors raised concerns including:

- Privacy
- Noise
- Neighbourhood Character
- Scale

In summation, the applicant listened to the objections and suggested a number of solutions, including:

- Fixed garbage pickup points in the lane or on frontage to Blackie Avenue
- Added height fencing to minimise privacy / overlooking concerns
- Keeping existing dwelling and thus, maintaining frontage and neighbourhood character
- Willingness to scale down development (minus one dwelling) and workshop design of dwellings and landscaping with objectors to find a solution to objections

Objectors did not respond to the offer of the reduced scale of development at the meeting and were not ready to withdraw objections regarding any of their concerns or agree to any of the proposed solutions. In light of this, Council staff adjourned the meeting, and committed to follow up on the position of objectors several days later once all parties have thought over the proposal and options moving forward.

At time of writing, one objector has withdrawn their objection subject to conditions that were discussed at the meeting and form usual planning practice. The remaining objectors held further discussions offline with the applicant but did not reach an agreed position. These objectors sought to control the development beyond issue of Titles, and outside of both the provisions of the planning scheme and planning practice. As there is no mechanism to support these requests it has been assessed that these objections still stand.

## ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

### 1 *Growing our Place*

*We will create the settings to support growth across our municipality through an improved planning scheme, actively pursuing new housing options and exploring models for in-migration.*

*1.1 Support innovative housing models that work to overcome market failure and create the capacity to increase the population of Ararat Rural City.*

### 5 *Enhancing community life*

*We will work with the communities of Ararat Rural City to maintain social cohesion, support community activity and cultural life, and enhance safety.*

*5.3 Partner with community groups, not-for-profits, and traditional owner organisations to develop Ararat Rural City as a more inclusive and diverse community.*

### 6 *Strong and effective governance*

*We will work hard to build models of governance that place delivering public value at the centre through effective financial management; well measured risk management; and implementation of effective community engagement practices.*

*6.1 Deliver responsible budget outcomes, linked to strategy, that deliver value, innovation and rating fairness.*

*6.2 Ensure appropriate risk management is applied to Council and organisational decisions. Council's internal function is applied to areas of perceived risk.*

## FINANCIAL

The Council may have a financial obligation to put its case at VCAT in the event that the decision on the application is appealed by either the applicant or objectors.

## POLICY/LEGAL/STATUTORY

The policy, legal and statutory considerations defined by the planning scheme and overarching legislation and practice have been outlined in the assessment of the application and throughout this report.

## RISK ASSESSMENT

The assessment process follows the provisions of the legislation and the planning scheme clauses and related documents such as the Infrastructure Design Manual to ensure that the outcomes meet broad community standards as well as acceptable and safe design responses.

## CONCLUSION

The application seeks planning approval for a 5-lot subdivision at 1 Blackie Avenue. The proposal represents an opportunity to diversify and expand the housing options within Ararat and supporting growth of the population and economy.

During the assessment process, the proposal has been assessed against the Planning Policy Framework, the purpose of the zone, and Particular Provisions. The proposal aligns with Council's strategic intent for the area, representing a step towards growth and realising Council's strategic vision for the area.

The application also reflects a high level of compliance for the following policies within the Ararat Planning Scheme:

- Clause 11.01-1L Settlement – Ararat Rural City
- Clause 15.01-3S Subdivision design
- Clause 15.01-5S Neighbourhood character
- Clause 16.01-1S Housing supply
- Purpose of the Clause 32.08 – General Residential Zone
- Clause 56 – Residential Subdivision

Through the assessment process, it has been proposed that the number of lots created be reduced to 4 in order to mitigate some concerns of objectors, which Council supports in order to balance community concern and risk of overdevelopment of the site against the needs of Ararat regarding housing stock. Whilst objectors raised several issues, these primarily relate to the subsequent development of the land. These concerns are not considered to be relevant to the Council's task at hand or persuasive enough to refuse the application.

Council is satisfied that the proposed subdivision is not expected to provide any change to the amenity of the area from the public realm and is consistent with the purpose of the General Residential Zone, which includes providing for lots and housing at a mix of densities.

It is therefore considered that the proposal is an acceptable outcome having regard to the provisions of the Ararat Planning Scheme. It is recommended that the planning approval for the application for the subdivision be supported with a condition to amend the permit by reducing the subdivision by 1 lot.

**RECOMMENDATION**

*That the Council, having required that Notice of Application be given and having received and considered objections and submissions and the question of detriment, resolves to issue a Notice of Decision to Grant Planning Permit No. PA3085 for 5 Lot Subdivision on 1 Blackie Avenue Ararat 3377 subject to the following conditions:*

<p>1.</p>	<p><i>Amended plans</i> Amended plans are required to be submitted and endorsed by Council before any works or certification occurs. The amended plans are to be generally in accordance with the plans dated 15/11/2021 but modified to show:</p> <ul style="list-style-type: none"> <li>a) <i>The reduction of one lot and associated changes to meet the outcomes specified in these conditions</i></li> <li>b) <i>Widening of laneway (as outlined in Condition 8)</i></li> <li>c) <i>Provision of fencing along the boundary with 3 Blackie Avenue to a maximum built height of 1.8m. In addition, a trellis may be added to this to a maximum of 600mm</i></li> </ul> <p><i>Once the plans are endorsed they must not be changed without the written consent of Council except to comply with statutory requirements and all words are to be consistent with the endorsed plans.</i></p>
<p>2.</p>	<p><i>Drainage Discharge Plan</i> Before the development starts a properly prepared drainage discharge plan with computations to the satisfaction of the responsible authority must be submitted to and approved by the Council. The information and plan must include:</p> <ul style="list-style-type: none"> <li>a) <i>Details of how the works on the land are to be drained and / or retained</i></li> <li>b) <i>Computations and specifications</i></li> <li>c) <i>Independent drainage for each lot</i></li> <li>d) <i>Underground pipe drains conveying stormwater to the legal point of discharge</i></li> <li>e) <i>A maximum discharge rate from the site is to be determined by computation to the satisfaction of Council</i></li> <li>f) <i>Stormwater to legal point of discharge.</i></li> </ul> <p><i>Once approved by Council the plans will be endorsed and form part of the approved plan set.</i></p>
<p>3.</p>	<p><i>Stormwater and surface works</i></p> <ul style="list-style-type: none"> <li>a) <i>All underground or surface works that are considered necessary by Council must be constructed in accordance with plans, computations and specifications submitted to and approved prior to Statement of Compliance.</i></li> <li>b) <i>Such drainage works must be designed and installed to transport stormwater run-off from the subject land and surrounding land or adjoining road(s) to an approved point of discharge.</i></li> <li>c) <i>Stormwater must not drain or discharge from the land to adjoining properties without the prior approval of Council.</i></li> <li>d) <i>All works must be completed to the satisfaction of Council prior to issue a statement of compliance</i></li> </ul>
<p>4.</p>	<p><i>General amenity</i> The development must be managed at all times during construction of the subdivision so that the amenity of the area is not detrimentally affected, through the:</p> <ul style="list-style-type: none"> <li>a) <i>Transport of materials, goods or commodities to or from the land</i></li> <li>b) <i>Appearance of any building, works or materials</i></li> <li>c) <i>Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil</i></li> <li>d) <i>Presence of vermin</i></li> </ul>

5.	<p><i>Open space contribution</i> The applicant or owner must pay to the Council a sum equivalent to 5% of the site value of all land in the subdivision as well as the cost incurred with the land valuation to set the Open Space contribution. This payment must be made before a statement of compliance is issued and may be varied under section 19 of the Subdivision Act 1988.</p>
6.	<p><i>Address</i> The address of the new lots are:</p> <ul style="list-style-type: none"> <li>a) Existing House: 1/1 Blackie Avenue, Ararat</li> <li>b) Proposed Lot 2: 2/1 Blackie Avenue, Ararat</li> <li>c) Proposed Lot 3: 3/1 Blackie Avenue, Ararat</li> <li>d) Proposed Lot 4: 4/1 Blackie Avenue, Ararat</li> </ul>
7.	<p><i>Telecommunications</i> The owner of the land must enter an agreement with:</p> <ul style="list-style-type: none"> <li>a) A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and</li> <li>b) A suitably qualified person for the provision of fibre ready telecommunications to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.</li> </ul> <p>Also, before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:</p> <ul style="list-style-type: none"> <li>c) A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunication services in accordance with the provider's requirements and relevant legislation at the time; and</li> <li>d) A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.</li> </ul>
8.	<p><i>Permit Cancellation</i> Permit PA2694 must be cancelled prior to the commencement of works.</p>
9.	<p><i>Design &amp; Construction of Civil Works</i> Design and construction of road works, drainage and other civil works, in accordance with plans and specifications approved by the Council and must include:</p> <ul style="list-style-type: none"> <li>a) Road widening Right Of Way (ROW) off Blackie Avenue to accommodate services</li> <li>b) Full construction of Laneway (ROW Blackie) at 5.5m carriageway width with asphalt or two coat bitumen seal</li> <li>c) Construction of concrete spoon drain or alternative</li> <li>d) Construction of underground drainage</li> <li>e) Connection of existing stormwater pipes (connection of down pipe) to drainage system</li> <li>f) Widening of layback at intersection of Blackie Avenue and Laneway to suit road width (5.5m)</li> <li>g) Streetlight on existing pole at intersection Blackie and Laneway</li> <li>h) Underground conduits for water, gas, electricity, telephone</li> <li>i) Landscaping</li> <li>j) provision of waste collection based on proposed road construction and ability to provide safe turnaround</li> </ul>

10	<p><i>Vehicle Access – Subdivision</i></p> <p><i>Vehicle access to the proposed development must be constructed in accordance with plans, designs and specifications approved by Council using Standard Drawing IDM SD 240 or alternative acceptable to Council.</i></p> <p><i>All works must be completed to the satisfaction of the Council prior to statement of Compliance.</i></p> <p><i>Vehicle Access Note: Any works in road reserve will require a permit. This Planning Permit does not constitute such approval. Prior to commencing any works on site please contact Ararat Rural City Council Technical Services on (03) 5355 0200.</i></p>
11.	<p><i>Road Dedication</i></p> <p><i>As part of the subdivision, the entire laneway pavement and any additional land forming the road reserve is to be dedicated to Council as a road.</i></p>
12.	<p><i>GWM Water (Ref: 04/040/1369)</i></p> <ul style="list-style-type: none"> <li><i>a) The owner/applicant must install water mains and associated works to serve each lot of the proposed development, at the owner’s cost, and in accordance with GWMWater’s specifications and requirements.</i></li> <li><i>b) The owner/applicant must provide plans and estimates of all proposed water supply works prior to commencement, for GWMWater’s approval.</i></li> <li><i>c) The owner/applicant must provide written notification of commencement of the works to enable GWMWater to organise inspections and coordinate with its staff.</i></li> <li><i>d) The owner/applicant must provide “as constructed” plans and a schedule of final asset costs at the level identified in GWMWater’s asset register for all water works upon completion.</i></li> <li><i>e) The plan of subdivision submitted for certification must be referred to GWMWater in accordance with Section 8 of the Subdivision Act.</i></li> <li><i>f) The owner/applicant must provide individual property sewer connection branches to each lot in accordance with GWMWater’s requirements.</i></li> <li><i>g) The owner/applicant is responsible for verifying the condition of any existing sewer connection point/s to determine their suitability for use.</i></li> <li><i>h) The owner/applicant must disconnect the existing sanitary drain for the house located on Lot 1 and reconnect to a new point located within the new lot boundary.</i></li> <li><i>i) The owner/applicant must provide GWMWater with an updated drainage plan for the existing dwelling on Lot 1 submitted by a qualified plumber.</i></li> <li><i>j) The owner/applicant must ensure any existing water or sewer services and GWMWater assets made redundant by this development are abandoned, at the owner’s cost, in accordance with GWMWater’s standards.</i></li> </ul>
13.	<p><i>Powercor (Ref 308239680)</i></p> <ul style="list-style-type: none"> <li><i>a) This letter shall be supplied to the applicant in its entirety.</i></li> <li><i>b) The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.</i></li> <li><i>c) The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor’s requirements and standards. Notes: Extension, augmentation or rearrangement of the Distributor’s electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.</i></li> <li><i>d) The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).</i></li> </ul> <p><i>Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.</i></p>



14.	<p><i>Time frame</i> This permit will expire if:</p> <p>a) The plan of subdivision is not certified within 3 years of the date of this permit; and/or</p> <p>b) The statement of compliance is not achieved within 6 years of the date of this permit.</p> <p>The Council may extend the periods referred to if a request is made in writing before the permit expires, or as specified under Section 69 of the Planning and Environment Act 1987.</p>
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**MOVED CR BEALES**  
**SECONDED CR SANDERS**

That the Council, having required that Notice of Application be given and having received and considered objections and submissions and the question of detriment, resolves to issue a Notice of Decision to Grant Planning Permit No. PA3085 for 5 Lot Subdivision on 1 Blackie Avenue Ararat 3377 subject to the following conditions:

1.	<p><b>Amended plans</b> Amended plans are required to be submitted and endorsed by Council before any works or certification occurs. The amended plans are to be generally in accordance with the plans dated 15/11/2021 but modified to show:</p> <p>d) The reduction of one lot and associated changes to meet the outcomes specified in these conditions</p> <p>e) Widening of laneway (as outlined in Condition 8)</p> <p>f) Provision of fencing along the boundary with 3 Blackie Avenue to a maximum built height of 1.8m. In addition, a trellis may be added to this to a maximum of 600mm</p> <p>Once the plans are endorsed they must not be changed without the written consent of Council except to comply with statutory requirements and all words are to be consistent with the endorsed plans.</p>
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13.	<p>Powercor (Ref 308239680)</p> <p>e) This letter shall be supplied to the applicant in its entirety.</p> <p>f) The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.</p> <p>g) The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards. Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.</p> <p>h) The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).</p> <p><i>Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.</i></p>
14.	<p>Time frame</p> <p>This permit will expire if:</p> <p>c) The plan of subdivision is not certified within 3 years of the date of this permit; and/or</p> <p>d) The statement of compliance is not achieved within 6 years of the date of this permit.</p> <p>The Council may extend the periods referred to if a request is made in writing before the permit expires, or as specified under Section 69 of the Planning and Environment Act 1987.</p>

CARRIED 4566/22

All members of the gallery left the chamber at 6:46pm.

#### ATTACHMENTS

- 1 Application, including plans and supporting reports
- 2 Original objections and secondary comments
- 3 Clause 56 Assessment

 <p><b>Ararat Rural City</b></p> <p>59 Vincent Street, Ararat PO Box 246 Ararat, Victoria Australia 3377 (03) 5355 0200 council@ararat.vic.gov.au www.ararat.vic.gov.au</p>	<b>Office Use Only</b>	
	VicSmart:	No
	Specify class of VicSmart application:	
	Application No:	Date Lodged: 24/11/2021

## Application for Planning Permit

If you need help to complete this form, read [How to complete the Application for Planning Permit form](#).

**⚠** Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any concerns, please contact Council's planning department.

**⚠** Questions marked with an asterisk (\*) are mandatory and must be completed.

**⚠** If the space provided on the form is insufficient, attach a separate sheet.

### Application type

Is this a VicSmart Application?\*

No  
If yes, please specify which VicSmart class or classes:

**⚠** If the application falls into one of the classes listed under Clause 92 or the schedule to Clause 94, it is a VicSmart application

### Pre-application meeting

Has there been a pre-application meeting with a Council planning officer?

True

Date: 17/11/2021      day / month / year

### The Land ⓘ

Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

**Street Address\***

Unit No:  St. No:  St. Name:

Suburb/Locality:  Postcode:

**Formal Land Description\***  
Complete either A or B

**A**   Lodged Plan  Title Plan  Plan of Subdivision


**OR**

**B**


If this application relates to more than one address, please attach details.


## The Proposal

 You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application.

 For what use, development or other matter do you require a permit?\*

Keep the existing house and subdivide the rear block into 4 more blocks. A total of 5 lot sub division

 Provide additional information on the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

 Estimated cost of development for which the permit is required\*

Cost \$90,000.00

 You may be required to verify this estimate  
Insert '0' if no development is proposed


Insert '0' if no development is proposed (eg. change of use, subdivision, removal of covenant, liquor licence)

## Existing Conditions

Describe how the land is used and developed now\*

Eg. vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

4 bedroom house

 Provide a plan of the existing conditions. Photos are also helpful.


## Title Information

Encumbrances on title\*

If you need help about the title, read: [How to complete the Application for Planning Permit form](#)

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- Yes. (if 'yes' contact Council for advice on how to proceed before continuing with this application.)
- No
- Not applicable (no such encumbrance applies).

 Provide a full, current copy of the title for each individual parcel of land forming the subject site. (The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments' eg restrictive covenants.)

## Applicant and Owner Details i

Provide details of the applicant and the owner of the land.

### Applicant \*

The person who wants the permit

*Where the preferred contact person for the application is different from the applicant, provide the details of that person.*

*Please provide at least one contact phone number \**

### Owner \*

The person or organisation who owns the land

*Where the owner is different from the applicant, provide the details of that person or organisation.*

Name:		
Title:	First Name: <b>Sudhanshu</b>	Surname: <b>Goel</b>
Organisation (if applicable): <b>e2eGrowth Consultants Pty Ltd</b>		
Postal Address		
If it is a PO Box, enter the details here:		
Unit No.:	St. No.: <b>8</b>	St. Name: <b>Stephens street</b>
Suburb/Locality: <b>Montmorency</b>		State: <b>Vic</b> Postcode: <b>3094</b>
Contact person's details* <span style="float: right;">Same as applicant (if so, go to 'contact information') <input type="checkbox"/></span>		
Name:		
Title: <b>Mr</b>	First Name: <b>Sudhanshu</b>	Surname: <b>Goel</b>
Organisation (if applicable):		
Postal Address		
If it is a PO Box, enter the details here:		
Unit No.:	St. No.: <b>8</b>	St. Name: <b>stephens street</b>
Suburb/Locality: <b>Montmorency</b>		State: <b>VIC</b> Postcode: <b>3977</b>
<b>Contact Information</b>		
Business Phone:		Email: <b>admin@e2egrowth.com.au</b>
Mobile Phone: <b>0400121792</b>		Fax:
Name:		
Title: <b>Mr</b>	First Name: <b>Anurag</b>	Surname: <b>Sehgal</b>
Organisation (if applicable):		
Postal Address		
If it is a PO Box, enter the details here:		
Unit No.:	St. No.: <b>22</b>	St. Name: <b>Reynard Place</b>
Suburb/Locality: <b>Cranbourne east</b>		State: <b>vic</b> Postcode: <b>3977</b>
Owner's Signature (optional):		Date:
		day / month / year

## Information Requirements


Is the required information provided?

Contact Council's planning department to discuss the specific requirements for this application and obtain a planning permit checklist.

- Yes
- No

## Declaration

This form must be signed by the applicant\*

 Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit

I declare that I am the applicant, and that all the information in this application is true and correct and the owner (if not myself) has been notified of the permit application.

Signature:  
Sudhanshu Goel  
e2eGrowth Consultants Pty Ltd

Date: 24 November 2021


day / month / year

## Checklist

Have you:

Filled in the form completely?

Paid or included the application fee?

 Most applications require a fee to be paid.  
Contact Council to determine the appropriate fee.

 Provided all necessary supporting information and document?

A full and current copy of the information for each individual parcel of land forming the subject site.

A plan of existing conditions.

Plans showing the layout and details of the proposal.

Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.

If required, a description of the likely effect of the proposal (eg traffic, noise, environmental impacts).

