

# **APPENDIX 2**

## **Local Policy Considerations**

## **Ballarat Housing Strategy**

### **Appendix 2**

#### **Local Planning Policy Considerations**

##### **Aboriginal Cultural Heritage**

The local government municipality of Ballarat sits on the Traditional lands of the Wadawurrung and Dja Dja Wurrung Peoples. Planning decisions made regarding the use and development of land must be made in concert with the First Nations Peoples on whose Country the municipality sits.

As of the 2021 Census, some 2,094 people within the Ballarat municipality identify as Aboriginal and / or Torres Strait Islander; this is nearly double the Victorian average (1.8% to 1.0%). The City of Ballarat has a duty to ensure the housing needs of our Indigenous people are met.

The City of Ballarat's *Innovative Reconciliation Action Plan May 2019 – May 2021* (City of Ballarat, 2019) commits the City of Ballarat to ensure Ballarat is a place of which all First Nations People are proud. The Plan does not contain specific Actions relating to housing or the Housing Strategy, but nevertheless guides the City of Ballarat's approach to the Strategy to ensure it is culturally respectful and inclusive.

The City of Ballarat has engaged with both the Wadawurrung Traditional Owners Aboriginal Corporation and Djaara during the development of the Housing Strategy, and will continue to do so through the consultation and implementation processes.

##### **2021 Census**

Relevant statistics coming from the 2021 Census as they relate to the Ballarat municipality and this Housing Strategy are set out below.

There are 113,763 people living in the municipality, of which 54,720 are men and 59,042 are women.

There are 44,654 occupied private dwellings in the municipality. Of these, the vast majority (85%) are separate houses; semi-detached and townhouses make up a further 12%, with flats / apartments comprising 2.5%.

Nearly four in five of all dwellings (79.7%) have three or more bedrooms, with only 3.2% (1,443) having one bedroom and 15.7% (7,003) having two bedrooms. 47.3% (21,115) of dwellings have three bedrooms, and 32.4% (14,470) of dwellings have four or more bedrooms.

In terms of household composition, nearly two thirds of households (65.8%) are classified as 'Family households', with 30.3% being 'Single person households'. 'Group households' make up the remaining 3.9% of all household types.

Some 31.6% of the population rent their home. 33% of people own a home, with a mortgage, and 32.6% of people own their home outright.

## **Neighbourhood Character and Infill development**

The impact of Neighbourhood Character on future housing growth and change is discussed in significant detail in the following section, Housing Projections. Neighbourhood character exists everywhere: it is the effect created by the combination of built and natural environment features existing on both public and private land. As a result, neighbourhood character is unique in each circumstance, with the result that every development proposal should be designed to respond to a unique preferred character.

By virtue of being a municipality that incorporates one of the most significant heritage cities in Australia alongside extensive tracts of agricultural land, a Regional Park and historic townships, the Ballarat municipality has an extremely varied combination of neighbourhood characters.

The Neighbourhood Character Study, prepared in association with this Housing Strategy, catalogues the diverse neighbourhood character of the municipality in detail. A following section summarises the Neighbourhood Character Study. Conclusions regarding where infill development should be facilitated draw heavily on analysis in this section.

'Infill development' (defined as new dwellings that are built in existing built-up areas) occurs in both the city of Ballarat urban area and our townships. Multiple policy and evidence inputs will define the City of Ballarat's response to managing infill development. The City of Ballarat must decide how to provide facilitative planning controls that will result in 50% of all new residential development over the plan period being constructed as infill development at the same time as protecting built and natural environment values. The target of 50% is aspirational, and was first identified in the Ballarat Strategy.

As outlined in the Housing Capacity Analysis (summarised in further detail below), the municipality of Ballarat contains a significant amount of land currently in residential or an associated use that is capable of being further developed.

## **Strategic opportunity sites**

As outlined above, the City of Ballarat has commissioned an Employment Land Strategy, which will identify employment sites that may be considered appropriate to come forward for alternate uses.

