

# AGENDA

MEETING OF THE  
**HORSHAM RURAL CITY COUNCIL**

To be held on  
**28 November 2022**

**At 5.30pm**

In the  
**Council Chamber, Civic Centre**  
**18 Roberts Avenue, HORSHAM**



**Horsham Rural City**  
**Council** urban rural balance

**COUNCILLORS are respectfully requested to attend the Council Meeting  
of the Horsham Rural City Council to be held on 28 November 2022  
in the Council Chamber, Civic Centre, Horsham at 5.30pm**

**Order of Business**

**PRESENT**

**ALSO IN ATTENDANCE**

**1. PRAYER**

Almighty God, we pledge ourselves to work in harmony for, the social, cultural and economic well-being of our Rural City. Help us to be wise in our deliberations and fair in our actions, so that prosperity and happiness shall be the lot of our people. AMEN

**2. ACKNOWLEDGEMENT OF COUNTRY STATEMENT**

Horsham Rural City Council acknowledges the five Traditional Owner groups of this land; the Wotjobaluk, Wergaia, Jupagalk, Jaadwa and Jadawadjali people. We recognise the important and ongoing place that all Indigenous people hold in our community.

We pay our respects to the Elders, both past and present, and commit to working together in the spirit of mutual understanding and respect for the benefit of the broader community and future generations.

**3. OPENING AND WELCOME**

Chairman, Cr Robyn Gulline formally welcomed those in attendance to the meeting. The Mayor advised that the meeting will be recorded to maintain a video archive, which will be available on the Horsham Rural City Council website as soon as possible.

**4. APOLOGIES**

**5. LEAVE OF ABSENCE REQUESTS**

**6. CONFIRMATION OF MINUTES**

**Recommendation**

That the minutes emanating from the Council Meeting of the Horsham Rural City Council held in the Council Chamber, Civic Centre, Horsham at 5.30pm on 24 October 2022 and the Council Meeting held at 5.30pm on Thursday 17 November 2022 be adopted.

## 7. CONFLICTS OF INTEREST

### Declarations of Interest

A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.

### Members of Staff

Under Section 130 of the *Local Government Act 2020*, officers or people engaged under contract to the Council providing a report or advice to Council must disclose any conflicts of interests in the matter, including the type of interest.

**8. PUBLIC QUESTION TIME**

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**CLOSE**



JOHN MARTIN  
Acting Chief Executive Officer

## REPORTS FOR COUNCIL DECISION

### 9. OFFICERS REPORTS

#### 9.1 APPOINTMENT AND AUTHORISATION AND INSTRUMENT OF SUB-DELEGATION - ENVIRONMENT PROTECTION ACT 2017

<b>Author's Name:</b>	Andrea Coxon	<b>Director:</b>	Kim Hargreaves
<b>Author's Title:</b>	Governance Officer	<b>Directorate:</b>	Corporate Services
<b>Department:</b>	Governance	<b>File Number:</b>	F19/A12/000001

##### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes  No

Reason: Nil

##### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes  No

Reason: Nil

##### Appendix

Section 10B - Appointment and Authorisation (Environment Protection Act 2017) (**Appendix 9.1A**)

Section 18 - Instrument of Sub-Delegation (Environment Protection Act 2017) (**Appendix 9.1B**)

##### Purpose

To adopt Section 10B Appointment and Authorisation (*Environment Protection Act 2017*) and Section 18 Instrument of Sub-Delegation (*Environment Protection Act 2017*) which establish nominated Council staff as Authorised Officers, and nominated positions to be delegated to perform a range of functions under the provisions of the Environment Protection Act 2017.

##### Summary

- The Environment Protection Authority (**EPA**) has given councils the power to appoint authorised officers under the *Environment Protection Act 2017 (Act)* and, once appointed, those officers can also be delegated some of the EPA's powers.
- To achieve this, Council need to first appoint the authorised officers (*Section 10B - Appointment and Authorisation*) and then delegate the EPA's powers to those authorised officers (*Section 18 Instrument of Sub-Delegation*).

### Recommendation

That Council resolve that:

1. In the exercise of the power conferred by section 242(2) of the *Environment Protection Act 2017* and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021,
  - a. The members of Council Staff referred to in the instrument attached (**Appendix 9.1A**) be appointed and authorised as set out in the instrument.
  - b. The instrument comes into force immediately upon resolution of Council and signed by Council's Chief Executive Officer and will remain in force until Council determines to vary or revoke the instrument.
2. In the exercise of the power conferred by section 437(2) of the *Environment Protection Act 2017* and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021,
  - a. There be delegated, to the members of Council Staff holding, acting in or performing the duties of the office or positions referred to in the attached Instrument of Sub-Delegation (**Appendix 9.1B**) to members of Council Staff, the powers, duties and functions set out in that instrument subject to the conditions and limitations specified in that instrument.
  - b. The instrument comes into force immediately upon resolution of Council and signed by Council's Chief Executive Officer and will remain in force until Council determines to vary or revoke the instrument.
  - c. The duties and functions set out in the Instrument of Sub-Delegation must be performed and the powers set out in the instrument must be executed, in accordance with any guidelines or policies of Council.

## REPORT

### Background

- The *Environment Protection Act 2017 (Act)* and *Environment Protection Regulations 2021* came into effect on 1 July 2021. Under the Act, the scope of local government's role as a regulator has not changed, but there are changes to the laws and powers of local governments, including delegation of a range of powers from the EPA to councils.
- Delegations are essential to enable Council staff to carry out operational duties particularly in areas which involve enforcement.
- The proposed Instrument of Appointment and Authorisation and Instrument of Sub-delegation is based on a document prepared by Maddocks Lawyers and is similar to that used by many Victorian municipalities
- Approval by Council is required to give effect to these instruments.
- Council decisions are often subject to legal scrutiny in courts and tribunals. This calls for precision about what decision was made, who made it and when it was made.