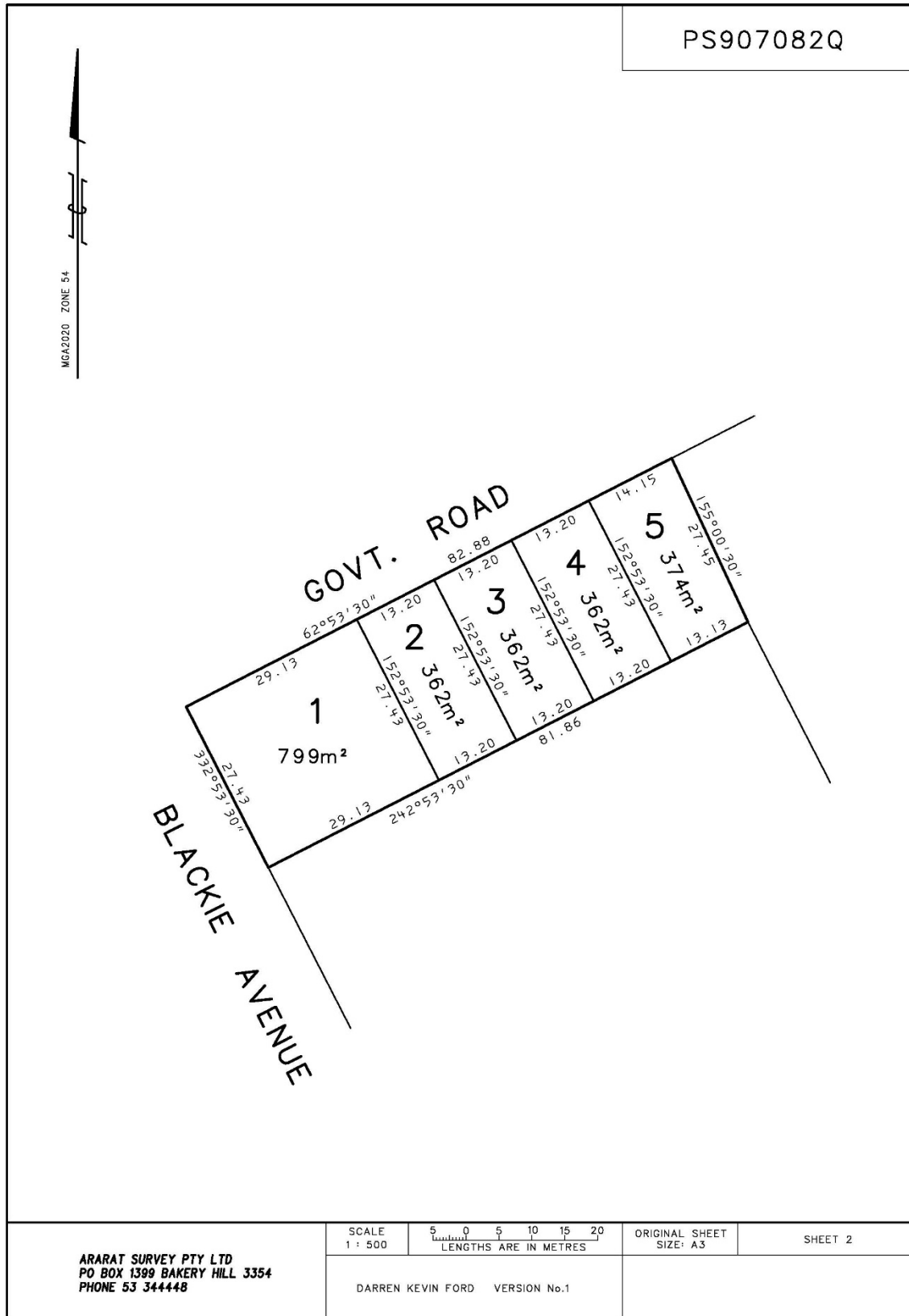
## Lodgement

Lodge the completed and signed form and all documents with:

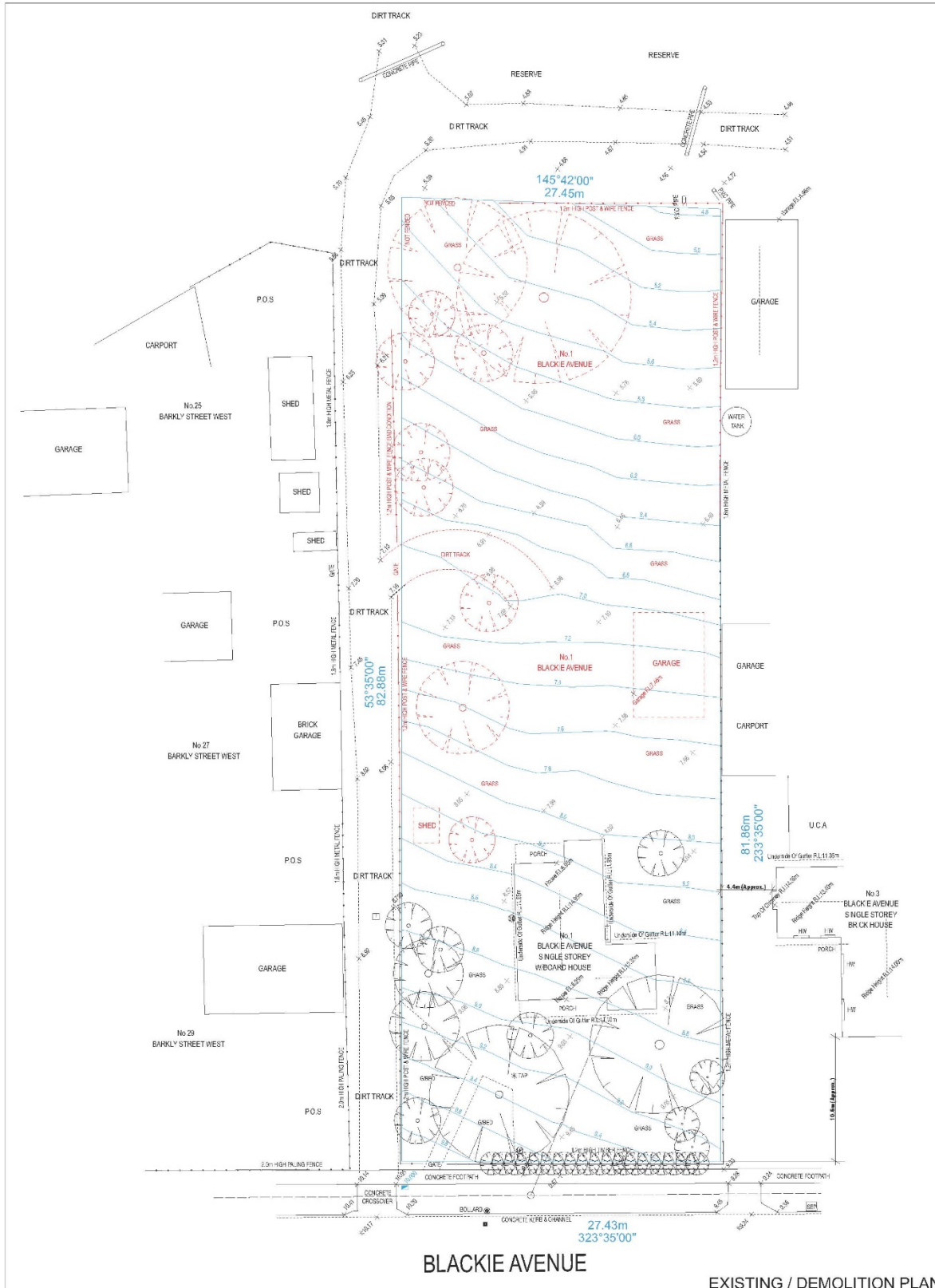
Ararat Rural City Council  
**Contact information:**  
Telephone: (03) 5355 0200



<b>PLAN OF SUBDIVISION</b>		EDITION 1	PS907082Q	
<p>LOCATION OF LAND</p> <p>PARISH: ARARAT TOWNSHIP: ARARAT SECTION: J CROWN ALLOTMENT: 12 (Part) CROWN PORTION: TITLE REFERENCE: Vol.8806 Fol.706</p> <p>LAST PLAN REFERENCE: Lot 1 TP430736L</p> <p>POSTAL ADDRESS: 1 BLACKIE AVENUE, ARARAT 3377 (at time of subdivision)</p> <p>MGA CO-ORDINATES: E: 669920                      ZONE: 54 (of approx centre of land                      N: 5871400                      GDA 94 in plan)</p>				
VESTING OF ROADS AND/OR RESERVES			NOTATIONS	
IDENTIFIER	COUNCIL/BODY/PERSON			
NIL	NIL			
NOTATIONS				
DEPTH LIMITATION: 15.24 Metres				
<p>SURVEY: This plan is/<del>is not</del> based on survey.</p> <p>STAGING: This <del>is</del> is not a staged subdivision. Planning Permit No.</p> <p>This survey has been connected to permanent marks No(s). In Proclaimed Survey Area No.</p>				
EASEMENT INFORMATION				
LEGEND:    A - Appurtenant Easement    E - Encumbering Easement    R - Encumbering Easement (Road)				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
<b>ARARAT SURVEY PTY LTD</b> <b>PO BOX 1399 BAKERY HILL 3354</b> <b>PHONE 53 344448</b>		SURVEYORS FILE REF: 211105		ORIGINAL SHEET SIZE: A3
		DARREN KEVIN FORD    VERSION No.1		SHEET 1 OF 2

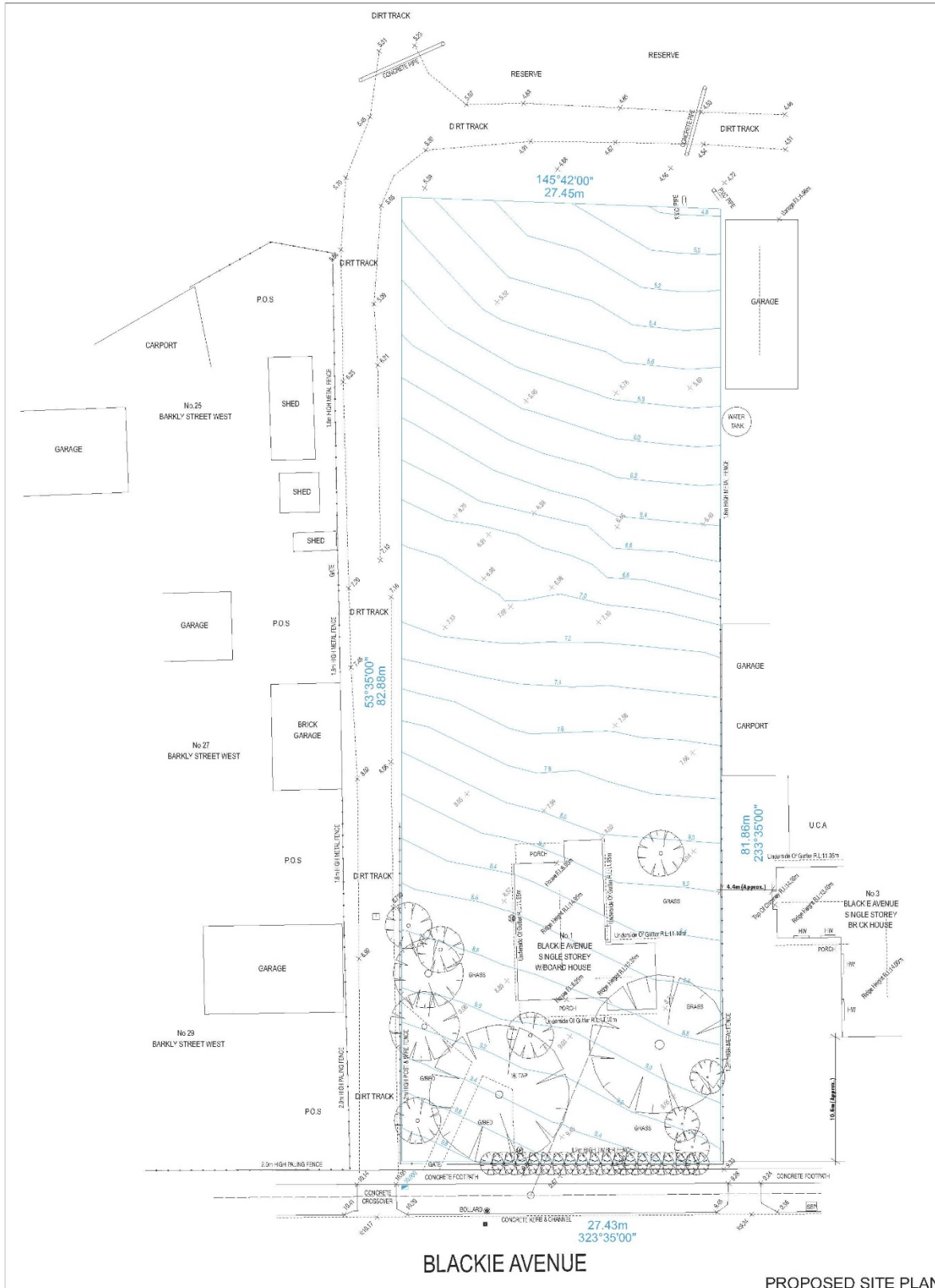






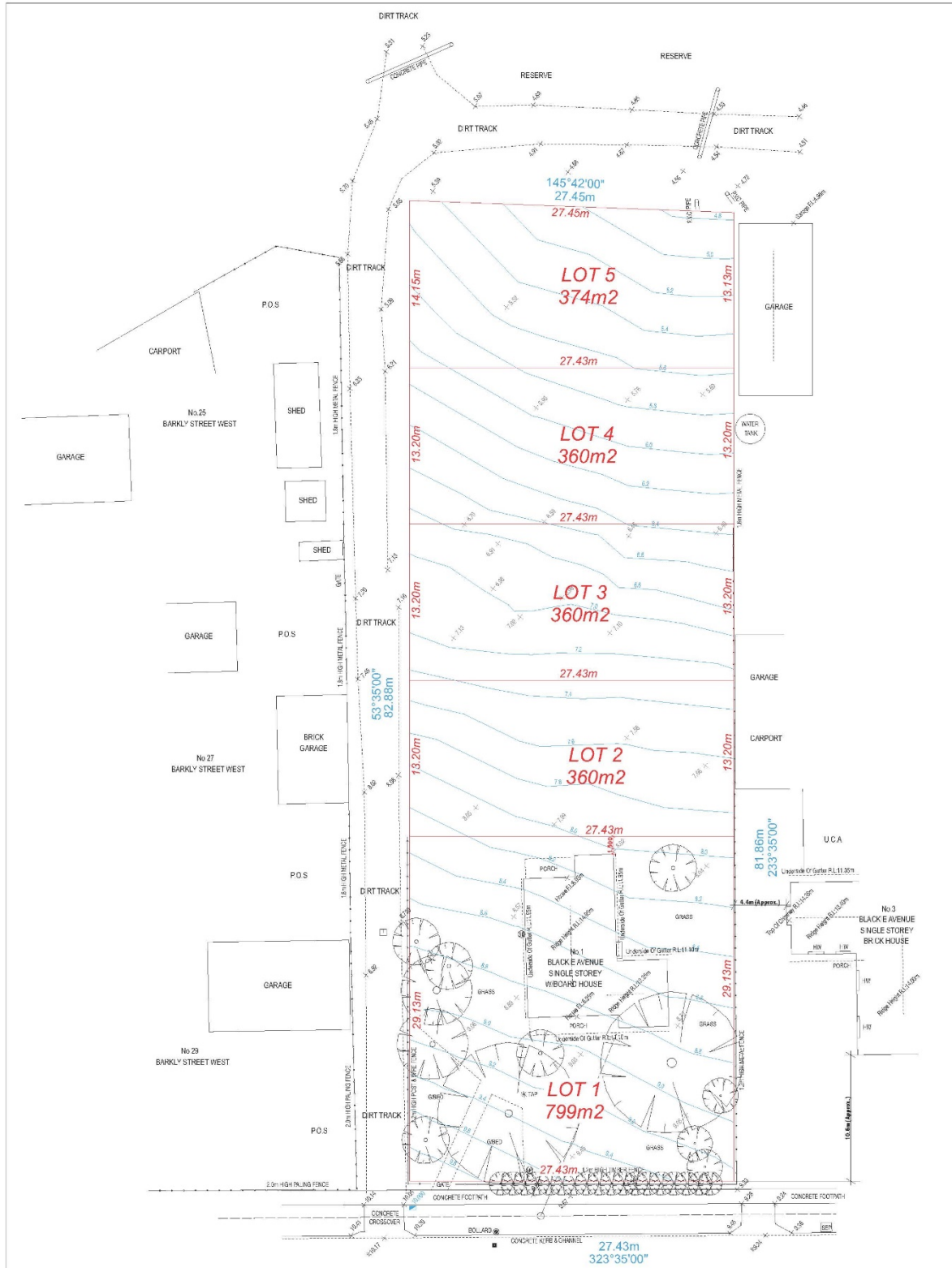




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			PROPOSAL Proposed Subdivision	SCALE: 1:140	PAPER: A1





<b>design-E</b> <small>160/170-171/172/173/174/175/176/177/178/179/180/181/182/183/184/185/186/187/188/189/190/191/192/193/194/195/196/197/198/199/200/201/202/203/204/205/206/207/208/209/210/211/212/213/214/215/216/217/218/219/220/221/222/223/224/225/226/227/228/229/230/231/232/233/234/235/236/237/238/239/240/241/242/243/244/245/246/247/248/249/250/251/252/253/254/255/256/257/258/259/260/261/262/263/264/265/266/267/268/269/270/271/272/273/274/275/276/277/278/279/280/281/282/283/284/285/286/287/288/289/290/291/292/293/294/295/296/297/298/299/300/301/302/303/304/305/306/307/308/309/310/311/312/313/314/315/316/317/318/319/320/321/322/323/324/325/326/327/328/329/330/331/332/333/334/335/336/337/338/339/340/341/342/343/344/345/346/347/348/349/350/351/352/353/354/355/356/357/358/359/360/361/362/363/364/365/366/367/368/369/370/371/372/373/374/375/376/377/378/379/380/381/382/383/384/385/386/387/388/389/390/391/392/393/394/395/396/397/398/399/400/401/402/403/404/405/406/407/408/409/410/411/412/413/414/415/416/417/418/419/420/421/422/423/424/425/426/427/428/429/430/431/432/433/434/435/436/437/438/439/440/441/442/443/444/445/446/447/448/449/450/451/452/453/454/455/456/457/458/459/460/461/462/463/464/465/466/467/468/469/470/471/472/473/474/475/476/477/478/479/480/481/482/483/484/485/486/487/488/489/490/491/492/493/494/495/496/497/498/499/500/501/502/503/504/505/506/507/508/509/510/511/512/513/514/515/516/517/518/519/520/521/522/523/524/525/526/527/528/529/530/531/532/533/534/535/536/537/538/539/540/541/542/543/544/545/546/547/548/549/550/551/552/553/554/555/556/557/558/559/560/561/562/563/564/565/566/567/568/569/570/571/572/573/574/575/576/577/578/579/580/581/582/583/584/585/586/587/588/589/590/591/592/593/594/595/596/597/598/599/600/601/602/603/604/605/606/607/608/609/610/611/612/613/614/615/616/617/618/619/620/621/622/623/624/625/626/627/628/629/630/631/632/633/634/635/636/637/638/639/640/641/642/643/644/645/646/647/648/649/650/651/652/653/654/655/656/657/658/659/660/661/662/663/664/665/666/667/668/669/670/671/672/673/674/675/676/677/678/679/680/681/682/683/684/685/686/687/688/689/690/691/692/693/694/695/696/697/698/699/700/701/702/703/704/705/706/707/708/709/710/711/712/713/714/715/716/717/718/719/720/721/722/723/724/725/726/727/728/729/730/731/732/733/734/735/736/737/738/739/740/741/742/743/744/745/746/747/748/749/750/751/752/753/754/755/756/757/758/759/760/761/762/763/764/765/766/767/768/769/770/771/772/773/774/775/776/777/778/779/780/781/782/783/784/785/786/787/788/789/790/791/792/793/794/795/796/797/798/799/800/801/802/803/804/805/806/807/808/809/810/811/812/813/814/815/816/817/818/819/820/821/822/823/824/825/826/827/828/829/830/831/832/833/834/835/836/837/838/839/840/841/842/843/844/845/846/847/848/849/850/851/852/853/854/855/856/857/858/859/860/861/862/863/864/865/866/867/868/869/870/871/872/873/874/875/876/877/878/879/880/881/882/883/884/885/886/887/888/889/890/891/892/893/894/895/896/897/898/899/900/901/902/903/904/905/906/907/908/909/910/911/912/913/914/915/916/917/918/919/920/921/922/923/924/925/926/927/928/929/930/931/932/933/934/935/936/937/938/939/940/941/942/943/944/945/946/947/948/949/950/951/952/953/954/955/956/957/958/959/960/961/962/963/964/965/966/967/968/969/970/971/972/973/974/975/976/977/978/979/980/981/982/983/984/985/986/987/988/989/990/991/992/993/994/995/996/997/998/999/1000</small> 04/03/2022 07/06/2022	 <p>design-E</p>	 <p>Ashu Goel</p>	CLIENT Ashu Goel	PROJECT <b>1 Blackie Avenue, Ararat</b>	SCALE: 1:140	PAPER: A1	DATE: 15/11/21	SHEET: SD02	REV: A
			PROPOSAL <b>Proposed Subdivision</b>	SUBDIVISION					





BLACKIE AVENUE

PROPOSED SUBDIVISION PLAN

<p>design-E</p> <p>16/0/2019 design-E Pty Ltd 040231 225394 2770800000 0161, C/Spencer Way 3802</p>	 <p>The design services provided by design-E are not a warranty or a guarantee of any kind. design-E is not responsible for any errors or omissions in this plan or any other documents prepared by design-E.</p>	 <p>CLIENT</p> <p>Ashu Goel</p>	<p>PROJECT</p> <p>1 Blackie Avenue, Ararat</p>	<p>SUBDIVISION</p>		
			<p>PROPOSAL</p> <p>Proposed Subdivision</p>	<p>SCALE: 1:140</p>	<p>PAPER: A1</p>	<p>DATE: 15/11/21</p>



<b>design-E</b> <small>14/01/2022 04/03/2024 27/06/2024</small>			CLIENT	PROJECT	SCALE: 1:140	PAPER: A1	DATE: 15/11/21	REV: SD04	REV: A
			Ashu Goel	1 Blackie Avenue, Ararat Proposed Subdivision					



To the Manager of Planning, Community and Compliance.