These will be in addition to those already listed in the Planning Scheme, identified previously in the Ballarat Strategy:

- Scott Parade Precinct (inner city mixed use).
- Creswick Road Precinct (CBD fringe mixed use).
- Selkirk Precinct (large-scale land use change opportunities whether integrated with or independently of the Eureka Stadium Sporting Precinct).
- Wendouree Village.
- Ballarat Saleyards Site and Light Industrial Precinct (commercial / light Industrial redevelopment).
- Delacombe Precinct (built form renewal in response to development of Glenelg Highway Major Activity Centre in Ballarat West Growth Area).

The 'Delacombe Precinct' site is no longer considered to offer the potential for urban renewal. It is a residential area comprising a mixture of private and public housing, and as

such any redevelopment of this area should be led through an understanding of its neighbourhood character and accessibility.

The remaining sites should be considered as offering urban renewal opportunities.

## **Social and Affordable Housing**

Housing affordability and Social and Affordable Housing are not the same. The planning system has roles to play in delivering and facilitating both, but the policy and legal levers available to do so are limited. To understand the role the City of Ballarat can play, a *Diverse and Affordable Housing Discussion Paper* (SGS, 2023) was commissioned. It is explored in detail in the following section of this Strategy. In brief, the Paper summarises the current situation in the Ballarat municipality with respect to relative and absolute affordability of housing now and into the future. The Paper reflects on the impact of the pandemic on our more vulnerable members of society. 'Affordable housing' is a specific term used to describe housing that is ringfenced for households on very low or moderate incomes; the forms and models of affordable housing vary significantly.

The Paper highlighted that the municipality's housing market is failing to deliver housing products that meet the needs of current or future residents, and also identified that the gap between what is required and what is being delivered is widening. Multiple recommendations for the City of Ballarat action or partnership were outlined in the Paper report with a view to moderating our housing mix and ensuring our current and future communities' housing needs are met.

Alongside this, and as noted in Section 2 above, the City of Ballarat has adopted an *Affordable Housing Position Statement*. This identifies four headline roles for the City of Ballarat, namely:

- Planner / regulator
- Advocate
- Educator
- Facilitator

The Housing Strategy will act as a key vehicle to direct the City of Ballarat activities in each of these roles.

There is no policy or legal mechanism to require the delivery of social and / or affordable housing at any proportion of development, although 'Inclusionary Zone' are able to consider affordable housing provision rates.

In this context, Victoria's economy has generally seen the planning system play the role of ensuring sufficient land is available for new housing to be constructed. Increasing the supply of housing is only one component of enabling the housing market to provide housing that is affordable. The housing market is a complex system in which interrelated actors - to include landowners, Councils, mortgage lenders, and housing developers – all have roles to play. These roles encompass the full extent of housing delivery.

House prices rose significantly in the wake of the Covid pandemic, but also in the decades prior – this rise has resulted in housing becoming less affordable in relative terms because wages have not increased at the same rate. [Australian Government research](#) indicates that land is the highest (and fastest increasing) cost component of housebuilding. Other factors playing a part in increasing house prices are the housebuilding industry's limited ability to

quickly respond to increased demand, alongside more stringent infrastructure and planning / design controls.

## **Growth Areas**

One role of the Housing Strategy is to determine the sequencing of new residential development in the municipality. Although the City of Ballarat can set out preferred sequencing for greenfield development based on infrastructure availability and other constraints and strategic considerations, it cannot require residential development to occur in a particular place at a particular time. The City of Ballarat's principal role is to ensure there is sufficient land available to be developed to meet established need. Projections of housing need are outlined and discussed in the following sections.

In February 2022, Council adopted three preferred locations for new greenfield housing growth in the municipality. These Growth Areas are located to the north, west, and northwest of the city, and are in addition to the existing Ballarat West Growth Area. The City of Ballarat is preparing the Growth Area Framework Plan, which will set out preferred sequencing and staging of greenfield development.