### Discussion

The Instrument of Delegation of the Environment Protection Authority (EPA) dated 4 June 2021 gave councils the power to exercise the EPA's powers and functions under the Act only for the purpose of regulating:

- Onsite wastewater management systems with a design or actual flow rate of sewage not exceeding 5000 litres on any day; and
- Noise from the construction, demolition or removal of residential premises.
- By virtue of section 437(2) of the Act, councils have the power to sub-delegate these powers to members of Council staff.

Where Council sub-delegates EPA powers and functions under section 437(2) of the Act to members of Council staff as authorised officers, authorised officers must be simultaneously authorised under section 242(2) of the Act and must exercise the powers in accordance with the EPA's Instrument of Direction.

These authorised officers must be members of Council staff and they are only authorised to exercise the powers as set out under the EPA's Instrument of Direction.

The Section 10B and Section 18 instruments have been circulated and prepared in consultation with Council Officers from Environmental Health, Community Safety, Waste and Planning and Building units.

### Options to Consider

Option 1: Approve the Section 10B - Appointment and Authorisation (*Environment Protection Act 2017*) and the Section 18 Instrument of Sub-Delegation (*Environment Protection Act 2017*) as presented.

The Instruments as presented represent the outcomes of review and consultation with Council Staff.

This option is recommended by officers.

Option 2: Not approve the Section 10B - Appointment and Authorisation (*Environment Protection Act 2017*) and the Section 18 Instrument of Sub-Delegation (*Environment Protection Act 2017*) as presented. By not adopting the Instrument of Appointment and Authorisation and Instrument of Sub-Delegation all decisions in relation to the provisions contained in the attached instruments will be required to be made by resolution of Council.

This option is not recommended by officers.



**Sustainability Implications**

Nil

**Community Engagement**

Not required

**Innovation and Continuous Improvement**

Nil

**Collaboration**

Giving effect to these authorisations and delegations assists Council's collaboration with the EPA.

**Financial Implications**

No additional resourcing is required to give effect to these functions.

**Regional, State and National Plans and Policies**

This decision supports the implementation of the Environment Protection Act 2017.

**Council Plans, Strategies and Policies**

Council Plan 2021 – 2025

Theme 5 - Leadership

**Delegations and Authorisations to Members of Council Staff Guidelines**

- Assists members of Council Staff delegated a responsibility by Council or the Chief Executive Officer
- These guidelines were last updated and adopted by EMT 9 Aug 2022

**Risk Implications**

- The risk to Council of having inadequate instruments of authorisation and delegation is that actions are carried out without appropriate authority and therefore are subject to be challenged in a Court of Law.
- If authorisations and delegations are not in place, the exercise of functions, powers and duties of Council would be hindered. Accountability and responsibility for decisions is possible only if decisions makers are identified.

**Conclusion**

Authorisations and Delegations facilitate the success of good governance for the community by empowering appropriate members of staff to make decisions on behalf of the Council.

The adoption of the Section 10B - Appointment and Authorisation (*Environment Protection Act 2017*) and Section 18 Instrument of Sub-delegation (*Environment Protection Act 2017*) from Council to members of Council Staff will ensure Council will comply with its obligations under *Environment Protection Act 2017*.

## 9.2 REQUEST INCLUSION ON COUNCIL'S STREET NAME LIST–SORDELLO & TWIGG

<b>Author's Name:</b>	Zac Gorman	<b>Director:</b>	Kim Hargreaves
<b>Author's Title:</b>	Co-ordinator Rates and Valuations	<b>Directorate:</b>	Corporate Services
<b>Department:</b>	Finance	<b>File Number:</b>	F27/A15/000001

### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes  No

**Reason:** Nil

### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes  No

**Reason:** Nil

### Appendix

Nil

### Purpose

To approve the inclusion of the names 'Sordello' and 'Twigg' on Council's Street Naming list.

### Summary

- Carlo Sordello has requested that the name Sordello be added to Council's Street Naming list to honour his late father Giovanni (John) Sordello, along with his two uncles Gabrielle (Gabriel) Sordello and Michele (Michael) Sordello.
- Philip Nicks has requested that the name Twigg be added to Council's Street Naming list to honour James Whiteacre Twigg; the founding Worshipful Master of the Wimmera Masonic Lodge when it was formed on 1 September 1877.

### Recommendation

That Council endorse the inclusion of the names Sordello and Twigg on Council's Street Naming list.

## REPORT

### Background - Sordello

Giovanni (John) Sordello and his two brothers Gabrielle (Gabriel) and Michele (Michael) migrated to Horsham from northern Italy in 1950 as part of the Australian Government's immigration drive to attract migrant workers to stimulate post-war economic development. The family settled in Stawell Road Horsham, in the area known as Green Park.

Giovanni and Elia Sordello had nine children; Gabrielle and Angelina had five children; and Michele and Maria had three children. Giovanni was first employed as a wood cutter at Brimpaen, then at Horsham Dairy and Noske's flour mill, and had worked as a road contractor with the Country Roads Board for many years before his retirement. Gabrielle worked for many years at Horsham Foundry and later at Wimmera Base Hospital while Michele worked in a private concreting business before spending many years making footpaths and roadside kerbing for Horsham City Council. From humble beginnings the three Sordello brothers made Horsham their home and created a pathway for their families within the Horsham community.

### Background - Twigg

James Whiteacre Twigg was the founding Worshipful Master of the Wimmera Masonic Lodge when it was formed on 1 September 1877. He was a well-known and respected solicitor in Horsham and died in 1880 aged 58 years. One of his sons, Alexander James Twigg took over his father's business and acted as a solicitor until his death in 1886. They had both acted as legal advisors for Horsham Borough Council from its formation as a municipality. James and his son Alexander are both buried at the Horsham Cemetery.