I here by lodge my objection to the application planning permit no PA 3085

My reasons are

- # Privacy - There will be no protection for either my family or owner/renter of that dwelling behind us. My back verandah will have full view of all the new dwellings.
- # Noise - Not knowing the dwelling size, the amount of people could double, more cars, visitors, foot traffic. Plus unknown if it will be a road or driveway, so that leads to service vehicle's on top of what is already going on too much.
- # Safety - More dwellings, more chance of vandalism to property's and worse people.
- # Plans - There is no set, clear plan on what is being placed, dwelling size, works to the back lane, not enough information. Am I able to still gain access to my back lane entrance.
- # Laneway - The lane is not wide enough for anymore dwellings. The state of the lane now is a joke. more traffic will only kill it more.

Our clothesline is closer to the back lane, when it's dry and windy, our clothes get covered in dust, more vehicles will make it worse.

If the laneway is to be repaired, has the other property's assets, connections been taken into account. ( i know for a fact that the sewer main will fail as it's not deep enough and the pipework is too old.

My shed is on the edge of falling apart with unnecessary vibration.

If the lane remains the same, how am i to gain access to my yard or let alone an emergency vehicle. Even worse if the plantation catches fire and is unable to gain access with all the dwellings cars parked in the laneway.

I encourage you to visit our property and stand on the back verandah and look at we will be looking at.

How can this planning permit go ahead with no clear plan of the dwellings or lane plans ans even worse to have such a short period to reply.

Sincerely

\_\_\_\_\_  
\_\_\_\_\_

ARARAT-4231

emailed 21/12/21

21 December 2021

To the Attention of  
Veronica Schilling  
Manager Planning, Community & Compliance  
Ararat Rural City Council  
Vincent St, Ararat Vic 3377

ARARAT RURAL CITY RECEIVED
22 DEC 2021
REFERRED TO: <i>Veronica</i>
FILE No. ....
DOC ID No. ....

*ENTERED*

**Objections to an Application for Planning Permit**  
**5 Lot Subdivision**  
**Planning Permit No. PA3085**  
**1 Blackie Avenue, Ararat being**  
**Lot 1 TP430736L, V8806, F706,**  
**Township & Parish of Ararat**

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**Summary and Statement**

We, the owner occupiers of [REDACTED] [REDACTED] formally lodge our objections to the proposed subdivision and associated future building developments, the nature of which is unknown at this stage, on the existing allotment of 1 Blackie Avenue, Ararat.

Our objections and reasons for such are varied and relate not only to several physical aspects of the proposed development, but also to the detrimental effect this development will inflict upon the enjoyment and satisfaction we currently experience living in the tranquil setting of our home of 10 years at [REDACTED]

We also firmly believe that this subdivision and associated future building developments, if allowed to proceed, will be the catalyst for the continuous erosion of the unique community spirit and neighbourhood character forged over many years by the past and present owners of the properties along the North-Eastern side of Blackie Avenue; a quality that we, as ratepayers, believe should be respected, encouraged and protected by the Ararat Rural City Council.

We are not opposed to the concept of new developments within the City of Ararat, but we firmly believe that developments need to appropriately respect the neighbourhood character of the immediate area. The high-density nature of this proposed sub-division will have a detrimental effect on the character of our neighbourhood. We believe people are attracted to Blackie Avenue and adjoining streets because of the space, privacy and the fabric of rural living that attracted us to our home in Blackie Avenue ten years ago.

The sub-dividing of this allotment at 1 Blackie Avenue will not offer attractive properties as they will face into the rear yards of properties facing Barkly Street West and will be in very close proximity to each other. This is not conducive to providing a good standard of living in the area especially in the COVID world in which we currently live.

We trust that all involved will give due consideration to our objections and respect our opinions in relation to this matter.



**Objections:**

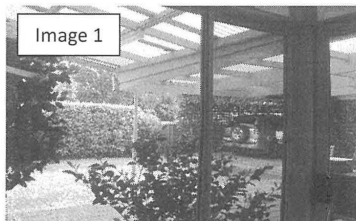
**Lot 1.**

We object to the fact that there is no reference on the plans for the proposed subdivision to provisions for parking on Lot 1 as required in the Victorian Planning Provisions. We are concerned that there may be future plans for further subdivision of this lot.

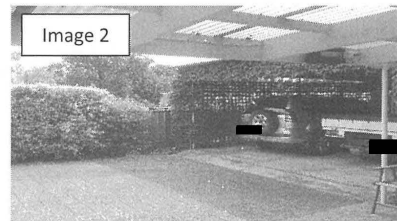
**Lot 2.**

We object to the proposed subdivision and housing development on Lot 2 of 1 Blackie Ave for the following reasons...

- The proposed subdivision of the site and the impending future inclusion of a dwelling on Lot 2, the nature of which is unknown at this stage, will detract from the existing 'neighbourhood character' which currently consists 'predominantly' of single owner occupied dwellings situated to the front of large blocks with landscaped rear gardens that provide a natural attraction for native birds and animals as well as creating a truly unique culture of communal interaction between neighbours and the shared enjoyment of the beauty and peacefulness of what was originally zoned as a 'Low Density Residential' area.
- The proposed dwelling on Lot 2 will be in our direct line of sight from existing windows in our lounge room, sunroom and family room as well as from our alfresco dining and entertaining area and carport / entertaining area. This will create the potential for conflict with future neighbors over privacy issues. Refer Images 1 & 2



View through Sunroom Window



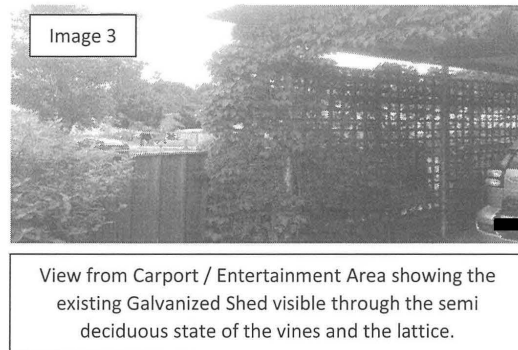
View through Family Room window and from Alfresco Dining & Entertaining area

- Our block is raised in height ranging from 850mm above the ground level of the proposed Lot 2 at the front of our existing carport / entertainment area to a height of 1400mm at the back of our existing carport / entertainment area. The current view from our existing carport / entertainment area from this raised height is obstructed during the Summer months by the foliage of deciduous vines which grow on the wooden lattice cladding of our carport / entertainment area.

During the Winter months, the leaves on the vines fall off exposing us to a view of the existing Galvanized Steel shed which is situated about 1500mm from the boundary. If the development

Lot 2 cont.

goes ahead and the shed is removed as proposed, we will be able to see directly into the proposed 'Private Open Space' of Lot 2, especially during the Winter months when the foliage is gone. We will also be in clear view of the future occupants of Lot 2 while we are on this part of our property. This is a situation we would rather not be presented with because it will detract from our current privacy, lifestyle and enjoyment of our property, as well as creating the potential for conflict with future neighbours over privacy issues. Refer to Image 3.



- The fencing shown on the plan along the border of Lot 2 and our property varies between 1200mm and 1600mm (presumably constructed of the same materials and in matching colour to our existing fencing). We find the proposed height of this fencing inadequate to provide a respectable level of privacy between properties.
- Increased human habitation on Lot 2 will increase two-fold the noise levels from both human activities and private and service vehicles audible from our property, therefore detracting from our current quiet lifestyle as well as detracting from the level of livability and enjoyment we currently experience from our home.
- Increased human habitation on this allotment will increase two-fold the amount of private vehicular traffic within Blackie Avenue and therefore increase the level of vehicular generated noise within the neighbourhood.
- The proposed subdivision of the site and the impending future inclusion of a dwelling on Lot 2, the nature of which is unknown at this stage, will detract from the existing neighbourhood character which currently consists predominantly of single owner occupied dwellings situated to the front of large blocks with landscaped rear gardens that provide a natural attraction for native birds and animals as well as creating a truly unique culture of communal interaction and shared enjoyment of the beauty and peacefulness of what was originally zoned as a 'Low Density Residential' area.

Lots 3,4 & 5.

We object to the proposed subdivision and housing development on Lots 3, 4 & 5 of 1 Blackie Ave for the following reasons...

- As per the privacy issues from our carport previously stated for Lot 2, we will face the same privacy issues with Lot 3.
- The proposed subdivision of the site and the impending future inclusion of dwellings on Lot 3, 4 & 5, the nature of which is unknown at this stage, will detract from the existing 'neighbourhood character' which currently consists 'predominantly' of single owner occupied dwellings situated to the front of large blocks with landscaped rear gardens that provide a natural attraction for native birds and animals as well as creating a truly unique culture of communal interaction between neighbours and the shared enjoyment of the beauty and peacefulness of what was originally zoned as a 'Low Density Residential' area.
- We also have concerns relating to the potential for shadowing of our property, line of site and privacy associated issues created by the impending future inclusion of dwellings on Lots 3, 4 & 5, the nature of which are unknown at this stage.
- The proposed fencing along the border of Lots 3, 4 & 5 and our property is 1600mm (presumably constructed of the same materials and in matching colour to our existing metal fencing). We find the proposed height of this fencing inadequate to provide a respectable level of privacy between properties.
- Increased human habitation on Lot 3, 4 & 5 will dramatically increase three-fold the noise levels from both human activities and private and service vehicles, which will be audible from our property, therefore detracting from our current quiet lifestyle as well as detracting from the level of livability and enjoyment we currently experience from our home.
- Increased human habitation on Lots 3, 4 & 5 will increase three-fold the amount of private vehicular traffic within Blackie Avenue and therefore increase the level of both private vehicular generated noise within the neighbourhood.
- Increased human habitation on Lots 3, 4 & 5 will increase three-fold the number of private vehicles frequenting that property, therefore creating the potential for parking congestion within the access laneway, on Blackie Ave, and in the public reserve at the rear of the property.

Entire Proposed Sub-division

We object to the entire proposed subdivision of 1 Blackie Ave for the above listed and including the following reasons...

- The proposed subdivision of the site and the impending future inclusion of dwellings on Lot 2,3, 4 & 5, the nature of which is unknown at this stage, at the rear of 1 Blackie Avenue is not in line with and will detract from the existing 'neighbourhood character' which currently consists 'predominantly' of single owner occupied dwellings situated to the front of large blocks with landscaped rear gardens (Refer Image 4) that provide a natural attraction for native birds and animals as well as creating a truly unique culture of communal interaction and shared enjoyment of the beauty and peacefulness of what was originally zoned as a 'Low Density Residential' area.



An example of the existing large landscaped rear gardens that typify the 'neighbourhood character' of properties on the North – East side of Blackie Ave.

- The proposed development has already and will continue to disrupted and have a detrimental effect on our lifestyle and enjoyment of living at our home at [REDACTED]
- The proposed development has already and will continue to have a detrimental effect on our health and wellbeing by creating unwanted stress and anxiety over the consequences and outcomes of the situation.
- One of the occupants of our dwelling is a home-based Professional Writer whose enjoyment and satisfaction of working in the peaceful environment that currently exists will be badly affected should the development go ahead, especially during the lengthy construction phase.



**Entire Proposed Development cont..**

- The majority of similar recent developments in Ararat are not sold on to owner occupiers but become rental properties. We face the very distinct possibility of being bordered by five rental properties on the north side, a far different and less desirable situation than the one, (one neighbouring family on each side), that influenced us to purchase our property for the peaceful and tranquil environment in which it is currently situated.
- Increased human habitation on Lots 1,2,3,4 & 5 will increase five-fold the noise levels from both human activities and both private and service vehicles, audible from our property, therefore detracting from our current quiet lifestyle as well as detracting from the level of livability and enjoyment we currently experience from our home.
- Increased human habitation on Lots 1, 2, 3, 4 & 5 will increase five-fold the amount of private vehicle traffic within Blackie Avenue and therefore increase the level of private vehicular generated noise within the neighbourhood.
- The development of the Laneway will entice more traffic to travel along the undeveloped fire trail past the rear of our property and the rear of all other properties along the North-East side of Blackie Ave, increasing the level of vehicle noise and dust.
- The development of the Laneway will entice more traffic to travel along the section of undeveloped laneway between Blackie Avenue and Gossip Avenue, increasing the level of vehicle noise and dust. The current occupants of 1 Blackie Ave presently use this route on a regular basis.
- We believe there will be an issue with run off from the storm water drainage from this development increasing the amount of minor flooding that occurs in the rear lane way / fire trail behind our allotment. As no plans regarding drainage are available we can only assume this potential issue will be addressed.

**Other Concerns & Questions**

- The nearest Fire Hydrant location on Blackie Ave is located at a distance from the farthest corner of the proposed dwelling on Lot 5 that may exceed the maximum distance allowed within the Ararat Planning Scheme.
- Parking provisions to meet the requirements as per Victorian Planning Provisions. Can you please advise if and how the provisions for parking on the site map provided meet with the requirements of the Victorian Planning Provisions?
- A previous application for subdivision and development at 1 Blackie Ave was subject to amendments by council that recommended the widening /upgrade of the access laneway to the properties over concerns of safe access for the increase of local traffic and service vehicles, lack of parking spaces, as well as concerns over the integrity of the existing service easements within and under the laneway. Will this still be the case with the new application, and if not can you please explain why?

**Other Concerns & Questions Cont..**

- Will the entrance/exit of the laneway off Blackie Avenue meet with the requirements stipulated in Clause 52.06-9 of the Victorian Planning Provisions for accessways. If not could you please explain why not?
- There is currently no provision for parking on Lot 1, which is not consistent with the requirements to provide adequate parking for a Dwelling with 3 or more bedrooms as per the Victorian Planning Provisions.
- Will provisions be made for safe and appropriate storage of garbage bins on each lot and has consideration been given to the collection point for each set of bins? Please advise. We ask this question due to concerns around increased noise during collection and the potential for odours from such a large amount of bins in a small area in close proximity to our property.

**Contact Details**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

21st December 2021

To the Ararat Planning Officer,

We have a number of concerns about the planned subdivision to place 4 dwellings on the back of the dwelling on 1 Blackie Avenue, Ararat.

**Our concerns are based on the effect on the neighbourhood character as the build does not respect the local heritage and open space of the area. We have concerns about the effect on the safety of the laneway, the parking and the likelihood that the utilities will cope with the number of houses.**

We did not have issues with the original development of 3 dwelling on the block but feel that 4 new dwellings and the likelihood of 2 more will have a negative effect on the character and the ambiance.

- We feel the **current dirt road will be unsafe** for 4 new dwellings. The plan does not state that the road is going to be built with a footpath (as specified for the previous development). The lane is very thin and we walk the dog down through that area.
- **Parked cars and traffic in the bush area (fire escape road):** cars from the dwellings will travel through the bush area which will have an effect on our lifestyle.
- **Parking and bin collection:** there is insufficient space to park extra cars and no curbside bin collection. 4 new dwellings will have at least 8 bins at this stage plus the original house.

We moved to this area of Ararat because of the large blocks and country feel of the bush and the reservoir walking tracks. We enjoy a quiet end of town because of the low density housing. Also we do not want the extra lighting that will be needed in and around the laneway.

- I would also like to query the **percentage of the blocks that covered by construction** (is 65% the maximum)
- I would like a **guarantee from the council that utilities will cope** with the high density housing. We have measured traffic congestion and bin collection issues but will the Internet, water and sewerage systems cope with the development.

We feel that the small blocks and high percentage of construction on the blocks doesn't suit the character of this neighbourhood (or Ararat in general). The town needs more rentals or preferably affordable housing but they should endeavor to promote healthy country living. This is why we did not complain about the original development.

Thank you for considering our concerns. We look forward to discussing these points with you.

Yours sincerely

[Redacted signature]

[Redacted address]





Veronica Schilling  
Manager Planning, Community & Compliance  
Ararat Rural City  
PO Box 246  
ARARAT VIC 3377

14 December 2021

Dear Veronica

Re: Application for Planning Permit No. PA3085  
1 Blackie Avenue  
5 Lot Subdivision

We write in connection with the above planning application, we have examined the plans and we are familiar with the site, and having studied the plans at some length, we wish to object strongly to the development of these units in this location, we would like to make the following observations and objections.

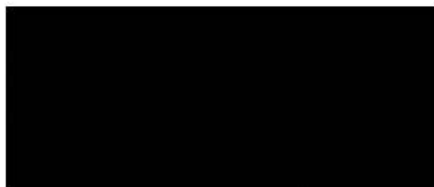
1. By allowing these units to be built on the existing piece of property, the amount of noise that will be generated will be unbearable for area residents. Idling cars will sacrifice the air quality, and the surrounding area will be spoilt with volume of cars coming up and down the laneway.
2. Are the units going to be two storeys?
3. If 2 storeys, upstairs windows overlooking existing properties would have to be opaque glass according to building regulations.
4. If the development overlooks adjoining residents – loss of privacy in private personal spaces (i.e., backyards) this will be a significant issue for existing residents
5. The use of balconies overlooking our properties will also result in unacceptable noise levels as will the installation of air conditioning equipment.
6. Overdevelopment or overcrowding of the site particularly where the proposal is out of character in the area.
7. Effect of the development on the character and appearance of the crown land area beside the proposed development.
8. Will the proposed development 'fit in' with our neighbourhood?
9. Influx of larger number of residents in confined space will upset our neighbourhood causing congestion and noise disturbance.
10. How will the additional noise from the proposed property be managed?
11. Will the units have sufficient car parking space for tenants' cars and visitor parking – 1 car parking space per 5 units.
12. Where is the parking for the existing house?
13. At least 10 cars coming up the laneway opposes a problem for the resident of 2 Blackie Avenue at night with constant headlights appearing in her lounge room window.