The City of Ballarat has determined that the Northern Growth Area is the next growth area as Ballarat West continues to develop. The Minister for Planning rezoned the Northern Growth Area to the Urban Growth Zone in June 2023 and has appointed the Victorian Planning Authority as the Planning Authority for the project.

The City of Ballarat's February 2022 decision further confirmed that the sequenced release of the remaining Growth Areas will be determined through the Growth Areas Framework Plan, the process and content for which was outlined earlier in this Housing Strategy.

There is sufficient land for approximately 9,500 residential lots in the existing Ballarat West Growth Area, plus a further 1,300 in Lucas. In addition, the Northern Growth Area is projected to accommodate approximately an additional 7,800 dwellings. The proposed West and Northwest Growth Areas are estimated to be able to provide land sufficient for an additional 14,300 and 9,800 dwellings respectively. As a result, the City of Ballarat is currently able to demonstrate total greenfield land supply for around 42,700 dwellings.

Allowing all three of the new Growth Areas to develop concurrently would place undue pressure on the City of Ballarat's infrastructure funding program, while at the same time restricting the City of Ballarat's ability to facilitate its goal of ensuring half of all new residential development is in sustainable infill locations.

## **Built Heritage**

The built form heritage of the municipality is one of the most highly valued features of Ballarat and our townships. From humble miners' cottages to the grand commercial buildings of Lydiard Street, Post-Contact heritage of the municipality ranges widely in form, age and architectural style but is largely centred on the gold rush era.

The City of Ballarat and its partners remain firmly committed to the World Heritage Bid. As noted above, it is unclear when the Bid will be placed before UNESCO for consideration. Many of the sites being considered as worthy of World Heritage protection are not within residential areas of the municipality. While the City of Ballarat will need to consider the implications of development on land near to the potential World Heritage sites, this will be considered in future years and may result in additional planning controls being applied.

In this context, the City of Ballarat must continue preparing its Housing Strategy while being conscious of the Bid and its potential implications for future Planning Scheme controls.

### *Heritage Overlay*

The City of Ballarat strongly acknowledges that the Post-Contact built form heritage of Ballarat is a significant asset to our community and to the residential and commercial character of the municipality. Heritage is nevertheless not a barrier to new development.

The City of Ballarat has commenced a Heritage Gaps Review to refresh our existing heritage controls. This is an extensive and long-term project that will establish whether more places need to be added to the Heritage Overlay, and also identify any places that may need to be removed from the Overlay. Places will be analysed for their significance in terms of both their individual and group (or 'Precinct') significance.

The Heritage Overlay provides protection to places of heritage significance and ensures that new development proposals do not adversely harm that significance. The municipality has some 26 precincts in the Heritage Overlay: 24 are in Ballarat, with the remaining two in Learmonth and Buninyong. These 26 heritage precincts cover over 10,500 properties. There are approximately 325 individually listed properties on the Heritage Overlay; of these, approximately 125 are within the heritage precincts. Approximately 80 places are also protected by the Victorian Heritage Register.

Heritage is an important consideration in assessing planning applications, especially in the context of Ballarat's extensive and highly valued built environment. Heritage controls should not be used as a mechanism to strictly preserve the appearance or use of buildings at a particular point in time. From a sustainable development management perspective, best practice heritage controls allow for those elements of buildings that have identified heritage significance to be retained, with newer additions contextually designed to enhance that significance. Such extensions or alterations should usually be able to be constructed and / or later removed without harming the identified significance. Development proposals must meet the dynamic needs of present and future generations in accordance with the principle of inter-generational equity. This is the approach advocated by the Burra Charter.