### Discussion

The *Naming rules for places in Victoria – Statutory requirements for naming roads, features and localities – 2022* (the naming rules) have replaced the 2016 naming rules. They are the statutory guidelines provided for under section 5 of the [Geographic Place Names Act 1998](#); and are mandatory for all naming authorities in Victoria – councils, government departments and emergency response and public service providers – and include all government-owned or administered roads, features (natural or otherwise) and localities. Based on national standards and policies, they provide a strong basis for standardised and clear naming procedures across the state.

Members of the public are encouraged to participate in the naming process in Victoria by proposing a name, initiating a proposal or responding to a relevant naming authority regarding a naming proposal. Any applicant requesting to have a new name placed on Council's Street Naming list must submit an application to Council for approval with substantiating information to support their request. Criteria include significant contributions to the local community; linkages to the history of the locality; and/or significant / notable achievements.

Developers should consult the respective road naming authority when preparing plans of subdivision but can put forward their own preferred street name for consideration and approval. Alternatively they can choose to use a particular name from the Council Street Naming list. Council currently has over 60 names to choose from on that list.

### Options to Consider

Council can reserve the right to NOT approve a request for street / road / place naming and may select an appropriate name of their choice after consideration of the requirements of the policy.

### **Sustainability Implications**

Nil

### **Community Engagement**

These proposals have emanated from members of the public.

### **Innovation and Continuous Improvement**

Not applicable

### **Collaboration**

Not applicable

### **Financial Implications**

Nil

### **Regional, State and National Plans and Policies**

Naming rules for places in Victoria – Statutory requirements for naming roads, features and localities 2022  
These naming rules are aligned with national principles around the consistent use of place names within Australia, including the Australia and New Zealand Working Group on Place Names – [Principles for the consistent use of place names](#), [AS/NZS4819:2011 Rural and urban addressing](#) and the [United Nations Group of Experts on Geographical Names](#) (UNGEGN) publications. [Geographic Names Victoria](#) (GNV) oversees the naming and registration of roads, features and localities in Victoria. GNV works closely with naming authorities, emergency services and delivery agencies and with jurisdictions across Australia to achieve consistency in naming.

### **Council Plans, Strategies and Policies**

2021-2025 Council Plan

Horsham Rural City Council Street Naming Policy

### **Risk Implications**

The process by which the names were provided and the intent for inclusion of the names on Council's Naming list conforms to the naming rules and Council policy which mitigates the risk associated with consideration of their inclusion.

### **Conclusion**

The names Sordello and Twigg both conform to the *Naming rules for places in Victoria, statutory requirements for naming roads, features and localities – 2022* and the Council's Street / Road / Places Naming Policy. The request for the addition of names to the Street Naming list was also submitted to and processed by Council's Rate Collector as required by policy. Both names are considered appropriate to be added to Council's Street Naming list.

### 9.3 SUNNYSIDE PARK CONCEPT PLAN

<b>Author's Name:</b>	Mandy Kirsopp	<b>Director:</b>	Kevin O'Brien
<b>Author's Title:</b>	Coordinator, Recreation and Open Space	<b>Directorate:</b>	Communities and Place
<b>Department:</b>	Arts, Culture and Recreation	<b>File Number:</b>	F06/A12/000002

#### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes  No

Reason: Nil

#### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes  No

Reason: Nil

#### Appendix

Concept Plan – Sunnyside Park (**Appendix 9.3A**)

Concept Plan – with details – Sunnyside Park (**Appendix 9.3B**)

Community Engagement Report – Sunnyside Park Concept Plan (**Appendix 9.3C**)

#### Purpose

To adopt the concept plan for Sunnyside Park so proposed upgrades can be advanced.

#### Summary

- A Community Reference Group was established in July 2021 to develop a plan to increase opportunities for community connection and participation at Sunnyside Park
- The plan addresses challenges arising as a result of the changing nature of organised sport (declining numbers) and requirements for facility upgrades
- The three major clubs at Sunnyside Park have confirmed their intent to co-locate within a single facility
- Sunnyside Bowling Club has provided in principle agreement that two bowling greens will be returned to community use.

#### Recommendation

That Council adopt the concept plan for Sunnyside Park as per **Appendix 9.3A**.

## REPORT

### Background

A draft landscape plan was developed for Sunnyside Park in 2018-19. The plan was the initiative of the retiring Sunnyside Park Committee of Management but was not finalised when the Sunnyside Park Advisory Committee was disbanded and consequently was not presented to Council for endorsement.

A Community Reference Group (CRG) was established in July 2021 to review planning that had occurred and to work with council officers to finalise a plan for improvements to the Park.

### Discussion

The CRG comprised four community representatives and single representatives from groups currently using the site or with an interest in the area, a total of 10 members. The following clubs or groups were represented on the CRG:

- Horsham Primary School
- Homers Tennis
- Homers Cricket
- Kalkee Football and Netball Club
- Holy Trinity Lutheran College
- Horsham Sporting Club (Sunnyside Bowling Club)

Sunnyside Park is land owned by Council and includes: an oval, a play area and three tennis courts. A small pavilion and public toilets are located between the tennis courts and the Sunnyside Bowling Club. The bowling club pavilion and four bowling greens are owned by the Sunnyside Bowling Club.

Terms of Reference were adopted and the CRG developed a vision for the Park:

*Our vision is that Sunnyside Park is the heart of our community; an open, restful space that is welcoming, easy to access and safe; a place to meet new people and build connections; a place that encourages and supports activity of different types and for different interests.*

Council officers working with the CRG identified site constraints and opportunities, considered the impact of both existing Victorian Government and Council plans and emerging strategies, explored the demographics of the area and investigated benefits to the community of proposed changes to the Park.