14. How is the laneway going to be developed as in lower the road or heighten the road level, how will this affect our back fences?
15. If this permit is approved, consideration should be given to making the laneway one way entering from Blackie Avenue and exit out at rear of Blackie Avenue residents to Mulcahy Road or continuing laneway to Gossip Avenue as an outlet.
16. Overflow of visitors or residents of the units, will have to park in Blackie Avenue this will make the street more unattractive and dangerous (Heavy vehicles use this street) constant car parking would eliminate access for garbage collection trying to collect 5 bins each week, 10 bins each fortnight.
17. Will the garbage trucks go down the laneway in the early hours of the morning? Will they be required to reverse out of the laneway - beepers?
18. How wide will the laneway be? At present the laneway is inadequate for emergency vehicles to enter e.g., Fire Brigade and Ambulance, etc
19. Fire hoses would not be effective from Blackie Avenue to the last unit for fire access.
20. Will there be a turning point at the end of the lane for emergency services?
21. How will traffic volumes entering and exiting the proposed development, during and after construction affect the pedestrian amenity of the streetscape.
22. Where will the tradesman park during this time of construction?
23. What street/laneway lighting will be required when units are constructed, will there be power poles and lighting or is the power going underground?
24. Will the development affect the drainage in the area?
25. What will happen to the sewerage easement in the laneway?
26. Barkly Street West residents rear storm water drains run into the laneway how will these be dealt with?
27. Is the development laneway going to be designed to be accessible and visitable by people with limited mobility?
28. How do we cope with residents barking dogs?

Overall, we feel the permit that would allow this to take place is not in the best interest of the residents of Blackie Avenue and Barkly Street West and we strongly urge you to consider your decision.

We hope you will take our objections into consideration when coming to your decision and we truly hope that permission will be REFUSED.



[REDACTED]

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**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** Application for planning permit No PA3085 1 Blackie Avenue Ararat 5 Lot Subdivision

Dear Veronica

I'm writing this email in response to a letter I received in the mail regarding the intended proposal to subdivide and build 4 units at No1 Blackie Avenue Ararat.

My residence is [REDACTED] and I have two rear gates and a large shed where I need regular access into the laneway in question ,for a large caravan and car trailer.

At present I have problems negotiating the exiting and entering of my property .

I feel that the building of these units is going to cause major problems and need a lot of thought before proceeding.

Another issue is the sewerage which runs down the centre of the laneway.

The main sewerage is earthen ware pipe and isn't that deep and has a history of blocking due to trees in the bush reserve.

There are four houses that enter this main including No1 Blackie Avenue. My residence is the forth house which is on the down side of the main so every time there is a blockage guess where the first place the sewerage backs up too [REDACTED]

With the addition of another 4 premises You can only imagine the consequences unless the main is upgraded .

Another concern is the access for emergency services,garbage waste trucks and just general parking and through traffic.

There just isn't enough room with out major changes There are safety issues as well,no doubt there will be children living and playing around the immediate area and this creates a serious problem with cars ,caravans,trailer backing out of not only my residence but two others as well.

For your information

Kind regards

[REDACTED]

Sent from my iPhone



*Veronica Schilling  
Manager Planning, Community and Compliance*

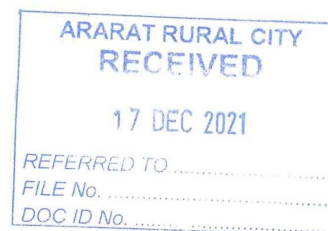
*Dear Ms. Schilling,  
I wish to express my concerns about the subdivision proposed for 1 Blackie Avenue Ararat, Lot 1, TP 430736L and to support the concerns of the residents at [REDACTED] and those in [REDACTED] whose properties back onto the access lane. There are no subdivisions of similar density anywhere in the area and the erection of four new buildings would detract from the overview of the area. I ask that the following concerns be taken into account :*

- 1. The parking congestion which will occur with five residences in such a small area*
- 2. The disturbance which will occur with such a large development*
- 3. The proximity of the buildings to the boundaries and the loss of privacy to the residents in adjoining properties*
- 4. The increased traffic along the access lane at the rear of the properties along Blackie Avenue*

*Sincerely,*

[REDACTED]

*December 16, 2021*





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**From:** [REDACTED]  
**Sent:** Monday, 31 January 2022 3:43 PM  
**To:** Veronica Schilling <[vschilling@ararat.vic.gov.au](mailto:vschilling@ararat.vic.gov.au)>  
**Subject:** Re: 1 Blackie Avenue - follow up from meeting PA3085

Hi Veronica  
Regarding what you have mentioned in your email about the reduction of lots from 4 to 3 plus house and the upgrade of the laneway to 5.2 m landscaping ect , curb and channeling, drainage and sewerage connection to existing infrastructure I have no objections providing the work is carried out to an acceptable standard  
Kind regards  
[REDACTED]

Sent from my iPhone

On 28 Jan 2022, at 3:54 pm, Veronica Schilling <[vschilling@ararat.vic.gov.au](mailto:vschilling@ararat.vic.gov.au)> wrote:



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**From:** Veronica Schilling  
**Sent:** Friday, 4 February 2022 3:11 PM  
**To:** [REDACTED]  
**Cc:** Planning <planning@ararat.vic.gov.au>  
**Subject:** FW: 1 Blackie Avenue - follow up from meeting PA3085

Thanks for the advice [REDACTED]. You have not indicated if you were in support of the reduction from 5 lots to 4. This is the next matter to be resolved. Once we know if there is consensus in that the applicant can confirm if plans are to be amended or not. Your response to this issue by Monday 9am is sought.

I will be back to you next week on the matter of a site visit or not.

Regards Veronica



**Veronica Schilling**  
Manager Planning, Community & Compliance  
Ararat Rural City Council  
PO Box 246, Ararat 3377

T: (03) 5355 0222  
F: (03) 5355 0278  
M: 0409 174 164  
E: [vschilling@ararat.vic.gov.au](mailto:vschilling@ararat.vic.gov.au)  
W: <http://www.ararat.vic.gov.au>



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**From:** [REDACTED]  
**Sent:** Wednesday, 2 February 2022 5:55 PM  
**To:** Veronica Schilling <[vschilling@ararat.vic.gov.au](mailto:vschilling@ararat.vic.gov.au)>; [bwaterson@ararat.vic.gov.au](mailto:bwaterson@ararat.vic.gov.au); Bob Sanders <[bsanders@ararat.vic.gov.au](mailto:bsanders@ararat.vic.gov.au)>; Gwenda Allgood <[gallgood@ararat.vic.gov.au](mailto:gallgood@ararat.vic.gov.au)>; Henry Burridge <[hburridge@ararat.vic.gov.au](mailto:hburridge@ararat.vic.gov.au)>; Jo Armstrong <[jarmstrong@ararat.vic.gov.au](mailto:jarmstrong@ararat.vic.gov.au)>; Peter Beales <[pbeales@ararat.vic.gov.au](mailto:pbeales@ararat.vic.gov.au)>; Rob Armstrong <[rarmstrong@ararat.vic.gov.au](mailto:rarmstrong@ararat.vic.gov.au)>; [REDACTED]

**Subject:** RE: 1 Blackie Avenue - follow up from meeting PA3085

Hi Veronica, as I'm entitled to this request, I would full like verification on what the council propose to do.

I don't care if it takes a week or so to organise.

As for not being able to meet on site, that is a cop out. I would like a name so it can be arranged.

Council should be there to assist with rate payers request.

Hopefully the councillors that were elected by the community can make the people voice have some say. I'm not asking for the earth to be moved, just wanting a explanation in what is proposed by the planning department. Once again the long term rate payer is getting screwed over.

Regards [REDACTED]

Sent from my Galaxy

----- Original message -----

**From:** Veronica Schilling <[vschilling@ararat.vic.gov.au](mailto:vschilling@ararat.vic.gov.au)>  
**Date:** 2/2/22 4:46 pm (GMT+10:00)  
**To:** [REDACTED]  
**Cc:** Wyatt Griffiths <[WGriffiths@ararat.vic.gov.au](mailto:WGriffiths@ararat.vic.gov.au)>  
**Subject:** RE: 1 Blackie Avenue - follow up from meeting PA3085

Dear [REDACTED]



Thanks for your email. My diary is currently fully committed for tomorrow and Friday and I am not in a position to meet your request.

As outlined when we met the detailed design will be guided by Council's Infrastructure Design Manual and prepared by professional external engineers and assessed by our internal engineering team.

Regards Veronica

**Veronica Schilling**

**Manager Planning, Community & Compliance**

Ararat Rural City Council  
PO Box 246, Ararat 3377

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W: <http://www.ararat.vic.gov.au>



---

**From:** [REDACTED]  
**Sent:** Wednesday, 2 February 2022 1:02 PM  
**To:** Veronica Schilling <[vschilling@ararat.vic.gov.au](mailto:vschilling@ararat.vic.gov.au)>  
**Subject:** RE: 1 Blackie Avenue - follow up from meeting PA3085

Hi Veronica, I'd like to insist that we meet with you and a engineer to discuss what will be happening to the laneway and how it will be planned out. I'm more than happy to have all parties involved.

Regards [REDACTED]

Sent from my Galaxy

----- Original message -----

From: Veronica Schilling <[vschilling@ararat.vic.gov.au](mailto:vschilling@ararat.vic.gov.au)>

Date: 31/1/22 2:47 pm (GMT+10:00)

To: Jjeh4 <[Jjeh4@bigpond.com](mailto:Jjeh4@bigpond.com)>

Subject: RE: 1 Blackie Avenue - follow up from meeting PA3085

Thanks for that [REDACTED]. I am sure he will keep me in the loop.

Regards V

**Veronica Schilling**

**Manager Planning, Community & Compliance**

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PO Box 246, Ararat 3377

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W: <http://www.ararat.vic.gov.au>



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**From:** [REDACTED]  
**Sent:** Monday, 31 January 2022 2:43 PM  
**To:** Veronica Schilling <[vschilling@ararat.vic.gov.au](mailto:vschilling@ararat.vic.gov.au)>  
**Subject:** RE: 1 Blackie Avenue - follow up from meeting PA3085

I Veronica, I have replied to Ashu directly.

Regards [REDACTED]

Sent from my Galaxy

----- Original message -----

From: Veronica Schilling <[vschilling@ararat.vic.gov.au](mailto:vschilling@ararat.vic.gov.au)>

[REDACTED]

[REDACTED]

Cc: Wyatt Griffiths <[WGriffiths@ararat.vic.gov.au](mailto:WGriffiths@ararat.vic.gov.au)>

Subject: 1 Blackie Avenue - follow up from meeting PA3085

Good afternoon and thanks again for coming to meet tomorrow.

As discussed, Ashu and his team are offering to reduce the density of the development from 4 lots behind the existing house to 3 lots if there is a view that this will make the development less intrusive on the area. As was outlined yesterday revising the plans does come at an immediate cost for the drafting services and if this isn't something that will reduce people's concerns about the concept of the project then it isn't worth pursuing.

I have confirmed with our engineering team that the access to these lots would be acceptable with a 5.5m sealed surface on the laneway with:

- works to the intersection with Blackie Avenue to meet this width
- both surface and underground drainage to connect in with the surrounding area
- street lighting at the intersection
- landscaping of the verge area

Using the state mapping system this looks to be about the standard for the road pavement in Bailey Lane in Ararat (Ashu and Team you may find googling or LASSI useful to know what we are talking about).

With a subdivision permit detailed design plans to achieve this outcome would be prepared post-permit issue and reviewed by the engineering team against the Infrastructure Design Standards used by more than 40 councils in Victoria.

If you would like to see the revised plans and believe these have some prospect of reducing your concerns please let either Ashu, Tim or myself know by the end of the day on Monday 31 January 2022. If you don't believe this is worth pursuing then advice to that effect would also be appreciated.

Regards Veronica

■

**Veronica Schilling**

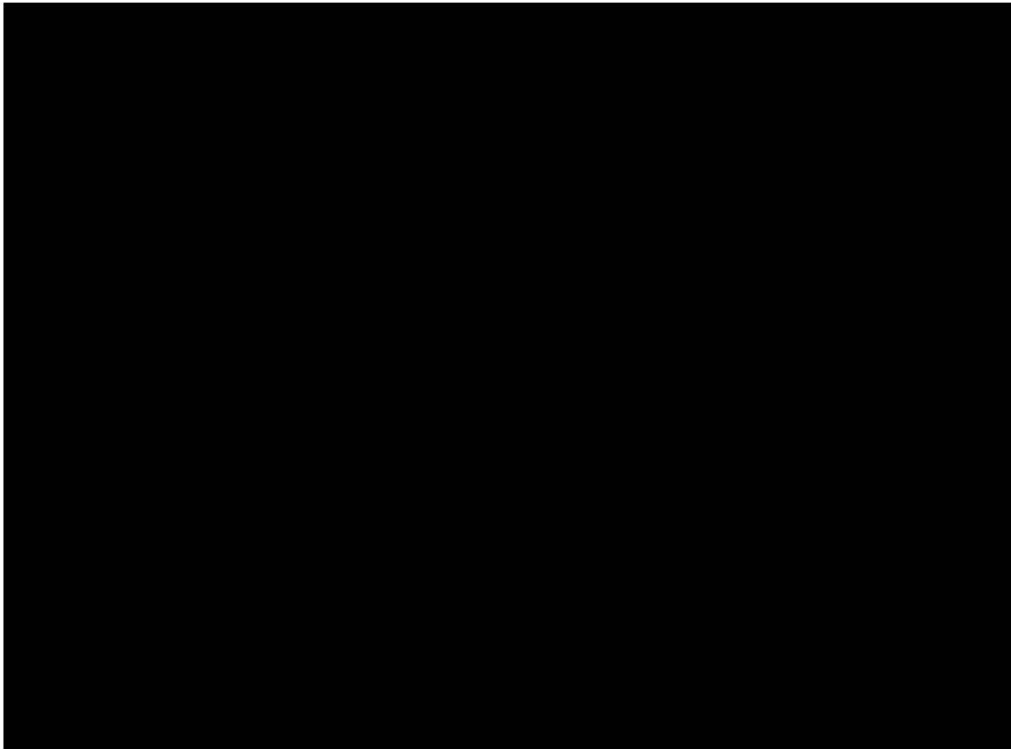
**Manager Planning, Community & Compliance**

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W: <http://www.ararat.vic.gov.au>





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**From:** Veronica Schilling  
**Sent:** Friday, 4 February 2022 3:09 PM  
**To:** [REDACTED]  
**Cc:** Planning <planning@ararat.vic.gov.au>  
**Subject:** FW: 1 Blackie Avenue (PA3085)

Thanks for the advice [REDACTED]

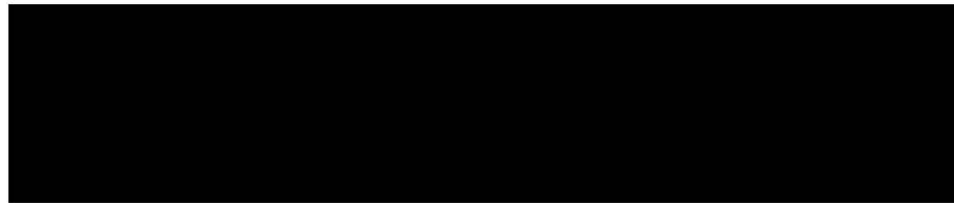
I will need to get some advice on the terms of your acceptance of the proposed changes.

I will be back to you next week on this.

Regards Veronica

**Veronica Schilling**  
**Manager Planning, Community & Compliance**  
Ararat Rural City Council  
PO Box 246, Ararat 3377

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W: <http://www.ararat.vic.gov.au>



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**From:** [REDACTED]  
**Sent:** Thursday, 3 February 2022 10:29 AM  
**To:** Veronica Schilling <[vschilling@ararat.vic.gov.au](mailto:vschilling@ararat.vic.gov.au)>  
**Subject:** RE: 1 Blackie Avenue (PA3085)

Hi Veronica

These questions asked yesterday are our concerns.

As rate payers of 3 properties in Ararat we find it very frustrating that the long-term rate payers views do not really matter and it is more important for you that your KPI's are met.

We are not agreeable with the new build at 1 Blackie Avenue in such a congested area and losing the peaceful tranquility of our backyards.

If this project is to go ahead, we would reluctantly agree to 3 single story units + the existing weatherboard house as discussed with Ashu.

For the next 12 months or longer there will disruption to neighbours with noise levels, congestion of builder's vehicles, trailers, dust, etc.

What comes first the laneway or the units.

As the plans are developed, we hope as neighbours we can view the plans in detail, we still want the opportunity to have input and be able to discuss proposed plans to verify the building and surrounds do comply with what we ask.

Our other main concern is the laneway, with no anticipated footpath, there is a security risk for safety with pedestrians and vehicle traffic.

This laneway is used every day by walkers and their dogs.

The laneway built by David Leeke in Bailey's Lane sets a great example of how effective and secure a laneway is for pedestrians and vehicle traffic and this should be set as a precedent for all future laneways in Ararat.

Why one laneway/road differs from another is beyond belief.





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**From:** Veronica Schilling <[vschilling@ararat.vic.gov.au](mailto:vschilling@ararat.vic.gov.au)>  
**Sent:** Thursday, 3 February 2022 8:20 AM  
**To:** Sudhanshu Goel <[admin@e2egrowth.com.au](mailto:admin@e2egrowth.com.au)>  
**Cc:** [REDACTED]  
**Subject:** RE: 1 Blackie Avenue (PA3085)

Thanks Ashu

[REDACTED] – can I confirm that these questions are yours alone or if they are from the group that you will share them back to others? Just wanting to make sure everyone has the same information.

Regards V

**Veronica Schilling**  
**Manager Planning, Community & Compliance**  
Ararat Rural City Council  
PO Box 246, Ararat 3377

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W: <http://www.ararat.vic.gov.au>

	<p>As we navigate our way through the easing of Coronavirus restrictions, it's good to know we're #StrongerTogether. Council is still here to help - phone us on 5355 0200 or email <a href="mailto:council@ararat.vic.gov.au">council@ararat.vic.gov.au</a></p>	
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**From:** Sudhanshu Goel <[admin@e2egrowth.com.au](mailto:admin@e2egrowth.com.au)>  
**Sent:** Wednesday, 2 February 2022 5:52 PM  
**To:** Veronica Schilling <[vschilling@ararat.vic.gov.au](mailto:vschilling@ararat.vic.gov.au)>  
**Cc:** [REDACTED]  
**Subject:** Re: 1 Blackie Avenue (PA3085)

Thanks a lot for your email Veronica.

- Just as an fyi,, I reiterated my message to the participants on the call today that:
1. I will drop one ( 3+ existing) lot if all objections are withdrawn - this is just to negotiate a position that is viable
  2. I am happy to agree on single story house as part of overall development

Hoping to resolve it by Friday and come to a mutual consent.

Kind regards

Ashu

Sent from my iPhone

On 2 Feb 2022, at 4:44 pm, Veronica Schilling <[vschilling@ararat.vic.gov.au](mailto:vschilling@ararat.vic.gov.au)> wrote:

Hi [REDACTED]

Unfortunately I am not able to attend tomorrow morning at 9am as I have a full day of commitments.

In relation to your questions we have done our best to answer these at the mediation and my follow up email as previously advised and many issues are not ones that are relevant for where things are at in the development process. I will re-iterate them succinctly below:

1. Correct width of the laneway – 5.5m sealed surface
2. The size of the verge – not yet determined. Detailed design will influence this
3. Size of the guttering – as above
4. Footpath down laneway – not likely to be required under the Infrastructure Design Manual standards. Yet to seek confirmation with the engineer
5. Fire brigade access and turning bay – less than 120m threshold so no need to refer to CFA
6. Condition of the drains in the easement pit – detailed design will establish if need replacement or not
7. Our property accesses to the laneway – as discussed in the meeting, will remain public land and access to rear of Barkly Street lots
8. Street lighting – detailed design – most likely at the intersection of the lane and Blackie Avenue as advised in my last email
9. Fences – as per Clause 54 at the time of development of the land
10. Letter boxes – at the time of development of the houses – this is only for subdivision
11. Rubbish bins – yet to be finalised
12. Water meters – detailed design

I await advice on the outcomes from the meeting today from participants. I also need to be clear that a decision on this cannot be held off indefinitely. **If there is a re-design agreed between the parties this needs to be confirmed by this Friday** or I will assume that Council can complete its assessment and put the matter forward for a decision.