### **Central Business District**

Ballarat's Central Business District (CBD) is almost entirely covered by the Commercial 1 Zone. This Housing Strategy primarily reflects on the Residential Zones within the Municipality. Alongside the Housing Strategy, the City of Ballarat is in the early stages of preparing a Structure Plan for the Ballarat CBD to guide new future development and land use outcomes. This will provide guidance on how new residential and other types of development can be accommodated in the CBD and provide guidance for future built form outcomes.



With the preparation of an Urban Design Framework and Structure still in its early stages, it is difficult to make specific, potential dwelling yield allowances. However, it is inevitable that the CBD will deliver some residential development during the period covered by the Housing Strategy, as there are current planning applications for higher density developments (both apartments and offices) currently being assessed by the City of Ballarat and likely further applications on the short-term horizon.

Through the CBD Structure Plan, the City of Ballarat will undertake a review of current land use and a capacity analysis in terms of future dwelling numbers, retail, and commercial floor space. This will provide clarity and direction regarding the types of residential (and other) development that can be expected within the Ballarat CBD over coming years.

### **Rural residential development**

Rural residential development is generally considered that which is situated on land in a non-Residential Zone but which is in residential use – again, generally, this relates to Rural Living Zone. The Housing Strategy focuses on Residential Zones only. Rural residential development provides, proportionally, a very small contribution to meeting overall housing needs.

### **Environmentally Sustainable Development (ESD)**

The City of Ballarat has committed to ensuring new residential development is environmentally sustainable. Working with 23 other Councils in Victoria in a project led by the Municipal Association of Victoria (MAV) and specifically the Council Alliance for a Sustainable Built Environment (CASBE), in July 2022 a Planning Scheme Amendment was lodged to elevate ESD outcomes in our Planning Scheme. As outlined on [the CASBE website](#), the general purpose of the Amendment is to ensure new residential (and non-residential) development:

- Produce net zero carbon emissions.
- Reduce household bills by making buildings more energy efficient.
- Provide a healthier and more comfortable environment for building occupants.
- Better manage water quality, use and collection.
- Protect and enhance greening and biodiversity.
- Be more resilient to changing climate impacts.

At the time of writing, the Amendment remains under consideration by the Minister for Planning.

### **Biodiversity**

The City of Ballarat is investing significant effort and resources into identifying natural values and exploring means to their protection. This is reflected in the recently adopted *Biodiversity Vision and Commitment 2022* (City of Ballarat, November 2022) and the associated and ongoing preparation of a *Biodiversity Strategy*. It is clear that the current Planning Scheme controls that are intended to provide protection to identified environmental values – namely, the Vegetation Protection Overlay (VPO) and the Environmental Significance Overlay (ESO) – are overdue a review. These Overlays do not currently provide sufficiently strong planning

controls to properly manage the interface between the natural environment and development pressure.

One noted area of conflict lies in the interrelationship between bushfire protection and the ESO Schedule 5. ESO5 is intended to ensure native vegetation is retained to provide koala habitat, and the VPO has general native vegetation protection objectives. However, the Bushfire Management Overlay (BMO) allows for the removal of native vegetation in order to ensure new buildings are adequately protected from bushfire risk. This is a clear conflict between differing planning controls and gives rise to difficult judgements at the statutory planning phase of the development process. This conflict arises in part because the underlying Zones in these areas encourage residential uses at densities that are not conducive to meaningful vegetation retention and biodiversity protection / enhancement, and it is appropriate that consideration be given to how this conflict can be resolved. The City of Ballarat has no control over the application of the BMO, which is undertaken at the State government level.

The ongoing and future work regarding biodiversity identification and analysis will set strategic direction regarding appropriate protection measures that may be required to be added to the Planning Scheme. This Housing Strategy will not make specific recommendations regarding the application of ESOs or VPOs, but recommendations regarding the following is essential:

- Policy direction regarding preferred future spatial distribution of housing development in well-serviced locations that do not have specific environmental constraints.
- Further, targeted work to be undertaken to ensure natural features are adequately protected in the Ballarat Planning Scheme.