When planning for possible developments in the Park, the CRG considered the following site conditions and related elements:

- Use of the oval by the adjoining primary school
- Use of the oval by sporting clubs (Wimmera Whippets, Homers Sporting Club, Kalkee Football Club)
- Proximity to the Lutheran Sunnyside Retirement Village
- Movement patterns throughout the area including: the informal walkway between the Primary School and the oval (Baillie St to Olga Ave) and access along Olga Ave
- Location of the public toilets
- Participation trends in organised sport and the increasing frequency of district teams training in Horsham
- Participation numbers in junior tennis
- Assessment of the existing play area
- Amenities in the area (ie: seating, shelter, BBQ, walking track)

- Quality and function (fit for purpose) of the existing community pavilion and proximity of the Sunnyside Bowling Clubrooms
- Opportunities arising from the recent installation of two synthetic bowling greens and availability of land for community use
- Proximity to the Wimmera HealthCare Group (Horsham hospital)
- Participation and activity changes resulting from the Covid-19 pandemic
- Traffic movement and parking requirements
- Flood levels and other environmental site conditions.

Victorian Urban Design Guidelines regarding play and public spaces were also considered:

- Creation of community areas that are safe, accessible, interesting and comfortable
- Zoning of activities – creating different ‘rooms’ within a space so multiple groups can simultaneously use the area
- Catering for different abilities and interests for both active and quiet recreation.

Following seven months of planning and a 14-week period of community and targeted engagement, (a longer period because engagement occurred across the Christmas and New Year period) the CRG reviewed community feedback, amended the draft plan and on 21 July 2022 endorsed the revised concept plan for Sunnyside Park.

Specific concerns and opportunities addressed in the proposed plan include:

1. Existing playground  
The playground does not include a diversity of equipment catering for different ages and abilities. Universal design principles (stable, continuous pathways, selection of play equipment) are not provided. The plan will improve the quality of an existing play space and provide facilities that cater for a diversity of interests.
2. Changes to organised sport  
Declining populations have created challenges for team sports located in rural areas. Increasingly sports such as Australian Rules Football and Netball are seeking training locations in Horsham (rather than training out of Horsham). Upgrades to the oval, lighting, an additional netball/tennis court (dual line marking) and the sharing of a single community facility will provide a central training and meeting venue for sports that include: football, netball, tennis, cricket and bowls.  
The additional court will also cater for increased participation rates in junior tennis. A review of the total number of hard court surfaces will occur following the Wimmera Regional Multi-sport precinct feasibility study.
3. Public safety  
The existing public toilets at Sunnyside Park do not meet contemporary expectations regarding design and placement. The toilets are located away from the road and passing vehicle or foot traffic, lack passive surveillance, and the current design contains entrapment areas. The relocated toilet/amenity block will be designed and sited to reflect contemporary expectations re: accessibility, functionality and safety.
4. Co-location of community facilities  
The sharing of facilities helps clubs and groups minimise costs, maximises the use of public facilities and increases the outcomes of public expenditure. The Sunnyside Sporting Club (Bowling club), Homers Sporting Club (cricket and tennis) and Wimmera Whippets (football and netball) have been meeting with the intent of the three clubs sharing a single facility. The three clubs have a combined membership of more than 300 participants. The facility would either be the existing bowling clubrooms or a redesigned community facility.

A Community Building feasibility study is currently investigating the demand for community spaces, the current provision and suitability of existing facilities and opportunities for improvements.

5. Provision of public spaces for community gathering options

Within the Horsham area known as Sunnyside and bounded by Dooen Road, McPherson St/Stawell Road and Menadue St there are currently no community gathering spaces with shelter and BBQ facilities.

The multi-use space (two bowling greens) along Baillie St will provide an attractive entrance to the park, and could be used for community gatherings, be a school pick-up point and a site for outdoor exercise opportunities.

The proposed plan for Sunnyside Park (**Appendix 9.3A & 9.3B**) provides:

- Opportunities for simultaneous use by different groups and by people of different ages,
- Community gathering spaces that cater for people at different life stages and participating in different activities
- Increased safety across the Park through the relocation of the public toilet facility and removal and relocation of identified infrastructure
- Continuous, connected and stable pathways around and across the site
- Additional facilities (netball court, improved lighting and community pavilion) providing support for organised sport
- A public-private model of facility provision that provides modern, fit-for-purpose community venues
- The co-location of existing clubs and groups and the creation of a community centre for the Sunnyside and broader community.

### **Options to Consider**

There are three options to consider:

1. Make no change to the site and continue to provide the current level of maintenance and upkeep within the Park.
2. Adopt the proposed plan, undertake detailed construction drawings and implement improvements as quickly as Council budget processes enable
3. Adopt the proposed plan and commence (subject to Council priorities) detailed construction drawings and costings for the staged implementation of plans so external funding can be sourced to supplement Council funding.

Because of the specific concerns and opportunities identified and because of the funding required to implement the plan it is recommended that Option 3 be adopted.

### **Sustainability Implications**

The Park has been designed to minimise whole of life maintenance costs.

- The proposed upgrades between the primary school and the oval and the community site along Baillie St are comprised of natural elements including stabilised granitic sand pathways, reclaimed hardwood logs, boulders and river sand,
- Proposed upgrades to the play areas will involve an investment for new equipment (with-going maintenance requirements) but by incorporating rubberised materials in soft fall areas, greater use can be made of stable surfaces that require less maintenance than bark chip,
- Resurfacing of the oval (heat tolerant grass and improved irrigation) will reduce watering and maintenance costs,
- Access to the Park by service and emergency vehicles has been included in the design,



- Plantings throughout the Park are predominantly of local plants with the exception of sensory plants in selected areas.

### **Community Engagement**

A detailed Engagement Plan was developed and presented to Council on 13 December 2021 when approval to release the draft plan for community feedback was sought.