Ashu – I have included you in this email so you are aware of the timeline and I trust these questions and answers reflect your discussions today as well as those of the previous week.

Wyatt – this is to keep you in the loop as you progress the assessment and I would be most grateful if you could please file this advice for me. Many thanks

Regards Veronica

**Veronica Schilling**  
**Manager Planning, Community & Compliance**  
Ararat Rural City Council  
PO Box 246, Ararat 3377

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W: <http://www.ararat.vic.gov.au>

	<p>As we navigate our way through the easing of Coronavirus restrictions, it's good to know we're #StrongerTogether.</p> <p>Council is still here to help - phone us on 5355 0200 or email <a href="mailto:council@ararat.vic.gov.au">council@ararat.vic.gov.au</a></p>	
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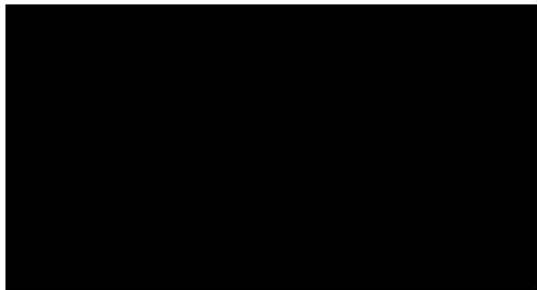
**From:** [REDACTED]  
**Sent:** Wednesday, 2 February 2022 1:18 PM  
**To:** Veronica Schilling <[vschilling@ararat.vic.gov.au](mailto:vschilling@ararat.vic.gov.au)>  
**Subject:** 1 Blackie Avenue

Hi Veronica

In reference to the upgrading of the laneway, we have several issues that we would like clarified.

1. Correct width of the laneway
2. The size of the verge
3. Size of the guttering
4. Footpath down laneway
5. Fire brigade access and turning bay
6. Condition of the drains in the easement pit
7. Our property accesses to the laneway
8. Street lighting
9. Fences
10. Letter boxes
11. Rubbish bins
12. Water meters

To have these questions answered would it be possible to meet with you and the engineer tomorrow morning 9am on site.



Attachment 3 – Clause 56 Assessment

A detailed assessment of the proposal against the objectives and standards of Clause 56 is provided below.

<p><b>56.01-1 Subdivision site and context description</b></p>	<p>The site and context description may use a site plan, photographs or other techniques and must accurately describe: In relation to the site:</p> <ul style="list-style-type: none"> <li>• Site shape, size, dimensions and orientation.</li> <li>• Levels and contours of the site.</li> <li>• Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.</li> <li>• The siting and use of existing buildings and structures.</li> <li>• Street frontage features such as poles, street trees and kerb crossovers.</li> <li>• Access points.</li> <li>• Location of drainage and other utilities.</li> <li>• Easements.</li> <li>• Any identified natural or cultural features of the site.</li> <li>• Significant views to and from the site.</li> <li>• Noise and odour sources or other external influences.</li> <li>• Soil conditions, including any land affected by contamination, erosion, salinity, acid sulphate soils or fill.</li> <li>• Any other notable features or characteristics of the site.</li> <li>• Adjacent uses.</li> <li>• Any other factor affecting the capacity to develop the site including whether the site is affected by inundation.</li> </ul> <p>An application for subdivision of 3 or more lots must also describe in relation to the surrounding area:</p> <ul style="list-style-type: none"> <li>• The pattern of subdivision.</li> <li>• Existing land uses.</li> <li>• The location and use of existing buildings on adjacent land.</li> <li>• Abutting street and path widths, materials and detailing.</li> <li>• The location and type of significant vegetation</li> <li>...</li> </ul> <p>If in the opinion of the responsible authority a requirement of the site and context description is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.</p>	<p>✓</p> <p>The proposal uses detailed site plans in order to describe the site shape, size, dimensions and orientation among other details.</p> <p>The application does not include a site context description and content regarding the surrounding area, however due to the site and the history Council has sufficient detail to work without this.</p>
<p><b>56.01-2 Subdivision design response</b></p>	<p>The design response must explain how the proposed design:</p> <ul style="list-style-type: none"> <li>• Derives from and responds to the site and context description.</li> <li>• Responds to any site and context features for the area identified in a local planning</li> </ul>	<p>✓</p> <p>The design response includes a dimensioned plan to scale showing the layout of the subdivision. The proposal meets relevant planning policy (as demonstrated throughout</p>

	<p>policy or a Neighbourhood Character Overlay.</p> <ul style="list-style-type: none"> <li>• Responds to any relevant objective, policy, strategy or plan set out for the area in this scheme.</li> <li>• Meets the relevant objectives of Clause 56.</li> </ul> <p>The design response must include a dimensioned plan to scale showing the layout of the subdivision in context with the surrounding area. If in the opinion of the responsible authority this requirement is not relevant to the assessment of an application, it may waive or reduce the requirement.</p> <p>...</p>	<p>the delegates report) and meets the relevant objectives of Clause 56.</p> <p>Council has no need for a detailed context description given the history of the previous application on this site.</p>
<p><b>56.03-5 Neighbourhood character objective</b></p> <p><b>To design subdivisions that respond to neighbourhood character.</b></p>	<p><b>Standard C6</b> Subdivision should:</p> <ul style="list-style-type: none"> <li>• Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>• Respond to and integrate with the surrounding urban environment.</li> <li>• Protect significant vegetation and site features.</li> </ul>	<p>✓</p> <p>The proposal acknowledges the existing neighbourhood character within Ararat, retaining the existing the house on the frontage and thus, the existing streetscape. The subdivision will allow for increased development in the future however, in line with the preferred character of Ararat, which looks to increase the amount and density of development in accessible locations close to the town centre of Ararat.</p>
<p><b>56.04 LOT DESIGN</b></p>		
<b>Clause and Objective</b>	<b>Standard</b>	<b>Comment</b>
<p><b>56.04-1 Lot diversity and distribution objectives</b></p> <p><b>To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services. To provide higher housing densities within walking distance of activity centres. To achieve increased housing densities in designated growth areas. To provide a range of lot sizes to suit a variety of dwelling and household types.</b></p>	<p><b>Standard C7</b> A subdivision should implement any relevant housing strategy, plan or policy for the area set out in this scheme.</p> <p>Lot sizes and mix should achieve the average net residential density specified in any zone or overlay that applies to the land or in any relevant policy for the area set out in this scheme. A range and mix of lot sizes should be provided including lots suitable for the development of:</p> <ul style="list-style-type: none"> <li>• Single dwellings.</li> <li>• Two dwellings or more.</li> <li>• Higher density housing.</li> <li>• Residential buildings and</li> <li>• Retirement villages.</li> </ul> <p>Unless the site is constrained by topography or other site conditions, lot distribution should provide for 95 per cent of dwellings to be located no more than 400 metre street walking distance from the nearest existing or proposed bus stop, 600 metres street walking distance from the nearest existing or proposed tram stop and 800 metres street walking distance from the nearest existing or proposed railway station.</p> <p>Lots of 300 square metres or less in area, lots suitable for the development of two dwellings or more, lots suitable for higher density housing and</p>	<p>✓</p> <p>The proposal provides appropriate lot sizes and creates diversity and mix in the surrounding area.</p> <p>The site is 450m from the Ararat West bus stop in High Street West. This service feeds back to the town centre and railway station.</p> <p>Not applicable</p>



	lots suitable for Residential buildings and Retirement villages should be located in and within 400 metres street walking distance of an activity centre.	
<p><b>56.04-2 Lot area and building envelopes objective</b></p> <p><b>To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.</b></p>	<p><b>Standard C8</b> An application to subdivide land that creates lots of between 300 square metres and 500 square metres should:</p> <ul style="list-style-type: none"> <li>• Contain a building envelope that is consistent with a development of the lot approved under this scheme,</li> <li>• If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope.</li> </ul> <p>If lots of between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve. ...</p> <p>A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:</p> <ul style="list-style-type: none"> <li>• The objectives of the relevant standards are met, and</li> <li>• The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act.</li> </ul> <p>Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:</p> <ul style="list-style-type: none"> <li>• The building envelope must meet Standards A10 and A11 of Clause 54 in relation to the adjoining lot, and</li> <li>• The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.</li> </ul> <p>Lot dimensions and building envelopes should protect:</p> <ul style="list-style-type: none"> <li>• Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations.</li> <li>• Existing or proposed easements on lots.</li> <li>• Significant vegetation and site features</li> </ul>	<p>✓</p> <p>The proposal provides relevant site plans and details demonstrating how dwellings can be appropriately accommodated on the lots.</p> <p>No building envelopes are shown on the boundary of the existing or proposed lots.</p> <p>Not proposed so not applicable.</p> <p>Achieved with design</p>



<p><b>56.04-4 Street orientation objective</b></p> <p><b>To provide a lot layout that contributes to community social interaction, personal safety and property security.</b></p>	<p><b>Standard C10</b> Subdivision should increase visibility and surveillance by:</p> <ul style="list-style-type: none"> <li>• Ensuring lots front all roads and streets and avoid the side or rear of lots being oriented to connector streets and arterial roads. ...</li> <li>• Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries.</li> <li>• Providing roads and streets along public open space boundaries.</li> </ul>	<p>✓</p>
<p><b>56.04-5 Common area objectives</b></p> <p><b>To identify common areas and the purpose for which the area is commonly held. To ensure the provision of common area is appropriate and that necessary management arrangements are in place. To maintain direct public access throughout the neighbourhood street network.</b></p>	<p><b>Standard C11</b> An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:</p> <ul style="list-style-type: none"> <li>• The common area to be owned by the body corporate, including any streets and open space.</li> <li>• The reasons why the area should be commonly held.</li> <li>• Lots participating in the body corporate.</li> <li>• The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.</li> </ul>	<p>The proposal does not specify areas of common land.</p>
<p><b>56.05 URBAN LANDSCAPE</b></p>		
<p><b>Clause and Objective</b></p>	<p><b>Standard</b></p>	<p><b>Comment</b></p>
<p><b>56.05-1 Integrated urban landscape objectives</b></p> <p><b>To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas. To incorporate natural and cultural features in the design of streets and public open space where appropriate. To protect and enhance native habitat and discourage the planting and spread of noxious weeds. To provide for integrated water management systems and contribute to drinking water conservation.</b></p>	<p><b>Standard C12</b> An application for subdivision that creates streets or public open space should be accompanied by a landscape design.</p> <p>The landscape design should:</p> <ul style="list-style-type: none"> <li>• Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme.</li> <li>• Create attractive landscapes that visually emphasise streets and public open spaces.</li> <li>• Respond to the site and context description for the site and surrounding area.</li> <li>• Maintain significant vegetation where possible within an urban context.</li> <li>• Take account of the physical features of the land including landform, soil and climate.</li> <li>• Protect and enhance any significant natural and cultural features.</li> <li>• Protect and link areas of significant local habitat where appropriate.</li> <li>• Support integrated water management systems with appropriate landscape design techniques for managing urban run-off including wetlands and other water sensitive urban design features in streets and public open space.</li> <li>• Promote the use of drought tolerant and low maintenance plants and avoid species that</li> </ul>	<p>No new roads or streets will be created by this proposal.</p> <p>The development will utilize an existing gazetted laneway and involve construction in that space to Council's standards.</p>

	<p>are likely to spread into the surrounding environment.</p> <ul style="list-style-type: none"> <li>• Ensure landscaping supports surveillance and provides shade in streets, parks and public open space.</li> <li>• Develop appropriate landscapes for the intended use of public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas.</li> <li>• Provide for walking and cycling networks that link with community facilities.</li> <li>• Provide appropriate pathways, signage, fencing, public lighting and street furniture. Create low maintenance, durable landscapes that are capable of a long life.</li> <li>• The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.</li> </ul>	
<b>56.06 ACCESS AND MOBILITY MANAGEMENT</b>		
<b>Clause and Objective</b>	<b>Standard</b>	<b>Comment</b>
<p><b>56.06-2 Walking and cycling network objectives</b></p> <p><b>To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors. To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists. To reduce car use, greenhouse gas emissions and air pollution.</b></p>	<p><b>Standard C15</b></p> <p>The walking and cycling network should be designed to:</p> <ul style="list-style-type: none"> <li>• Implement any relevant regional and local walking and cycling strategy, plan or policy for the area set out in this scheme.</li> <li>• Link to any existing pedestrian and cycling networks.</li> <li>• Provide safe walkable distances to activity centres, community facilities, public transport stops and public open spaces.</li> <li>• Provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood streets and regional public open spaces.</li> <li>• Provide direct cycling routes for regional journeys to major activity centres, community facilities, public transport and other regional activities and for regional recreational cycling.</li> <li>• Ensure safe street and road crossings including the provision of traffic controls where required.</li> <li>• Provide an appropriate level of priority for pedestrians and cyclists.</li> <li>• Have natural surveillance along streets and from abutting dwellings and be designed for personal safety and security particularly at night.</li> <li>• Be accessible to people with disabilities.</li> </ul>	<p>✓</p> <p>The subdivision will provide accessible lots to shops and services within easily walkable and cycle-able distances.</p> <p>Footpaths existing from Blackie Avenue to town via Barkly Street and alternate quieter access can be gained by moving down the laneway across the DELWP land to Vanstan Street.</p>
<p><b>56.06-4 Neighbourhood street network objective</b></p> <p><b>To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public</b></p>	<p><b>Standard C17</b></p> <p>The neighbourhood street network must:</p> <ul style="list-style-type: none"> <li>• Take account of the existing mobility network of arterial roads, neighbourhood streets, cycle paths, shared paths, footpaths and public transport routes.</li> </ul>	<p>✓</p> <p>The subdivision will provide accessible lots to shops and services within easily walkable, cycle-able and drivable distances. The subdivision will not negatively impact traffic flow.</p>

<p><b>transport and other motor vehicles using the neighbourhood street network.</b></p>	<ul style="list-style-type: none"> <li>• Provide clear physical distinctions between arterial roads and neighbourhood street types.</li> <li>• Comply with the Roads Corporation’s arterial road access management policies.</li> <li>• Provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport.</li> <li>• Provide safe and efficient access to activity centres for commercial and freight vehicles.</li> <li>• Provide safe and efficient access to all lots for service and emergency vehicles.</li> <li>• Provide safe movement for all vehicles.</li> <li>• Incorporate any necessary traffic control measures and traffic management infrastructure.</li> </ul> <p>The neighbourhood street network should be designed to:</p> <ul style="list-style-type: none"> <li>• Implement any relevant transport strategy, plan or policy for the area set out in this scheme.</li> <li>• Include arterial roads at intervals of approximately 1.6 kilometres that have adequate reservation widths to accommodate long term movement demand.</li> <li>• Include connector streets approximately halfway between arterial roads and provide adequate reservation widths to accommodate long term movement demand.</li> <li>• Ensure connector streets align between neighbourhoods for direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles.</li> <li>• Provide an interconnected and continuous network of streets within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles.</li> <li>• Provide an appropriate level of local traffic dispersal.</li> <li>• Indicate the appropriate street type.</li> <li>• Provide a speed environment that is appropriate to the street type.</li> <li>• Provide a street environment that appropriately manages movement demand (volume, type and mix of pedestrians, cyclists, public transport and other motor vehicles).</li> <li>• Encourage appropriate and safe pedestrian, cyclist and driver behaviour.</li> <li>• Provide safe sharing of access lanes and access places by pedestrians, cyclists and vehicles.</li> <li>• Minimise the provision of culs-de-sac.</li> <li>• Provide for service and emergency vehicles to safely turn at the end of a dead-end street.</li> <li>• Facilitate solar orientation of lots.</li> </ul>	<p>The Ararat West town bus services this area with a Stop in High Street West and a 450m / 9min walk to the site.</p> <p>There are 7 daily services Monday to Friday and 5 services on Saturday and all are shown to be wheelchair accessible.</p> <p>The scale of this development as infill using an existing unmade laneway means these requirements are not applicable</p>
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	<ul style="list-style-type: none"> <li>Facilitate the provision of the walking and cycling network, integrated water management systems, utilities and planting of trees.</li> <li>Contribute to the area's character and identity.</li> <li>Take account of any identified significant features.</li> </ul>	
<p><b>56.06-5 Walking and cycling network detail objectives</b></p> <p><b>To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities. To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.</b></p>	<p><b>Standard C18</b> Footpaths, shared paths, cycle paths and cycle lanes should be designed to:</p> <ul style="list-style-type: none"> <li>Be part of a comprehensive design of the road or street reservation.</li> <li>Be continuous and connect.</li> <li>Provide for public transport stops, street crossings for pedestrians and cyclists and kerb crossovers for access to lots.</li> <li>Accommodate projected user volumes and mix.</li> <li>Meet the requirements of Table C1.</li> <li>Provide pavement edge, kerb, channel and crossover details that support safe travel for pedestrians, footpath bound vehicles and cyclists, perform required drainage functions and are structurally sound. Provide appropriate signage.</li> <li>Be constructed to allow access to lots without damage to the footpath or shared path surfaces.</li> <li>Be constructed with a durable, non-skid surface.</li> <li>Be of a quality and durability to ensure:</li> <li>Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles.</li> <li>Discharge of urban run-off.</li> <li>Preservation of all-weather access.</li> <li>Maintenance of a reasonable, comfortable riding quality.</li> <li>A minimum 20 year life span.</li> </ul> <p>Be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with disabilities.</p>	<p>✓</p> <p>The development does not propose it's own pathways given the small nature of the proposal.</p> <p>The development does offer future residents the option of walking to town, school and open spaces or using a mobility device.</p> <p>The Ararat West bus service also provides accessible public transport within a 10min walk to the bus stop at Georges Road or High Street West.</p> <p>The construction of the laneway will provide a low traffic walking option for new residents and improvements through formed and constructed drainage.</p>
<p><b>56.06-7 Neighbourhood street network detail objective</b></p> <p><b>To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.</b></p>	<p><b>Standard C20</b> The design of streets and roads should:</p> <ul style="list-style-type: none"> <li>Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met.</li> <li>Provide street blocks that are generally between 120 metres and 240 metres in length and generally between 60 metres to 120 metres in width to facilitate pedestrian movement and control traffic speed.</li> <li>Have verges of sufficient width to accommodate footpaths, shared paths, cycle paths, integrated water management,</li> </ul>	<p>✓</p> <p>No new roads or streets are provided in this modest infill development.</p> <p>The CFA fire plug is less than 80m away so accessible to support fire suppression on the new lots.</p> <p>Street lighting will be provided at the intersection of Blackie Avenue and the Laneway.</p> <p>The laneway width will discourage high speed movements and the limited number of regular users will mitigate risk. If a problem occurs there is the option to declare the lane</p>