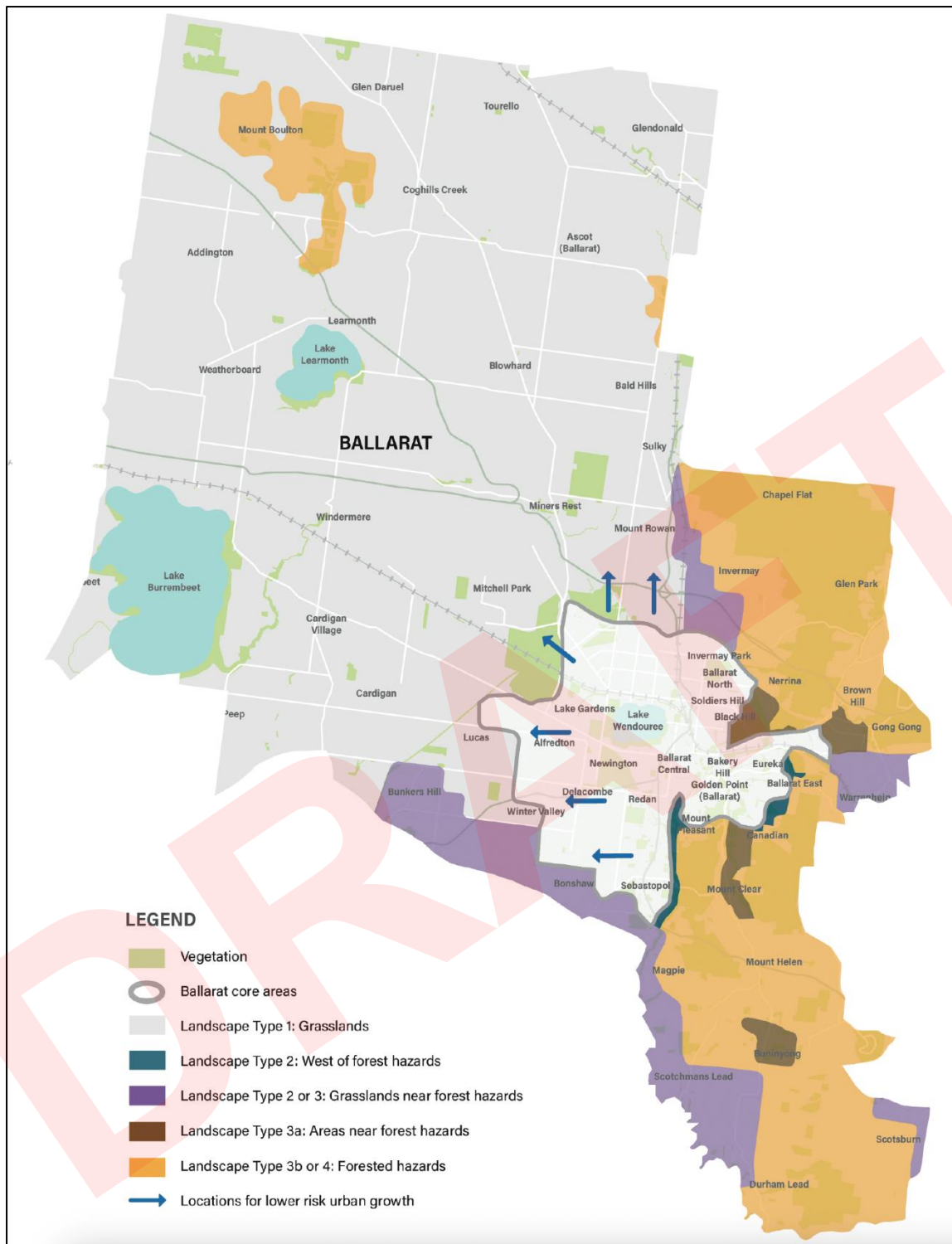
## **Bushfire hazards**

The City of Ballarat has a legal and moral responsibility to ensure new housing is built in locations free from natural risks. Climate change is increasing the variability and severity of bushfire events.