At the conclusion of the engagement period, 67 responses had been received. The draft plan was strongly supported, with key messages from the community being the importance of:

- The importance of trees, shade and seating around the park
- Universal design – pathways that people of different ages and abilities can use
- Play equipment for people of different ages and abilities
- Provision of gathering areas for families and community groups
- Ensuring parking is considered.

The CRG considered feedback and made minor amendments to the draft plan. Additional guidance notes were added to text accompanying the plan.

A summary of the feedback and a revised draft plan was placed on the Council website 12 September 2022 for a four-week period of public review.

An engagement report (**Appendix 9.3C**) provides more detail of engagement tools, community feedback and evaluation criteria.

### **Innovation and Continuous Improvement**

The Park upgrade reflects a contemporary approach to public space design that includes: creation of multiple spaces within a site, integration of active and passive recreation opportunities and creating opportunities for younger and older people to share common areas.

A continuous pathway around the park, with regular seating and points of interest, encourages people to walk a little further and to linger longer in the public realm. The Victorian Urban Design guidelines recommend these design elements but Sunnyside Park would be the first opportunity in our municipality for the principles to be applied.

### **Collaboration**

Collaboration occurred with the Wimmera Catchment Management Authority (water movement and flooding across the site) and with the Principal of Horsham Primary School, Department of Education and Training (use of Olga Ave and Baillie St for parking).

### **Financial Implications**

If the Sunnyside Park concept plan is adopted, implementation costs including next level of planning and construction, will need to be allowed for in future Council budgets and also through seeking external funding.

The upgraded Park will require additional maintenance support by Parks and Gardens' staff. This needs to be allowed for once development occurs.

## Regional, State and National Plans and Policies

Active Victoria 2022-2026

Key Direction 4 - Deliver inclusive, multi-use and sustainable community sport and active recreation infrastructure

- Support action on climate change and universal design principles through infrastructure policy, planning and investment
- Help activate places and spaces through sport and active recreation to promote the liveability of local communities

## Council Plans, Strategies and Policies

2021-2025 Council Plan

Theme 1 – Community

- Enhance the inclusivity, accessibility and safety of our places and spaces

Theme 2 – Liveability

- Promote opportunities for life long social interactions and enjoyment
- Create engaging spaces and places for social connection and wellbeing to build community resilience

Theme 3 – Sustainability

- Promote recreational and social environments for people to enjoy (open spaces, waterways etc)

Theme 4 – Accessibility

- Planning for places and spaces to provide connectedness and social inclusion

Open Space Strategy 2019

Goal 3 – Improve open space

3.2.3 Undertake a CPTED audit for all existing open space,

3.2.4 Prepare and/or update master plans for all existing and new neighbourhood, municipal and regional open spaces in the municipality to guide development. Priority open space include: Sunnyside Park and Dudley Cornell Park,

3.2.5 Identify gaps in facilities and amenities at all existing public open space Identify gaps in facilities and amenities at all existing public open spaces to prioritise and guide upgrades to meet the open space principles in line with facilities required for each type/size of open space. These include, but not limited to, lighting, dog parks, play spaces, seating, safety issues and shade. Identified locations include:

Dudley Cornell Park, Sunnyside Park, May Park, Police Paddock, Langland's Park, Charisma Park, Horsham City Wimmera River corridor, Green Lake/Dock Lake and the Horsham Racecourse,

3.2.6 Improve quality of existing play spaces using the open space principles by identifying and addressing gaps in provision, quality and variety to ensure the needs of all ages are met,

3.2.9 Incorporate streetscapes and linear landscapes into the open space network and design these spaces in line with the open space principles and guidelines.

## Risk Implications

The development of a draft Sunnyside Park plan was initially funded in 2018 by the Sunnyside Park Committee of Management. The Sunnyside Park Advisory Committee was not able to finalise the draft plan before the committee ceased operation. The membership of the CRG involves clubs, groups and community members who have worked together and been active at Sunnyside Park for many years on the project and there is a strong desire to improve their community park.

The positive discussions regarding the sharing of facilities held between three sporting clubs indicates a desire to operate differently; to maximise investment and opportunities for participating clubs and to create more effective use of existing community assets.

The Sunnyside Bowling Club has similarly been involved in discussions with Council for several years and has consistently expressed an intention to return use of two bowling greens to the community. Details regarding land-sharing arrangements have not been finalised.

There is a likely reputational risk to Council if the extensive planning, guided by Council officer's results in no improvements at Sunnyside Park.

The staging of improvements to the oval and to areas of the park will create risks associated with construction but these will be managed as part of council's project management framework.

**Conclusion**

A Community Reference Group has been working with council officers since July 2021 to identify opportunities to improve community usage, connections, safety and the amenity of Sunnyside Park. The draft plan has been reviewed through a community consultation process, feedback has been considered and the Community Reference Group has endorsed the concept plan for Sunnyside Park.

The Park when developed will complement other planning currently occurring regarding community facilities, support of team sports and importantly, opportunities to increase community connections and active recreation.

## 9.4 HAVEN ANZAC PARK CONCEPT PLAN

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<b>Department:</b>	Arts, Culture and Recreation	<b>File Number:</b>	F19/A14/000001

### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes  No

Reason: Nil

### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes  No

Reason: Nil

### Appendix

Concept Plan – Haven Anzac Park (**Appendix 9.4A**)

Concept Plan (with details) - Haven Anzac Park (**Appendix 9.4B**)

Community Engagement Report – Haven - Anzac Park Concept Plan (**Appendix 9.4C**)

### Purpose

To adopt the concept plan for Haven Anzac Park so planned upgrades can occur.

### Summary

- A Community Reference Group was established in April 2021 and has developed a plan to improve Haven Anzac Park
- The plan incorporates contemporary design elements and reflects both Victorian state and local plans and strategies encouraging active recreation and community engagement
- The plan addresses an identified gap in the provision of community gathering areas in the south of Horsham
- Improvements to Haven Anzac Park will complement future work that may occur at the Haven Recreation Reserve.