	<p>street tree planting, lighting and utility needs.</p> <ul style="list-style-type: none"> <li>• Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users.</li> <li>• Provide a low-speed environment while allowing all road users to proceed without unreasonable inconvenience or delay.</li> <li>• Provide a safe environment for all street users applying speed control measures where appropriate.</li> <li>• Ensure intersection layouts clearly indicate the travel path and priority of movement for pedestrians, cyclists and vehicles.</li> <li>• Provide a minimum 5 metre by 5 metre corner splay at junctions with arterial roads and a minimum 3 metre by 3 metre corner splay at other junctions unless site conditions justify a variation to achieve safe sight lines across corners.</li> <li>• Ensure streets are of sufficient strength to:             <ul style="list-style-type: none"> <li>• Enable the carriage of vehicles.</li> <li>• Avoid damage by construction vehicles and equipment.</li> </ul> </li> </ul> <p>Ensure street pavements are of sufficient quality and durability for the:</p> <ul style="list-style-type: none"> <li>• Safe passage of pedestrians, cyclists and vehicles.</li> <li>• Discharge of urban run-off.</li> <li>• Preservation of all-weather access and maintenance of a reasonable, comfortable riding quality.</li> <li>• Ensure carriageways of planned arterial roads are designed to the requirements of the relevant road authority.</li> <li>• Ensure carriageways of neighbourhood streets are designed for a minimum 20 year life span.</li> <li>• Provide pavement edges, kerbs, channel and crossover details designed to:             <ul style="list-style-type: none"> <li>• Perform the required integrated water management functions.</li> <li>• Delineate the edge of the carriageway for all street users.</li> </ul> </li> <li>• Provide efficient and comfortable access to abutting lots at appropriate locations.</li> <li>• Contribute to streetscape design.</li> <li>• Provide for the safe and efficient collection of waste and recycling materials from lots.</li> <li>• Be accessible to people with disabilities.</li> <li>• Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met. Where the widths of connector streets do not comply with the</li> </ul>	<p>a shared road thus reducing speed to under 40kph for all users.</p> <p>Upgrading of the splay is provided for in the engineering conditions.</p>
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	<p>requirements of Table C1, the requirements of the relevant public transport authority must be met.</p> <p>A street detail plan should be prepared that shows, as appropriate:</p> <ul style="list-style-type: none"> <li>• The street hierarchy and typical cross-sections for all street types. Location of carriageway pavement, parking, bus stops, kerbs, crossovers, footpaths, tactile surface indicators, cycle paths and speed control and traffic management devices.</li> <li>• Water sensitive urban design features.</li> <li>• Location and species of proposed street trees and other vegetation.</li> <li>• Location of existing vegetation to be retained and proposed treatment to ensure its health.</li> </ul> <p>Any relevant details for the design and location of street furniture, lighting, seats, bus stops, telephone boxes and mailboxes.</p>	
<p><b>56.06-8 Lot access objective</b> <b>To provide for safe vehicle access between roads and lots.</b></p>	<p><b>Standard C21</b> Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority. ... The design and construction of a crossover should meet the requirements of the relevant road authority.</p>	<p>✓</p> <p>The development does not abut an arterial road but connects to Blackie Avenue before joining the state road network.</p> <p>The proposal provides appropriate space for access to each lot. Incorporating comments from Council's internal referral, access conditions will be listed as part of the permit to include plans of side access.</p>
<p><b>56.07-1 Lot access objective</b> <b>To provide for safe vehicle access between roads and lots.</b></p>	<p><b>Standard C21</b> The design and construction of a crossover should meet the requirements of the relevant road authority</p>	<p>✓</p>
<p><b>56.07-1 Drinking water supply objectives</b> <b>To reduce the use of drinking water. To provide an adequate, cost-effective supply of drinking water</b></p>	<p><b>Standard C22</b> The supply of drinking water must be:</p> <ul style="list-style-type: none"> <li>• Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.</li> </ul> <p>Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority</p>	<p>✓</p> <p>Reticulated urban water is available for this site and GWMWater has advised of its conditions.</p>
<p><b>56.07-2 Reused and recycled water objective</b> <b>To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water</b></p>	<p><b>Standard C23</b> Reused and recycled water supply systems must be:</p> <ul style="list-style-type: none"> <li>• Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health and Human Services.</li> </ul> <p>Provided to the boundary of all lots in the subdivision where required by the relevant water authority.</p>	<p>✓</p> <p>This option is not available in Ararat.</p>



<p><b>56.07-3</b> <b>Waste water management objective</b> To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner</p>	<p><b>Standard C24</b> Waste water systems must be:</p> <ul style="list-style-type: none"> <li>Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority.</li> <li>Consistent with any relevant approved domestic waste water management plan.</li> </ul> <p>Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.</p>	<p>✓</p> <p>Each lot will be connected to the reticulated town sewer system.</p>
<p><b>56.07-4</b> <b>Stormwater management objectives</b> To minimise damage to properties and inconvenience to residents from stormwater</p>	<p><b>Standard C25</b> The stormwater management system must be:</p> <ul style="list-style-type: none"> <li>Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.</li> <li>Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.</li> <li>Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).</li> </ul>	<p>✓</p> <p>Conditions for the permit include stormwater management requirements and detailed design.</p>
<p><b>56.08-1</b> <b>Site management objectives</b> To protect drainage infrastructure and receiving waters from sedimentation and contamination. To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works. To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.</p>	<p><b>Standard C26</b> A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:</p> <ul style="list-style-type: none"> <li>Erosion and sediment.</li> <li>Dust.</li> <li>Run-off.</li> <li>Litter, concrete and other construction wastes.</li> <li>Chemical contamination.</li> <li>Vegetation and natural features planned for retention.</li> </ul> <p>Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable</p>	<p>✓</p> <p>Conditions for the permit include site management requirements to minimize impacts to neighbours.</p> <p>The small scale of the development means this is a limited risk.</p>
<p><b>56.09 UTILITIES</b></p>		
<p><b>Clause and Objective</b></p>	<p><b>Standard</b></p>	<p><b>Comment</b></p>
<p><b>56.09-1</b> Shared trenching objectives To maximise the opportunities for shared trenching. To minimise constraints on landscaping within street reserves.</p>	<p><b>Standard C27</b> Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.</p>	<p>✓</p> <p>Referral agencies have been consulted on these requirements.</p>
<p><b>56.09-2</b> Electricity, telecommunications and gas objectives  To provide public utilities to each lot in a timely, efficient and cost</p>	<p><b>Standard C28</b> The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.</p>	<p>✓</p> <p>Powercor has provided conditional consent.</p>



<p><b>effective manner. To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.</b></p>	<p>Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged. The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology.</p> <p>The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.</p> <p>Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency.</p>	<p>Not applicable.</p> <p>Service is available in the area and a condition is provided.</p> <p>Connection is not enforced; but the service is available to new owners if desired.</p>
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## 2.2 CONSIDERATION OF SUBMISSIONS FOR AMENDMENT C039ARAT PT2

RESPONSIBLE OFFICER: MANAGER PLANNING, COMMUNITY AND COMPLIANCE  
DEPARTMENT: PLANNING, COMMUNITY AND COMPLIANCE  
REFERENCE: AMENDMENT C039arat PT2

### OFFICER DIRECT OR INDIRECT CONFLICT OF INTEREST:

Officers providing advice to Council must disclose any conflict of interest.

No person involved in the preparation of this report has a conflict of interest requiring disclosure.

### EXECUTIVE SUMMARY

Council has been working since 2018 to implement the findings of the *Rural Ararat Heritage Study* (2016).

The majority of the 110 sites and precincts were included in the amendment to the Planning Scheme on 10 June 2021; with 5 sites excluded due to errors/inconsistencies in notification of owners and 1 site mapped incompletely.

The Part 2 amendment seeks to address these shortcomings and complete this project, as directed by the Department of Environment, Land, Water and Planning (DELWP).

### DISCUSSION

Amendment C039arat Pt2 implements the recommendations of the *Rural Ararat Heritage Study* (2016) by applying the Heritage Overlay to 5 individual places and amending the overlay on one place. This process has been necessary due to errors in the initial advertising of these changes in Part 1 of the amendment in 2018.

### Land to which this amendment applies

The amendment applies to 6 discrete areas in private ownership in the localities of Elmhurst, Tatyoon, Westmere, Wickliffe and Willaura. These are listed below along and a summary of the proposed changes.

Address	Proposed planning control
34 High Street, Elmhurst	The Heritage Overlay HO151 Elmhurst Mechanics Institute is included in the Planning Scheme Map 15HO. This applies the Heritage Overlay to cover both lots – Lot 1 TP 320952 and Lot 2 TP 320952 at 34 High Street, Elmhurst.
Tatyoon Road, Tatyoon	Apply Heritage Overlay HO212 to the old Water Tower on Tatyoon Road and include in Planning Scheme Map 26.
916 Glenelg Highway, Westmere	Apply Heritage Overlay HO219 to St Johns Anglican Church located at 916 Glenelg Highway, Westmere. Include HO219 in Planning Scheme Map 33.
1009 Chatsworth-Wickliffe Street, Wickliffe	'Berrambool' Farm Complex, 1009 Chatsworth-Wickliffe Rd, Wickliffe has a heritage overlay HO224. The Amendment amends Clause 43.01 (Heritage Overlay) for HO224 to cover correct and existing structures identified in the statement of significance for HO224 in the heritage study. These are stables, outbuildings, woolshed, shearers' quarters, grave site

	and overseer's house. The Planning Scheme Map 28 is amended to include these structures.
34 Walker Street, Wickliffe	Apply Heritage Overlay HO229 to the Former Store at 34 Walker Street, Wickliffe. Amend Planning Map 30 to include.
31 & 49 Main Street, Willaura	Apply Heritage Overlay HO240 to the Willaura Railway Station Complex, Wickliffe-Willaura Road, Willaura and include in Planning Map 25

### Exhibition Documents

A number of Exhibition documents were provided that relate to the amendment. These documents are as follows:

- C39arat Part 2 Explanatory Report
- C39arat Part 2 Instruction Sheet
- C39arat Part 2 Incorporated Docs
- C39arat Part 2 Schedule Heritage Overlay

Also attached are a six Maps used for exhibition:

- C39arat Part 2 Map 15 Exhibition
- C39arat Part 2 Map 25 Exhibition
- C39arat Part 2 Map 26 Exhibition
- C39arat Part 2 Map 28 Exhibition
- C39arat Part 2 Map 30 Exhibition
- C39arat Part 2 Map 33 Exhibition

The Amendment documents were available for public inspection, free of charge, during office hours at the following places:

- Council's Municipal Offices, Cnr Vincent and High Streets, Ararat
- [www.ararat.vic.gov.au](http://www.ararat.vic.gov.au)

The Amendment was also available to be inspected free of charge at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection) or by contacting the Department to arrange a time to view the amendment documentation.

### Submissions

Any person affected by the amendment was able to make a submission to Council between 25 November 2021 and 4 February 2022.

At the close of the submission period the planning team had one formal submission from GrainCorp in relation to the Willaura site (Proposed HO240).

Staff had also spoken with the owners as well as the intending purchasers of the Berrambool site (HO224) and VicTrack (HO212) prior to the close of objections.

Graincorp lodged an objection on the last day of the advertising period. Its grounds for objection and a response to the concerns is provided below:

Objection	Response
The property is not under threat from development or other pressures which would warrant the imposition of the heritage overlay. The site continues to be used for its original	The absence of a threat to the site is not a valid reason not to list it. Indeed, the opposite is true, that listing when such a threat is imminent is procedurally unfair as parties do not know what is

<p>purpose as an important agricultural storage and transportation facility.</p>	<p>required. This approach is impractical to implement, and good practice is to assess the value of the place to the historical, aesthetic, scientific and cultural significance, not the risk of change or redevelopment.</p> <p>The continued use is integral to the significance and listing does not of itself restrict operations. Usefulness of a site is a known protection value for heritage places.</p>
<p>The continued use of the property as a grain handling facility requires from time to time that facilities, buildings, and structures etc be upgraded to align with evolving technology and best practice. The introduction of the Heritage Overlay to the property would therefore unreasonably compromise the ability of the operator to make improvements to the facilities. Potentially threatening the viability of the site's continued operation for the recognised purpose.</p>	<p>This assertion is not agreed. Heritage value needs to be assessed together with relevance to operations, community needs at the time, other requirements such as OH&amp;S and environmental protection.</p> <p>It is noted that the role of this site and arrival throughput is overshadowed by other sites in the surrounding area. The capacity for a significant increase in throughput here appears limited given the available space for expansion.</p>
<p>It should also be noted that Council exerts a level of influence of development works at the site under the current planning controls. The site is within the <b>Transport Zone 1</b> which imposes a planning permit requirement for any buildings and works not undertaken by or on behalf of the relevant transport manager. Given the site's status as an important piece of rural transport infrastructure, the <b>Transport Zone 1</b> in our view is the appropriate control for the property.</p>	<p>The purpose of the Transport Zone is to:</p> <ul style="list-style-type: none"> <li>• <i>implement the Municipal Planning Strategy and the Planning Policy Framework.</i></li> <li>• <i>provide for an integrated and sustainable transport system.</i></li> <li>• <i>identify transport land use and land required for transport services and facilities.</i></li> <li>• <i>provide for the use and development of land that complements, or is consistent with, the transport system or public land reservation.</i></li> <li>• <i>ensure the efficient and safe use of transport infrastructure and land comprising the transport system.</i></li> </ul> <p>Whilst a planning permit may be triggered by the works the relevant decision guidelines do not support or reflect the heritage value as they are:</p> <ul style="list-style-type: none"> <li>• <i>The Municipal Planning Strategy and the Planning Policy Framework.</i></li> <li>• <i>The effect of the proposal on the development, operation, and safety of the transport system.</i></li> <li>• <i>Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.</i></li> </ul>

	<p>Consequently, the ability for the Council to assess the heritage significance when works are proposed is restricted to the provisions of Clause 65 of the planning scheme which include:</p> <ul style="list-style-type: none"><li>• <i>the orderly planning of the area.</i></li><li>• <i>The effect on the environment, human health and amenity of the area</i></li></ul> <p>This does not appear to be an adequate mechanism for the proposed outcome to protect and consider the values of the site. Indeed, there is a high probability that this value would not be noted until well into the assessment process, thus wasting time and money for GrainCorp and Council in design works at the late stage.</p>
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It is proposed to negotiate with Graincorp and its consultant on these concerns and see if there is some possible resolution between now and the Directions Hearing. If these concerns can't be resolved, then the Council will need to ask Planning Panels Victoria to review the proposed controls and the objection and make a recommendation to the Council on how to proceed.

As part of the amendment process the Council was required to nominate the expected dates for the following actions prior to commencing advertising:

- Directions Hearing: commence the week of Tuesday 28 February 2022
- Panel Hearing: commence the week of Monday 28 March 2022.

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

The review and reframing of the Planning Scheme advances the following objectives and strategies:

#### **1 Growing our Place**

*We will create the settings to support growth across our municipality through an improved planning scheme, actively pursuing new housing options and exploring models for in-migration.*

#### **1.2 Develop a new planning scheme for Ararat Rural City that is clear in its intention, supports growth and builds confidence and certainty around land use.**

#### **3 Preserving our environment**

*We will take pragmatic approaches to ensuring that Ararat Rural City Council takes a regional lead in responsible environmental management and engagement with the circular economy.*

#### **5 Enhancing community life**

*We will work with the communities of Ararat Rural City to maintain social cohesion, support community activity and cultural life, and enhance safety.*



### ***Budget Implications***

The Project costs have predominantly been met by work done to date by Council. The preparations of this amendment was prepared by Council and DELWP in partnership.

If the objection by GrainCorp cannot be resolved the Planning Panel will incur a cost of \$15,345.60 paid to Panels Victoria.

### ***Policy/Relevant Law***

The preparation of this amendment has been undertaken in accordance with the *Planning & Environment Act*. The amendment advances Clause 15.03-15 which seeks to *ensure the conservation of places of heritage significance*.

### ***Sustainability Implications***

The proposed amendment does not seek to impact on sustainability of each of the sites.

### ***Risk Assessment***

Heritage controls seek to protect identified public and private assets for the benefit of future generations. Preservation of places that reflect the history and story of the area are intimately connected to the wellbeing of future generations.

### ***Innovation and Continuous Improvement***

Amending the planning scheme is a process of continuous improvement to build and shape controls on individual sites and areas.

### ***Stakeholder Collaboration and Community Engagement***

The development of the original Rural Ararat Heritage Study was underpinned by extensive community engagement. This process to amend the Planning Scheme has included direct engagement with the relevant owner of each site.

## **RECOMMENDATION**

*That Council:*

- 1. Acknowledge the receipt of the objection from GrainCorp in relation to Amendment C039arat PT2;*
- 2. Authorise the Chief Executive Officer and Manager Planning, Community and Compliance to continue negotiations on the concerns with GrainCorp and report back to the first available Council meeting on the outcome of negotiations; and*
- 3. Advise Planning Panels Victoria of the objection and negotiations by 22 February 2022.*

## **MOVED CR BEALES SECONDED CR SANDERS**

**That Council:**

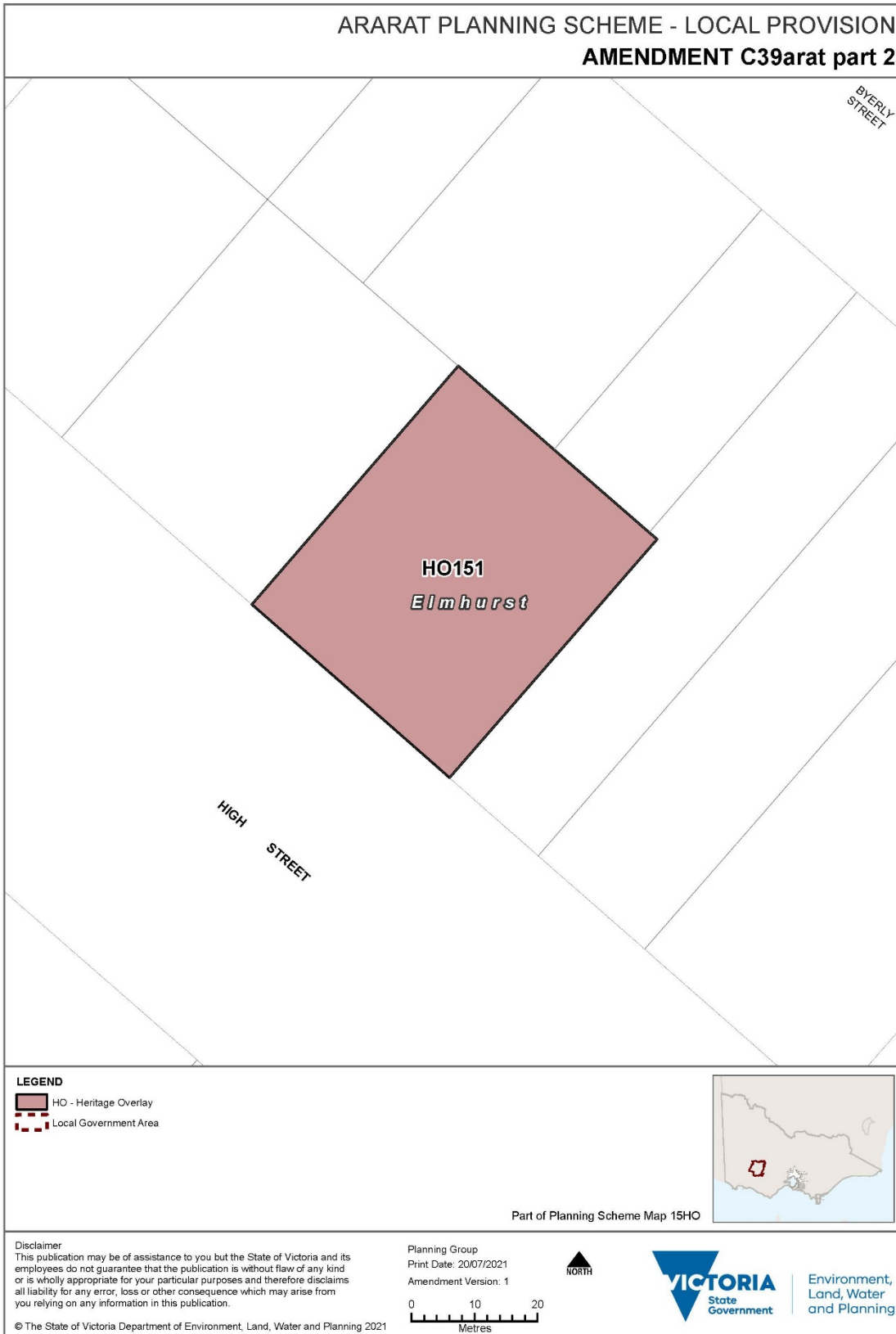
- 1 Acknowledge the receipt of the objection from GrainCorp in relation to Amendment C039arat PT2;**
- 2 Authorise the Chief Executive Officer and Manager Planning, Community and Compliance to continue negotiations on the concerns with GrainCorp and report back to the first available Council meeting on the outcome of negotiations; and**
- 3 Advise Planning Panels Victoria of the objection and negotiations by 22 February 2022.**

**CARRIED 4567/22**



#### ATTACHMENTS

- 1 Explanatory report for C39 and mapping.
- 2 Heritage Statement of Significance for each site.
- 3 Objection by GrainCorp.