At Clause 13.02-1S 'Bushfire planning' of the Ballarat Planning Scheme, it is State government policy that Councils must – in the context of bushfire – prioritise the protection of human life above all other policy considerations. This means the City of Ballarat should not, unless it has no other option, promote development in areas subject to bushfire hazards.

The City of Ballarat commissioned a *Municipal Bushfire Analysis* (MBA) to evaluate the level of bushfire risk across the municipality. The MBA confirmed that there is a range of risk level across the municipality, with the most significant risks on the eastern areas and lower risk found towards the north and west. Below is the map from the MBA, outlining the different gradings of bushfire risk. Landscape Type 1 is land with minimal risk, Landscape Type 4 has the highest risk:





**Figure A2.1: Bushfire Landscape Types, Ballarat Municipality, source: Bushfire Planning, Draft Municipal Bushfire Assessment**

The Housing Strategy will prioritise the protection of human life over all other policy considerations and direct population growth and development to low-risk locations.

## Flood risk

As with bushfire, the City of Ballarat has a legal and moral responsibility to ensure new housing is built in locations free from flood risks. Climate change is also increasing the variability and severity of flood events.

The Floodway Overlay and Land Subject to Inundation Overlay are both found within the Ballarat municipality. Work is ongoing to update the flood controls in the Planning Scheme to ensure they reflect the most up-to-date risk analysis.

## **Women**

Women over 55 are the fastest growing group of people seeking assistance from homelessness services in Australia<sup>1</sup>. Due to several structural barriers, women have a lower earning capacity than men, over their lifetime, and this means they have greater hurdles to accessing housing<sup>2</sup>. This has resulted in single women comprising over half of the people living in rental stress. The Council to Homeless Persons consider access to safe, affordable, social housing as essential to providing women with housing choices.

Domestic and family violence is a leading cause of homelessness and housing insecurity for women and children. Challenges include being limited by the availability of support services and having limited personal resources, which together impact on the ability to make good decisions in domestic violence situations. In addition, women fleeing violence may need to find safe, affordable and appropriate housing that meets other needs such as connections to their support network, work, transport, healthcare or education.

## **LGBTIQA+ communities**

The 20 Victorian Population Health Survey showed that some 10% the Ballarat municipality are a member of an LGBTIQA+ community – almost double the Victorian figure of 5.7% and the fifth highest per capita proportion across Australia. This establishes Ballarat as a place that the LGBTIQA+ community find welcoming and attractive, and places an onus on the City of Ballarat to actively plan for this community. Members of LGBTIQA+ communities have specific needs. Officers engaged with the City of Ballarat's LGBTIQA+ Advisory Committee in the preparation of this Strategy. The Committee indicated the following should be acknowledged and where appropriate addressed in planning for housing that meets the needs of our LGBTIQA+ communities:

- Members of LGBTIQA+ communities face higher levels of discrimination than the wider population (Victorian government 2022). Non-heterosexual people face twice the level of risk of abuse or violence than does the general population (Beyond Blue 2022). Thus, safety in public and private spaces is paramount, which includes safe and easy access to homes and places of inspiration and facilities such as public transport, banking, community amenities and programs, and outdoor places for recreation and public art experiences
- Relatedly, members of LGBTIQA+ communities tend to have a greater need for healthcare access than the community as a whole – there is, broadly, higher levels of anxiety and depression in LGBTIQA+ communities than heterosexual peers, with

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<sup>1</sup> <https://chp.org.au/article/equal-pay-day-and-womens-homelessness/>

<sup>2</sup> <https://www.ahuri.edu.au/analysis/brief/what-are-real-costs-australias-housing-crisis-women>

young, trans, gender diverse and bisexual people at particular high risk. Risk of suicide and self-harm is also higher