### Recommendation

That Council endorse the concept plan for Haven Anzac Park as per **Appendix 9.4A**.

## REPORT

### Background

In 2013, a petition from 663 people was presented to Council supporting the need to undertake a master plan for Haven Recreation Reserve. Council's 2013-18 Sport and Recreation Strategy supported the need to redevelop or upgrade the Reserve.

A Haven Recreation Reserve masterplan was completed in August 2015 and endorsed by Council 19 September 2016. Despite endorsement, there was significant community disagreement re: elements of the Plan. An excerpt from the September 2016 Council report indicates the concerns:

In order to develop an agreed approach to funding it was decided not to proceed to construction drawings at this time. This has been a difficult project to bring to a common resolution. There has been considerable disagreement in the community about the scale of the project, the location and the purpose. There still remains a considerable unanswered question about the community's capacity to fundraise towards the project.

It was subsequently resolved by Council that a review of the master plan be undertaken. The review commenced in 2021.

### Discussion

A Community Reference Group (CRG) to review the Haven Recreation Reserve master plan was established in April 2021 and was comprised of four community representatives and three representatives from groups currently using the site. The Haven Recreation Reserve includes: Haven hall, tennis courts, an area known as the soccer field, Haven Common, the wetlands and a community dam. The entrance to the Reserve, known as Anzac Park, was initially excluded from CRG considerations.

A Terms of Reference was adopted and a vision established for the Reserve:

*"Our vision is that the Haven Recreation Reserve will provide a range of opportunities for our community to be socially connected and physically active.*

*The Reserve will support a diversity of experiences, celebrate the natural environment and be a meeting place for the community".*

Council officers working with the CRG identified site constraints and opportunities, considered the impact of both existing Victorian Government and Council plans and emerging strategies, explored the demographics of the area and investigated benefits to the community of proposed changes to the Reserve.

In September 2021, planning for the Reserve was halted because of opportunities emerging from the Wimmera Regional Multi-sport feasibility study (multi-sport study). Although Haven Reserve was initially excluded from the six options within the study program, the 12 tennis courts at Haven provide a viable site option to be considered as a regional level tennis facility. Until the multi-sport study is concluded, further planning cannot proceed within Haven Recreation Reserve.

The CRG agreed to apply the principles they had identified for the Reserve to Anzac Park, (the Park), with an understanding that when the multi-sport study is finalised, the CRG will resume its focus on the larger area of the Haven Reserve.

Anzac Park is located at Haven on the eastern side of Henty Highway. The Park is bounded by the highway and by a service road that provides vehicle access to Haven hall, tennis courts, the grassed areas of the reserve and to the Haven campus of the Horsham West Primary School. The Park is approximately 6400 m<sup>2</sup> in size. The site is crown land and Council is the Committee of Management on behalf of the crown.

When planning for possible developments in the Park, the CRG considered the following elements:

Site conditions:

- Proximity to Henty Highway and use by truck drivers as a wayside stop
- Proximity to the Haven campus of Horsham West Primary School and school use of the area
- Historic elements including the 2000 Black Saturday bushfire stump, the 2020 memorial fence and the gazebo with historic imagery
- Location of cycling track (Henty Highway) and bus route (between the Primary school and the Park)
- Existing endemic trees and native habitat
- The absence of amenities in the area (seating, BBQ, walking track, play elements)
- Toilet facilities within the Park
- The formal entrance to Haven Reserve that might be provided by the Park.

Victorian Urban Design Guidelines regarding play and public spaces:

- Creation of community areas that are safe, accessible, interesting and comfortable
- Zoning of activities – creating different ‘rooms’ within a space so multiple groups can simultaneously use the area
- Nature play – reflecting both the natural environment of trees, sand and rocks and providing opportunities for interpretive, rather than prescriptive play
- Catering for different abilities and interests for both active and quiet recreation.

Within the locality of Haven there is currently only one community gathering area. This is located behind Haven hall. There is currently no alternate multi-use community gathering space in Haven and planning for Anzac Park begins the process of addressing this amenity and facility gap.

Following seven months of planning and a 14-week period of community and targeted engagement, (a longer period because engagement occurred across the Christmas and New Year period) the CRG reviewed community feedback, amended the plan and on 25 July 2022 endorsed the revised concept plan for Anzac Park (refer to **Appendix 9.4A & 9.4B**).

The proposed Anzac Park plan provides:

- Opportunities for simultaneous use by different groups and of people of different ages,
- Natural play features and activity zones within the site and away from roads,
- The integration of art throughout the site
- Continuous, connected pathways around and throughout the site
- Inclusive, accessible design elements in furniture, play and selection of vegetation
- Climate resilient and low maintenance landscaping.

The Park will create an attractive, welcoming entrance to the Reserve. Regardless of the outcome of the Wimmera Regional Multi-sport study, upgrades to Anzac Park will complement both existing and future use of the Reserve and will provide much needed amenity improvements to residents in the south of Horsham.

### Options to Consider

There are three options to consider:

1. Make no change to the site and continue to provide minimal maintenance and upkeep within the Park.
2. Adopt the proposed plan and delay implementation of improvements until the Wimmera Regional Multi-sport study is finalised
3. Adopt the proposed plan and implement improvements as quickly as budget processes enable.

Because of the absence of adequate and alternative community facilities in the Haven area it is recommended that Option 3 be adopted.

### Sustainability Implications

The Park has been designed to minimise both development and whole of life maintenance costs. The proposed upgrades are comprised of natural elements including stabilised granitic sand pathways, reclaimed hardwood logs, boulders and river sand. An area of irrigated grass is in the centre of the proposed Park and the area and dimensions have been designed to enable mowing by tractor.