ARARAT PLANNING SCHEME - LOCAL PROVISION  
AMENDMENT C39arat part 2



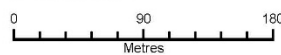
**LEGEND**  
 HO - Heritage Overlay  
 Local Government Area



Part of Planning Scheme Map 25HO

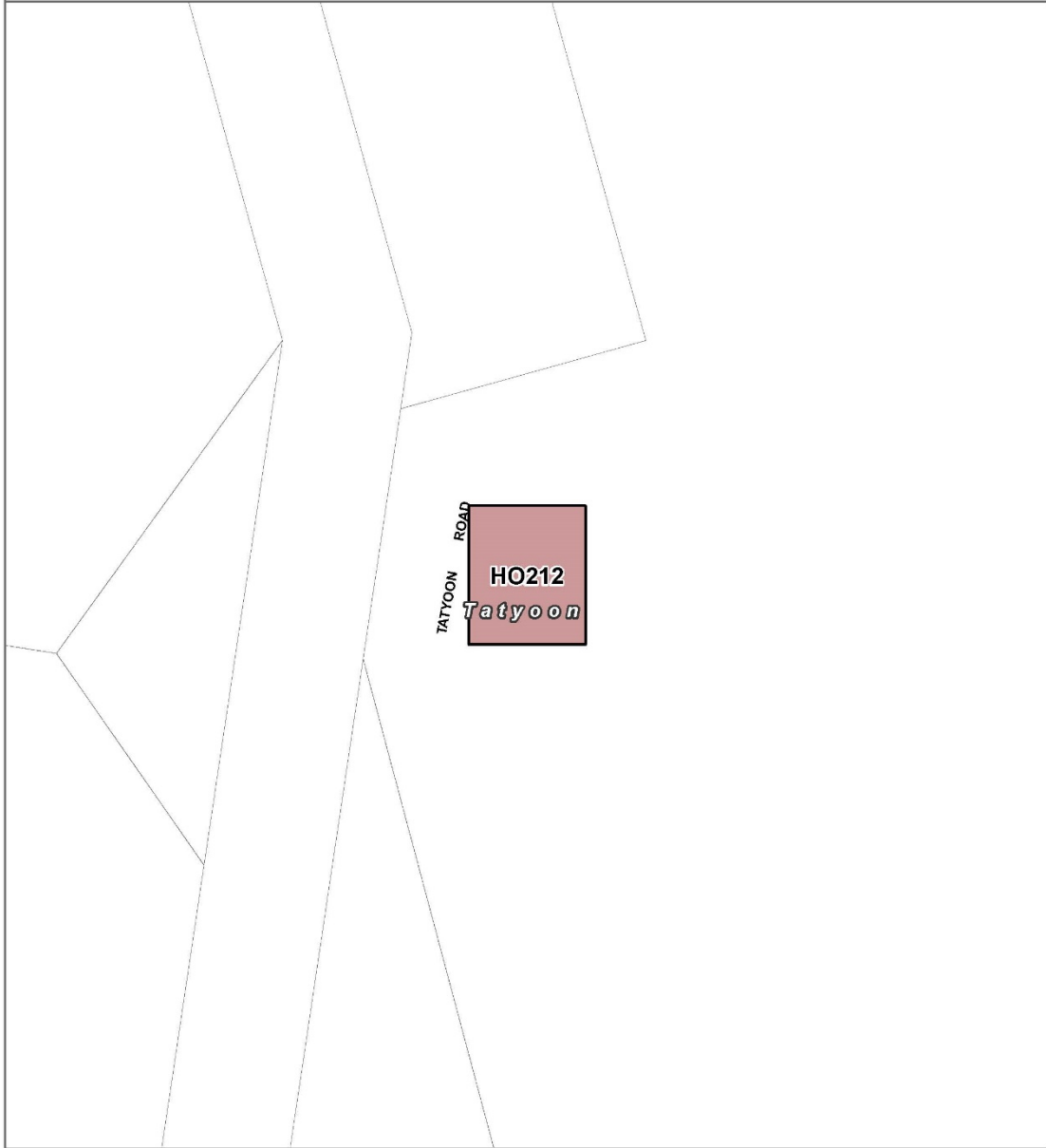
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ARARAT PLANNING SCHEME - LOCAL PROVISION  
AMENDMENT C39arat part 2



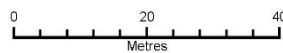
**LEGEND**  
HO - Heritage Overlay  
Local Government Area



Part of Planning Scheme Map 26HO

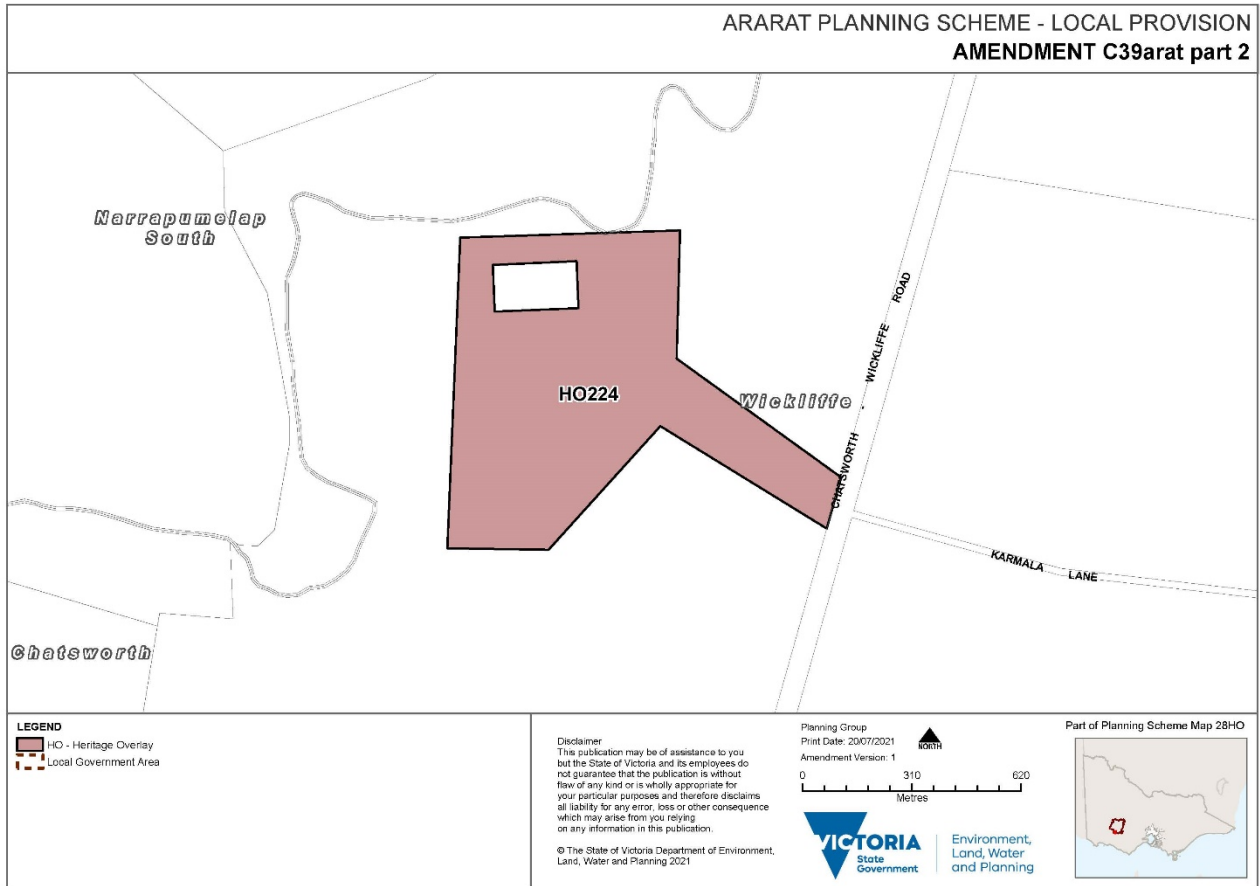
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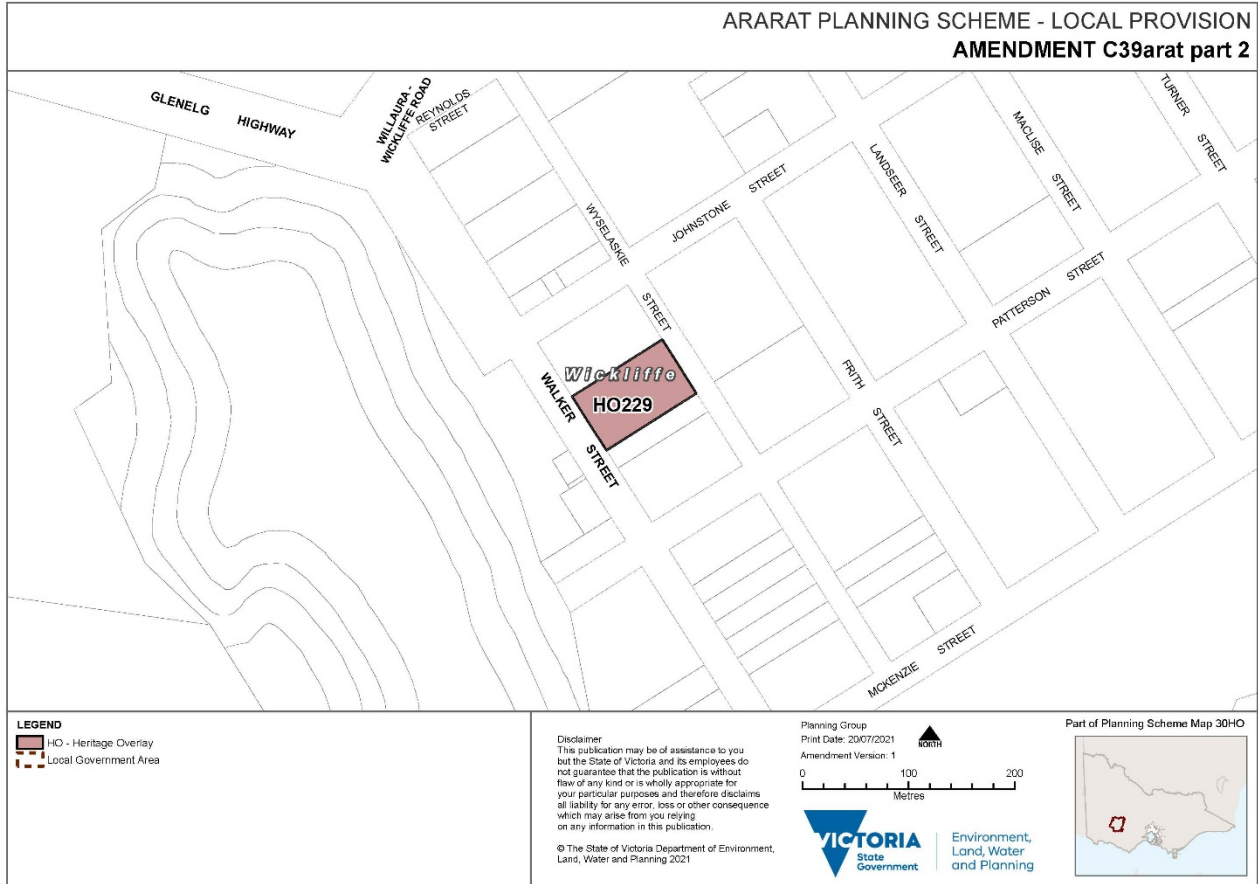
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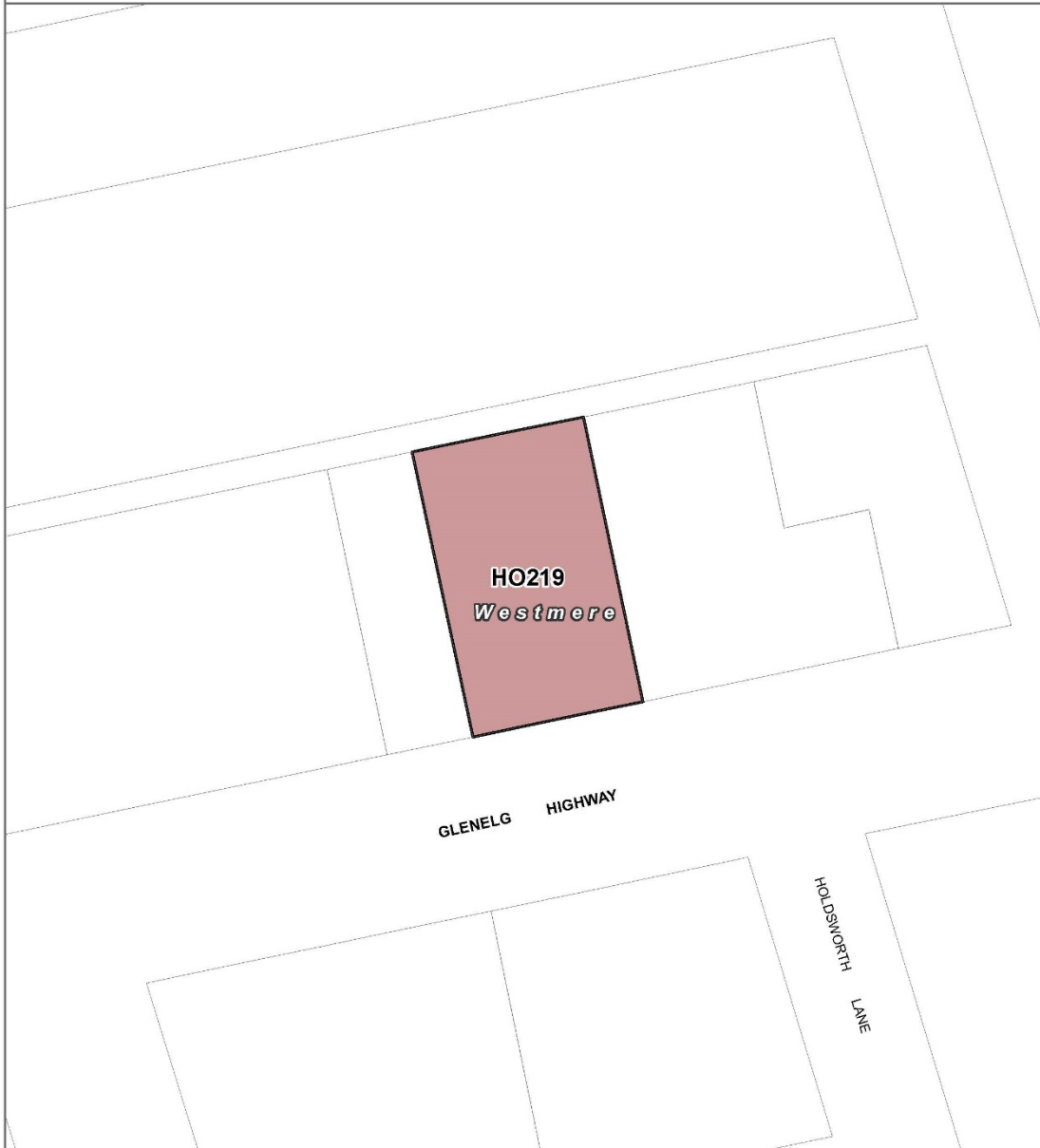
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ARARAT PLANNING SCHEME - LOCAL PROVISION  
AMENDMENT C39arat part 2



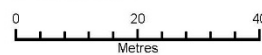
**LEGEND**  
HO - Heritage Overlay  
Local Government Area



Part of Planning Scheme Map 33HO

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*Planning and Environment Act 1987*

## **ARARAT PLANNING SCHEME AMENDMENT C039aratPt2arat**

### **EXPLANATORY REPORT**

#### **Who is the planning authority?**

This amendment has been prepared by the Ararat Rural City Council which is the planning authority for this amendment.

The amendment has been made at the request of Ararat City Council.

#### **Land affected by the amendment**

The amendment applies to six discrete areas in private ownership in the localities of Elmhurst, Tatyoon, Westmere, Wickliffe and Willaura within the Rural City of Ararat, specifically:

- 34 High Street, Elmhurst.
- Tatyoon Road, Tatyoon.
- 916 Glenelg Highway, Westmere.
- 1009 Chatsworth-Wickliffe Street, Wickliffe.
- 34 Walker Street, Wickliffe.
- 31 & 49 Main Street, Willaura.

A mapping reference table is attached at Attachment 1 to this Explanatory Report.

#### **What the amendment does**

The amendment implements the recommendations of the *Rural Ararat Heritage Study (2016)* (the heritage study) by applying the Heritage Overlay to five individual places (proposed HO151, HO212, HO219, HO229 and HO240) and amends HO224.

Specifically, the amendment:

- Amends the Schedule to Clause 43.01 (Heritage Overlay) to include five new individual places.
- Amends the extent of HO224 to cover heritage elements identified in the Statement of Significance for HO224 in the heritage study.
- Amends planning scheme maps 15HO, 25HO, 26HO, 28HO, 30HO and 33HO.
- Amend the Schedule to Clause 72.04 (Documents Incorporated in this Planning Scheme) to include the Statement of Significance for five individual places identified in the heritage study as an Incorporated Document.

#### **Strategic assessment of the amendment**

#### **Why is the amendment required?**

Amendment C39arat Part1 added 98 individual places and three precincts to the Heritage Overlay and incorporated the findings of the *Rural Ararat Heritage Study 2016 – Planning Permit Exemptions Incorporated Plan* (December 2018) and a Statement of Significance for each place or precinct in the planning scheme. However, five places were not included in Amendment C39aratPart1 as mapping

and place descriptions were incorrect. The adopted mapping for HO244 did not cover all the heritage elements. Further notice was considered necessary to resolve the mapping and place descriptions for the six proposed heritage sites.

**How does the amendment implement the objectives of planning in Victoria?**

Section 4(1)(d) of the *Planning and Environment Act 1987* (the Act) states that one of the objectives of planning in Victoria is “to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural, historical or otherwise of special cultural value”. The amendment implements this objective by including those places identified in the heritage study as having cultural heritage significance within the Heritage Overlay.

**How does the amendment address any environmental, social and economic effects?**

The amendment will have no adverse effects on the natural environment and will contribute to the richness and diversity of the built environment. The amendment will have a positive effect on places with significant historic, architectural, aesthetic, scientific and cultural values.

It is expected that the amendment will have positive economic and social effects for the community by recognising and celebrating the cultural significance of places. The Burra Charter states that “significant places, sites and buildings help us understand the past; they enrich our life now and we expect them to be of value to future generations”. Heritage places within the municipality demonstrate important post-contact phases in the development of the region and in many cases provide evidence of now-obsolete aspects of daily life. They are valuable and irreplaceable elements which can contribute to a sense of place for the local community and enrich the experience of visitors to the region.

The retention of heritage places will have a positive social and economic impact in terms of fostering tourism, township identity and liveability.

**Does the amendment address relevant bushfire risk?**

The objective of Clause 13.02 (Bushfire planning) is to prioritise the protection of human life over all other policy considerations. The strategy of Clause 13.02 (Bushfire planning) is to ensure “the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of future land use development”.

The amendment has been considered against and is consistent with the above bushfire planning objectives and strategies at Clause 13.02-1S.

The application of a Heritage Overlay does not adversely impact the ability of these heritage places to be kept or made compliant with bushfire protection requirements, or the ability of owners, occupiers or managers to undertake bushfire prevention and preparedness steps.

The amendment is not expected to increase the risk of bushfire to the lives, property or community infrastructure and no local policy for bushfire risk management is required to support the amendment.