- Members of LGBTIQ+ communities tend to earn less than the community as a whole
- Lesbian, gay, bisexual trans, gender diverse and queer people are more likely to experience homelessness than is the general population (University of Melbourne and Swinburne University 2017, Federal Parliamentary Inquiry into Homelessness 2020). Older, single women are the fastest growing demographic experiencing homelessness in Australia (Sydney Morning Herald 2019), meaning that older, single LGBTIQ+ women are at the single greatest risk of homelessness in our society
- A broad diversity of housing is required: Rooming houses are appropriate for some, whereas for others a Residential village is preferred; in addition, open market Dwellings of varying typologies and bedroom numbers are needed. ('Rooming house', 'Residential village', and 'Dwelling' are all here used in line with their definitions in the Ballarat Planning Scheme.)

The Housing Strategy can help address some of these issues and needs. In particular, planning policies can be prepared that:

- Direct new housing to well-serviced locations, in particular close to healthcare facilities
- Support an increase in diverse housing forms and models
- Encourage new housing estates to be designed to ensure passive surveillance and other techniques are used to 'design out crime' in line with the *Urban Design Guidelines for Victoria* requirements

The City of Ballarat can also take forward recommendations regarding public safety and community accessibility and facilities through its social inclusion and public asset management programs.

### **People with Disabilities**

Some one in six of our residents live with a disability, equating to approximately 19,000 people. Some 6,000 people live with a profound disability. Almost half of our residents over the age of 65 live with a disability, which is especially noteworthy in Ballarat as our population has an older age profile than the Victorian average.

As noted above, people living with a disability are more likely than others to experience insecure or unsafe housing options, as well as further barriers to community facilities and employment access. This is in addition to people living with a disability having lower incomes than the population as a whole.

Officers engaged with the City of Ballarat's Disability Advisory Committee in the preparation of this Housing Strategy. In respect of housing and quality of living, the key issues arising from that engagement were:

- Poor access to public transport, including in places where bus stops exist but no buses serve them (particularly the case in the growth areas)

- Ensuring well-designed housing with high levels of accessibility form part of new residential estates, and that these are not clustered in one area, improving community cohesion and socialisation of difference
- Many people with disability do not own their own home
- The importance of housing pathways for people with disability, including the first move from their childhood home
- Not all people with a disability have access to services and government support, exacerbating their already more perilous socio-economic situation

There is also a recognition that houses designed to respond to ESD and other policy priorities improve the lived experience of people with disabilities – for example, wide eaves that cast shadows to reduce passive solar gain during summer also minimise glare for people with photosensitivity. In addition, seeking to encourage additional dwellings in areas well-served by amenities like healthcare facilities and public transport – which reflects good planning principles – will be of particular benefit to those experiencing the highest risk of insecure housing.

### **Ageing in Place**

The age profile of the Ballarat municipality is different to that of Victoria. The median age for Ballarat is 39 compared with 38 in Victoria as a whole. However, the municipality has a higher proportion of people under 25 and over 55 than the State as a whole, whereas Victoria has a higher proportion of people between the ages of 26 and 54 than Ballarat. Although the differences are subtle in terms of percentage, the impact of these is significant when considering demographic projections and, importantly, the kinds of homes we need to plan for.

Almost one in three of our residents is under the age of 24; fully one quarter of our residents are 19 years old or less. In Victoria, just less than 30% of people are 24 years old or less. At the other end of the age spectrum, just over 30% of our residents are over the age of 55. And, nestled between, 38% of people in the municipality are aged between 26 and 54, which is much lower than the State figure of 42%.

These data indicate the City of Ballarat has a need to actively plan for housing that meets the needs of a young and older population alike, in line the City of Ballarat's *Ageing Well in Ballarat Strategy*. The response to this is guided by the recommendations of the *Housing Needs Analysis* work.

DRAFT



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