Plantings throughout the Park are predominantly of local plants with the exception of sensory plants in selected areas. Water usage will be minimal. Access to the Park by service vehicles has been included in the design.

### Community Engagement

A detailed Engagement Plan was developed and presented to Council 13 December 2021 when approval to release the draft plan for community feedback was sought.

At the conclusion of the engagement period, 79 responses had been received. The draft plan was strongly supported, with key messages from the community being the importance of:

- Creating opportunities for social connection and family gatherings
- Trees, shade, tables and seating that encourage people to gather and linger longer in the area
- Nature-based play that is accessible to people of different ages and abilities
- Connected pathways that can be used by different people – for walking, running and movement around the area
- Public art being integrated throughout the area so the Park is a welcoming entrance to the reserve.

The CRG considered feedback and made minor amendments to the draft plan. Additional guidance notes were added to text accompanying the plan.

A summary of the feedback and a revised draft plan was placed on the Council website 12 September 2022 for a four week period of public review.

An engagement report (**Appendix 9.4C**) provides more detail of engagement tools, community feedback and evaluation criteria.

### Innovation and Continuous Improvement

The Park upgrade reflects a contemporary approach to public space design that includes: creation of 'rooms' within a site, integration of active and passive recreation opportunities and the provision of different sensory experiences (texture, sight, sound and smell).

Simple design elements such as the separation of BBQs from seating and shade enable increased usage of individual facilities. The provision of shade and seating throughout the area is an essential mobility requirement that is not yet common practice in other public spaces.

### **Collaboration**

Collaboration occurred with the Wimmera Catchment Management Authority (water movement across the site) Department of Transport (use of the Park as an unregulated truck stop) and with the Department of Education and Training (data re: anticipated student numbers at Haven campus).

Prior to any works occurring on the site, land owner consent will be required from the Department of Environment, Land, Water and Planning on behalf of the Crown.

### **Financial Implications**

If the Anzac Park plan is endorsed, implementation costs for the next level of planning and construction will need to be allowed for in future budgets.

The upgraded Park will require maintenance support by two Parks and Gardens' staff for a total of 14 hours per week, plus use of a vehicle.

### **Regional, State and National Plans and Policies**

Active Victoria 2022-2026

Key Direction 4 - Deliver inclusive, multi-use and sustainable community sport and active recreation infrastructure

- Support action on climate change and universal design principles through infrastructure policy, planning and investment
- Help activate places and spaces through sport and active recreation to promote the liveability of local communities

### **Council Plans, Strategies and Policies**

2021-2025 Council Plan

Theme 1 – Community

- Enhance the inclusivity, accessibility and safety of our places and spaces

Theme 2 – Liveability

- Promote opportunities for life long social interactions and enjoyment
- Create engaging spaces and places for social connection and wellbeing to build community resilience

Theme 3 – Sustainability

- Support our community and region in adapting to reduce emissions, build resilience to climate change and respond to environmental challenges
- Advocate for protection, conservation and management of our natural environment to sustain biodiversity and habitats.
- Promote recreational and social environments for people to enjoy (open spaces, waterways etc)

Theme 4 – Accessibility

- Planning for places and spaces to provide connectedness and social inclusion

Open Space Strategy 2019

Goal 3 – Improve open space

3.2.9 Incorporate streetscapes and linear landscapes into the open space network and design these spaces in line with the open space principles and guidelines



3.2.10 Enhance and protect natural areas which fall under Council's ownership/management and develop new natural/bush areas in line with biodiversity and environmental values.

**Risk Implications**

The Haven master plan was not accepted by the community and a CRG was established to review the plan and address concerns. Because the focus of the CRG was altered to accommodate planning associated with the Wimmera Regional Multi-sport feasibility study there is a possibility of reputational risk to Council if the recommendations of the CRG are not adopted and implemented.

**Conclusion**

A Community Reference Group has been working with council officers since April 2021 to assess opportunities to improve community usage and amenity of the Haven Reserve. The CRG has applied principles of access, inclusion, amenity and community connection in their planning and has endorsed the plan for (Haven) Anzac Park. The Park, when developed will create a community gathering area that will complement future developments within Haven Reserve.

## 9.5 GREEN LAKE WATERWAY RULES REVIEW

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### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes  No

**Reason:** Nil

### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes  No

**Reason:** Nil

### Appendix

Revised Green Lake Waterway Rules October 2022 (**Appendix 9.5A**)

Map of revised Green Lake New Rules (**Appendix 9.5B**)

Engagement Report: Green Lake Waterway Rules Review (**Appendix 9.5C**)

### Purpose

To endorse the revised Green Lake waterway rules.

### Summary

- The current waterway rules for Green Lake do not meet Transport Safety Victoria requirements.
- A process of review has occurred, including the drafting of updated Waterway rules and public consultation.
- The updated waterway rules are ready to be submitted to Transport Safety Victoria so they can be gazetted and come into effect.

### Recommendation

That Council endorse the revised Green Lake waterway rules as per **Appendix 9.5A and Appendix 9.5B**.

## REPORT

### Background

Green Lake is located along the Wimmera Highway approximately 10 km south-east of Horsham. The lake is highly valued by a range of recreational users for sailing, swimming, rowing, water skiing, jet skiing, canoeing, fishing and (seasonal) duck hunting. Horsham Yacht Club (now known as Horsham Water Sports) is located at Green Lake. Natimuk Water Ski Club also uses Green Lake and is a member of Horsham Water Sports. A wayside rest area for motorists is located along the highway, with public toilets and a sheltered barbecue available.

Transport Safety Victoria conducted audits in 2011, 2013 and 2016 and identified safety concerns at Green Lake. A review of the waterway rules will address these concerns.

### Discussion

As the Waterway Manager for Green Lake, Council can make a request to Transport Safety Victoria for changes to waterway rules. Waterway rules are to provide public safety and the safe operation of vessels.