**Does the amendment comply with the requirements of any Minister’s Direction applicable to the amendment?**

The amendment complies with the requirements of the *Ministerial Direction – The Form and Content of Planning Schemes* (section 7(5) of the Act). The amendment is not affected by any other Minister’s Directions under section 12(2)(a) of the Act.

**How does the amendment support or implement the Planning Policy Framework and any adopted State policy?**

- Clause 15.03-1S (Heritage conservation) encourages the conservation of places of heritage significance. This is achieved by:
  - Identifying, assessing and documenting places of natural and cultural significance as a basis for their inclusion in the planning scheme.
  - Providing for the protection of natural heritage sites and man-made resources.



- o Providing for the consideration and enhancement of those places which are of aesthetic, archaeological, architectural, cultural, scientific or social significance.

The amendment ensures that those places that have been identified in the heritage study are recognised and protected in the planning scheme and decisions about the future of these places consider any impacts on the significance of these places.

**How does the amendment support or implement the Local Planning Policy Framework, and specifically Municipal Planning Strategy?**

The amendment is consistent with the objectives and strategies in the Local Planning Policy Framework under Clause 02.03-5 (Built environment and heritage) to protect, conserve and enhance areas, features and sites of historic, aboriginal, natural and cultural significance.

**Does the amendment make proper use of the Victoria Planning Provisions?**

The amendment correctly uses the Heritage Overlay as the tool to provide formal heritage recognition and protection for significant local places. The proposed changes to the maps are consistent with the requirements of *Planning Practice Note 1: Applying the Heritage Overlay* and are inclusions or corrections to six discrete areas in the Heritage Overlay to cover all heritage structures and all land intended to be in the overlay as per the *Rural Ararat Heritage Study 2016 – Planning Permit Exemptions Incorporated Plan (December 2018)*, an Incorporated Document in the planning scheme introduced under Amendment C39aratPart1.

The Statement of Significance for each place is included as an Incorporated Document referenced in Clause 72.04 (Documents incorporated in this planning scheme) so that applications are directly considered against the Statements of Significance for the respective place.

**How does the amendment address the views of any relevant agency?**

Heritage Victoria was consulted during the preparation of the heritage study which has informed this amendment.

The Department of Environment, Land, Water and Planning under delegation from the Minister for Planning, in accordance with section 32(1) of the *Planning and Environment Act 1987*, directed council to give further notice of the amendment to all affected landowners for a minimum period of 28 days.

Other agencies such, as public land managers, were formally notified of the amendment.

**Does the amendment address relevant requirements of the Transport Integration Act 2010?**

The amendment is not likely to have any significant impacts on the implementation of the *Transport Integration Act 2010*.

**Resource and administrative costs**

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The addition of five new heritage places through the amendment may result in additional permit applications and it is expected that this would be processed within council's existing resources.

The protection of these places will reduce the potential for requests for Ministerial Amendments (through Section 29(B) of the *Building Act 1993*). The Heritage Overlay will provide increased certainty for the land holders and council as well as improved and easy access to information by landowners and the community.

**Where you may inspect this amendment**

The amendment is available for public inspection, free of charge, during office hours at the following

places:

- Rural City of Ararat Municipal Offices, Cnr Vincent and High Streets, Ararat
- Willaura Post Office, 84 Main Street, Willaura
- [www.ararat.vic.gov.au](http://www.ararat.vic.gov.au)

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection).

### **Submissions**

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by 21 January 2022.

A submission must be sent to:

Ms Veronica Schilling  
Manager Planning, Community & Compliance  
Ararat Rural City Council  
GPO Box 246 Ararat Victoria 3377

Or via email at [planning@ararat.vic.gov.au](mailto:planning@ararat.vic.gov.au).

### **Panel hearing dates**

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: commence the week of Tuesday 28 February 2022
- panel hearing: commence the week of Monday 28 March 2022.



**ATTACHMENT 1 - Mapping reference table**

<b>Location</b>	<b>Land /Area Affected</b>	<b>Mapping Reference</b>
Elmhurst	34 High Street, Elmhurst	Map 15HO (HO151)
Tatyoan	Tatyoan Road, Tatyoan	Map 26HO (HO212)
Westmere	916 Glenelg Highway, Westmere	Map 33HO (HO219)
Wickliffe	34 Walker Street, Wickliffe	Map No 30HO (HO229)
Willaura	31 & 49 Main Street, Willaura	Map No 25HO (HO240)
Wickliffe	1009 Chatsworth-Wickliffe Road, Wickliffe	Map No 28HO (HO224)

ARARAT PLANNING SCHEME

**Statement of Significance HO224, Berrambool Farm Complex, 1009 Chatsworth-Wickliffe Rd, Wickliffe Feb 2021**

<b>Address:</b> 1009 Chatsworth-Wickliffe Road WICKLIFFE	<b>PS ref.:</b> HO224
	

**What is significant?**

Berrambool Farm Complex, located at 1009 Wickliffe-Chatsworth Road, Wickliffe. The following elements contribute to the significance of the place:

- Homestead
- Stables
- Outbuildings
- Hexagonal Meat House
- Wool Shed
- Shearers' Quarters
- Grave site
- Overseer's House
- Tree lined driveway
- Specimen elms, oaks and poplars in the Homestead garden
- Two pine wind breaks

The original location, form, details and materials of the above features are integral to the significance of the place.

**How is it significant?**

Berrambool Farm Complex is of local historic and aesthetic significance to Ararat Rural City Council.

**Why is it significant?**

Berrambool Farm Complex is of historic significance as an early pastoral run, which was originally part of the Hopkins Hill Run, one of the main squatting runs in what was to become known as the Wickliffe area. In 1840, the Hopkins Hill Run of 98,000 acres on the Hopkins River was taken up by J. and A. Dennistoun and Co. It was managed firstly by Henry Gibb then Alexander Russell. The run contributed to the establishment of a significant wool growing industry in the district. Berrambool Farm Complex is of historical importance for its association

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with John Moffat and the Moffat family and the partnership of Josiah Austin, Thomas Maidment and Thomas Milllear. Scotsman John Moffat took over Hopkins Hill in 1857, and in 1859 subdivided the run into Boortkoi, Berrambool, Salt Creek and Flat Top Hill; the latter three properties he leased, with Berrambool leased to Josiah Austin, Thomas Maidment and Thomas Milllear. Moffat also leased the neighbouring Lake Boloke run.

Thomas Maidment had joined Thomas Milllear and Josiah Austin in partnership by 1860. They leased Greenvale, 5,200 acres near Willaura, from James Austin, and later purchased it. They were also the owners of Audley Estate, 7,000 acres, near Hamilton, and Beulah Estate, 3,500 acres, at Glenthompson. As well as leasing Berrambool, they also leased a property near Winchelsea from Thomas Austin, of Barwon Park, Avalon, near Geelong. The partnership, which existed for 17 years, was dissolved in 1877. The Berrambool Estate remained in Moffat family ownership until the late 1940s. The Homestead and associated outbuildings, stables and shearing complex demonstrate the constituents and operation of a pastoral property primarily in the 1860 to 1890s period. The main buildings date from the 1860s and early 1890s and are important, rare examples of their type showing early methods of construction, use, layout and detailing. The constituent parts of the stables in particular demonstrate the operation and management of a homestead property from the 1860s with additions in the 1890s. The property is of historical significance for its associations with post World War Two Soldier Settlement when, in 1947, the Berrambool estate, subdivided into ten blocks of approximately 700-800 acres, was opened for soldier settlement. (Criteria A, B & H)

The Berrambool Farm Complex is of aesthetic significance as an early and substantially unaltered collection of buildings and features relating to a pastoral property dating from the 1860s and early 1870s with additions in the 1890s. The homestead and stables are excellent examples of the Victorian Gothic style with the homestead also featuring a number of Elizabethan style features including the shaped gable parapets and castellated bay windows. The bluestone buildings on the property demonstrate the high level of craftsmanship and skill of the Scottish stonemasons who erected them. The homestead in particular is impressive with its high level of decoration expressed primarily in the stonemasonry. Stonemasonry features of note include the Elizabethan style gable end parapets, the Gothic arch door openings, the chimneys, the use of contrasting quarry faced stone and ashlar to highlight details, the carved frieze above the front door and the castellated bay windows to the front. The stables and wool shed while less decorative, also demonstrate a high level of stonemasonry skills. The tree-lined entrance driveway, specimen oaks, elms and poplars in the homestead garden and the pine windbreaks around the homestead block contribute to the setting of the place. The homestead, stables and wool shed are excellent intact examples of the work of Hamilton architect James H. Fox, who also designed Chatsworth House (1859) and is also attributed to the design of Werribee Park Mansion. (Criteria B, D & H)

**Primary source**

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**Statement of Significance HO151, Mechanics Institute, 32 & 34 High Street, Elmhurst**

<b>Address:</b> 32 & 34 High Street ELMHURST (34 High Street <sup>1</sup> )	<b>PS ref.:</b> HO151
	

**What is significant?**

The Elmhurst Mechanics Institute located at 32 & 34 High Street, (34 High Street<sup>1</sup>) Elmhurst. The location and original form, materials and details of the Mechanics Institute, front brick fence, granite war memorial and bluestone memorial cairn are integral to the significance of the place.

**How is it significant?**

The Elmhurst Mechanics Institute is of local historical, aesthetic and social significance to Ararat Rural City Council.

**Why is it significant?**

The Elmhurst Mechanics Institute is of historical significance for its role in the development of community and civic life in Elmhurst and the surrounding district. Originally constructed as the Good Templars' Hall ca. 1870, the Elmhurst library was moved to the building in 1883 and in 1886 it became the Elmhurst Mechanics Institute. The earliest section of the building is of historical significance for demonstrating the early development of Elmhurst and as a rare example of a building constructed for the Independent Order of Good Templars. The 1929, ca. 1960 and 1983 additions are of historical significance for demonstrating the ongoing development of community and civic life in Elmhurst supporting the surrounding farming district. The 1929 additions and front brick fence are also of historical significance as Red Cross funded additions constructed in commemoration of two nurses, Nurse Cameron and Nurse Gallagher who served in World War One. (Criteria A & B)

The 1929 additions and front fence of the Elmhurst Mechanics Institute are aesthetically significant as the most distinctive part of the site. Features of note include the front porch with shaped parapet and front corner buttressing. Also of aesthetic note is the manner by which later additions have been constructed of red brick in sympathy with the original building and forming an overall unified red brick complex. (Criterion D)

The Elmhurst Mechanics Institute is of social significance as a focus for community activity since 1883. The Elmhurst Mechanics' Institute hall has been used for a variety of purposes since the 1880s, including Ararat Shire

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Council meetings, bazaars, meetings, art classes, church services, government elections, drama events, and flower shows, and continues today to provide an important meeting place for the Elmhurst district community. The Mechanics Institute is also of social significance as the focus of commemoration for the Elmhurst district community, with the front fence dedicated to two nurses who served in World War One, a war memorial erected in 2006 and a water memorial cairn erected in 1974. (Criterion G)

**Primary source**

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**Statement of Significance HO212, Water Tower, Tatyoon Road, Tatyoon**

<b>Address:</b> Tatyoon Road TATYOON	<b>PS ref.:</b> HO212
	

**What is significant?**

The Water Tower on Tatyoon Road, Tatyoon. The location and original form, materials and details of the tank are integral to the significance of the place.

**How is it significant?**

The Water Tower on Tatyoon Road, Tatyoon is of local historic and aesthetic significance to Ararat Rural City Council.

**Why is it significant?**

The Water Tower on Tatyoon Road, Tatyoon is historically significant for its demonstration of the methods used to supply rural areas in the district with water during the 1967-1968 drought. The water tower at the Tatyoon township is believed to have been erected ca. 1967 by Ararat Shire engineer, J. Muntz, using redundant Victoria Railways boilers. Water from the reservoir was pumped to the elevated tower to enable gravitation supply to township buildings and the Tatyoon Recreation Reserve. The tower also incorporated a standpipe from which stock and fire brigade water was supplied. The water tower is also of historical significance for demonstrating the practice of the creative re-use of surplus railways infrastructure. (Criterion A)

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The Water Tower at Tatyoon is aesthetically significant as an unusual example of a water tower that uses recycled railway boilers as the tanks. The elevated tower is a landmark in the landscape illustrating the importance and methods of water supply to the rural district. (Criteria B & D)

**Primary source**

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**Statement of Significance HO219, St Johns Anglican Church, 916 Glenelg Highway, Westmere**

<p><b>Address:</b> 916 Glenelg Highway WESTMERE</p>	<p><b>PS ref.:</b> HO219</p>
	

**What is significant?**

St Johns Anglican Church, front fence, two cypresses and two pencil pines, located at 916 Glenelg Highway, Westmere. The location and original form, materials and details of the church and fence are integral to the significance of the place

**How is it significant?**

St Johns Anglican Church located at 916 Glenelg Highway, Westmere is of local historical, aesthetic and social significance to Ararat Rural City Council.

**Why is it significant?**

St Johns Anglican Church and fence are of historical significance for their demonstration of the boom in the farming community in the Mininera-Westmere district as a result of flax farming undertaken for World War Two military purposes and the second phase of soldier settlement following World War Two. The construction of a substantial brick church in the town in the 1950s demonstrates the prosperity and stable community around resulting from a surge in the farming population in the Mininera-Westmere district around the World War Two period. (Criterion A)

St Johns Anglican Church is aesthetically significant as a substantially intact and unusual example of a 1950s brick Church in the English Cottage revival style. Key features of the period and style include the use of cream brick with confetti of red brick throughout, brick inlaid detailing, wrought iron windows, the ceramic tiled roof and brick corbelling to the eaves. The front brick fence, which uses the same brick and inlaid cross detailing as the church enhances the aesthetic significance of the site by demonstrating an integrated whole of site design. The cypresses and pencil pines also add to the setting of the place marking the entry. (Criteria D & E)

St Johns Anglican Church is of social significance as a focus for worship and as a community gathering place in the district since the 1950s. (Criterion G)

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**Statement of Significance HO229, Former Store, 34 Walker Street, Wickliffe**

<b>Address:</b> 32 Walker Street, WICKLIFFE (34 Walker Street, WICKLIFFE <sup>1</sup> )	<b>PS ref.:</b> HO229
	

**What is significant?**

The former Store located at 32 Walker Street, (34 Walker Street<sup>1</sup>) Wickliffe. The location and original form, materials and detailing of the building are integral to the significance of the place.

**How is it significant?**

The former Store located at 34 Walker Street, Wickliffe is of local historic and aesthetic significance to Ararat Rural City Council.

**Why is it significant?**

The former Store is historically significant for its long association with commercial activities of the Wickliffe township. Constructed in 1924, or possibly as early as 1915, the store was built next to an earlier general store operated by Robert Ford from 1879. Robert's son, William Haig Ford, opened the new brick shop at 34 Walker Street. It is one of only a few surviving premises that evidence the once busy township of Wickliffe, which experienced a boom in the early 20<sup>th</sup> century due to the subdivision of large estates in the district. The building is of historical significance for its associations with the Ford family who operated the two main business premises in the town. (Criteria A, B & H)

The former Store is aesthetically significant as a substantially intact example of an early 20th century rural store. The building retains its original simple gable roofed form, skillion roofed verandah over the footpath, large timber framed shop front windows and recessed entry. The wrought iron signage to the gable end is also of aesthetic interest as an early and unusual type of signage. (Criterion D)

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**Statement of Significance HO240, Railway Station Complex, 31 & 49 Main Street  
(Wickliffe-Willaura Road), Willaura**

<p><b>Address:</b> 31 &amp; 49 Main Street, WILLAURA (Wickliffe-Willaura Road<sup>1</sup>) WILLAURA</p>	<p><b>PS ref.:</b> HO240</p>
	

**What is significant?**

The Willaura Railway Station Complex consisting of the 1877 station building, store, passenger platform, silos, passenger platform, weighbridge and office, oats shed and fertiliser store. The location and original form, materials and details of these features are integral to the significance of the place.

**How is it significant?**

The Willaura Railway Station Complex located on 31 & 49 Main Street (Wickliffe-Willaura Road<sup>1</sup>), Willaura is of local historical and aesthetic significance to Ararat Rural City Council.

**Why is it significant?**

The Willaura Railway Station Complex is of historical significance to Ararat Rural City Council for its ability to demonstrate the construction of the Ararat to Portland Railway line in 1877. The Wickliffe Road passenger station and outbuildings were constructed by contractor Ainsworth Harrison in 1877 and the line was officially opened to traffic in April 1877. The platform store building, although re-clad on the exterior, is a rare surviving example of a 1870s small railway store constructed with vertical timber boards. The grain handling infrastructure including the silos, weighbridge and office, fertiliser shed and oats storage shed demonstrates the importance of the railways to the grain industry prior to the development and preference for road transport. The concrete silo erected at the station in 1940 demonstrates the establishment of the Victorian Grain Elevators Board in 1935, which introduced bulk-handling facilities for wheat to railway stations. The steel silos installed at the station to accommodate surplus grain demonstrate the bumper grain crops experienced in the 1950s and 1960s. The oats storage shed constructed by the Victorian Oat Pool in 1964 demonstrates the commencement of bulk handling of oats in Victoria in 1962. (Criteria A & B)

The Willaura Railway Station Complex is aesthetically significant as a collection of railway station and rail bulk grain handling infrastructure illustrating the components, appearance and design of a rural railway station servicing a grain farming district and spanning from the late nineteenth century to the mid twentieth century. The individual components such as the 1877 station building with its cast iron verandah posts and brackets, the oats

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shed with its exposed structure, silos and weighbridge and office are substantially intact and exhibit principal characteristics of their building types and age. These characteristics include the building placement, overall form, scale, materials, opening types and placement and detailing. (Criterion D)

**Primary source**

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Dear Ms Schilling,

4 February 2022

Ms Veronica Schilling  
Manager, Planning,  
Community & Compliance  
Ararat Rural City Council  
PO Box 246  
ARARAT VIC 3377

Sent via email to  
[planning@ararat.vic.gov.au](mailto:planning@ararat.vic.gov.au)

**Submission to Planning Scheme Amendment C039arat Part 2  
31 & 49 Main Street, Willaura**

Ratio Consultants acts on behalf of GrainCorp Operation Limited who own the above-mentioned property which will be affected by Planning Scheme Amendment C039.

Our client wishes to lodge a submission to the amendment, raising concerns with the proposed application of the Heritage Overlay to the site.

We note that the potential heritage significance of the property was flagged in the *Rural Ararat Heritage Study*, which identified the place as meeting Criterion A (Historical significance), Criterion B (Rarity) and Criterion D (Representativeness). The potential significance of the place is tied to its continued use and operation as a railway and grain handling facility.

Our client objects to the introduction of the heritage overlay to the site for the following reasons:

- The property is not under threat from development or other pressures which would warrant the imposition of the heritage overlay. The site continues to be used for its original purpose as an important agricultural storage and transportation facility.
- The continued use of the property as a grain handling facility requires from time to time that facilities, buildings and structures etc be upgraded to align with evolving technology and best practice. The introduction of the Heritage Overlay to the property would therefore unreasonably compromise the ability of the operator to make improvements to the facilities, potentially threatening the viability of the site's continued operation for the recognised purpose.
- It should also be noted that Council exerts a level of influence of development works at the site under the current planning controls. The site is within the **Transport Zone 1** which imposes a planning permit requirement for any buildings and works not undertaken by or on behalf of the relevant transport manager. Given the site's status

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as an important piece of rural transport infrastructure, the **Transport Zone 1** in our view is the appropriate control for the property.

Should you have any queries relating to this matter, please do not hesitate to contact the undersigned on 9429 3111 or at [justin.scriha@ratio.com.au](mailto:justin.scriha@ratio.com.au).

Yours sincerely,



**Justin Scriha**  
**Senior Planner**

Meeting closed at 6:51 PM

I HEREBY CERTIFY THAT PAGES 4140 TO 4247 ARE CONFIRMED AND ARE A TRUE AND CORRECT RECORD.

MAYOR – CR JO ARMSTRONG