Transport Safety Victoria provides a process to update waterway rules. All changes must comply with the Marine Safety Act 2010. The process to change rules includes:

1. Preparation of initial documentation (Notice of Intention to Request a Waterway Rule). The documentation has been submitted to Transport Safety Victoria.
2. If the rule is 'material' in nature (that is, more than simply a correction of minor errors), a public consultation phase of at least four weeks is required, including publishing a Public Notice of the proposal in a newspaper and making details available to the public. The four week period of public consultation has concluded.
3. Following the public engagement period, a Request to make a waterway rule can be submitted to Transport Safety Victoria.

### Options to Consider

Not applicable. The existing waterway rules are not compliant with the Marine Safety Act 2010 and must be updated.

### Sustainability Implications

Once gazetted by Transport Safety Victoria, the updated waterway rules will supersede the existing rules. The updated rules will remain in place until either legislative change re: water safety or advice from Transport Safety Victoria.

Following endorsement of the revised waterway rules, new signage and buoys will be required. Signage and buoys will be funded through an external grants process. The assets will be added to Council's Asset Register and will be maintained and replaced as per the Council maintenance schedule.

### Community Engagement

Consultation occurred with identified stakeholders to identify issues associated with use of Green Lake. This formed the basis of preliminary drafting of the revised waterway rules.

After the rules were drafted and checked for accuracy with Transport Safety Victoria, a four-week public engagement occurred from Wednesday, 28 September 2022 to Wednesday, 26 October 2022.

An Engagement Report is attached (**Appendix 9.5C**). The report provides details of engagement that has occurred throughout the project in the development of the draft Waterway Rules.

### **Innovation and Continuous Improvement**

The revised waterway rules reflect contemporary best practice regarding water safety. The rules have been developed to reflect the activity of community groups currently using Green Lake. The rules also include consideration of the needs of future groups and different on-water activities.

### **Collaboration**

Stakeholder identification and an engagement plan was developed at the first meeting of the project.

The engagement plan was designed to ensure key stakeholders (both internal and external groups with an interest in the project) were appropriately engaged throughout the project. The IAP2 spectrum of engagement was used to identify the level of influence each stakeholder would have in the review process. Details are provided in the Engagement Report.

Meetings have occurred via phone, face to face and/or online. A Community drop-in session was held at the Civic Centre and provided stakeholders and the broader community with the opportunity to provide feedback and insight into the rules as they were being developed. A single public submission was received. A meeting was held with the individual to fully consider the feedback provided.

Throughout the project, Transport Safety Victoria was consulted and provided advice, including interpretations and definitions regarding the updated rules. Guidance was provided by Transport Safety Victoria to ensure the rules were consistent with Victorian state waterway rules.

GWMWater as the statutory authority for the management of rural water, (including Green Lake) was also consulted for this project.

Further details can be found within the Engagement Report.

### **Financial Implications**

The project was fully funded by the Better Boating Victoria Fund 2021-22 through the Victorian Fisheries Authority. Funding enabled engagement of water safety consultants and both phases of the public engagement.

Additional funding will be sought through the Victoria Fisheries Authority to fund the updating of signage and buoys at Green Lake.

### **Regional, State and National Plans and Policies**

Active Victoria 2022-2026

Strategic Framework:

- Establishing thriving places and communities that are safe, fair and inclusive

2021-2025 Council Plan

Theme 1 - Community

*Horsham Rural City Council will develop the municipality as a diverse inclusive and vibrant community*

Initiatives and Priorities

- Communicate and engage effectively with our community to understand their needs and advocate on their behalf
- Enhance the inclusivity, accessibility and safety of our places and spaces
- Promote and support the municipality's key tourism, events and local and cultural offerings

## Theme 2 - Liveability

*Horsham Rural City Council will actively work to create a healthy and connected community that is a great place to live, work, invest and explore for all ages, abilities and backgrounds.*

### Initiatives and Priorities

- Encourage participation, diversity and growth in sports, events, arts and culture
- Develop range of recreational opportunities with a focus on our natural environment and recreational waterways
- Promote recreational opportunities in our natural environment and recreational waterways to increase visitation

## Theme 3 - Sustainability

*Horsham Rural City Council will actively lead in sustainable growth and development of the community and the economy.*

### Initiatives and Priorities

- Promote recreational and social environments for people to enjoy (open spaces, waterways etc)

## Theme 4 - Accessibility

Horsham Rural City Council will meet community needs through connected transport networks and the provision of accessible and welcoming places and spaces.

### Strategies

2. Diverse services, programs and facilities that are accessible to all

### Initiatives and Priorities

- Planning for places and spaces to provide connectedness and social inclusion

## Council Open Space Strategy 2019

4.1.2 Engage and partner with user groups on Council managed and crown land to enhance community accessibility and multi-use of facilities.

4.1.7 Assist stakeholders and land managers in educating the community about the importance of wetlands and water bodies.

## Risk Implications

There are inherent risks when undertaking on-water activity. Through updating the Green Lake waterway rules Council is reducing the risks associated with on-water activity and providing safe spaces on and around the Lake for a range of users and activities. The revised Waterway Rules also provide safer access areas to water and land.

The revised Waterway Rules reflect the required changes identified through audits undertaken by Transport Safety Victoria.

## Conclusion

A requirement to review the waterway rules at Green Lake had been identified by Transport Safety Victoria and has been completed.

The Better Boating Victoria Fund 2021-22 provided a funding opportunity to engage an appropriate consultant to lead a formal review and update of the Waterway Rules.

The project has included consultation and input from key stakeholders including local groups using Green Lake, the broader community and Transport Safety Victoria.

The revised Green Lake waterway rules reflect current best practice regarding safety on-water. When adopted by Council, the rules, will be submitted to Transport Safety Victoria to be gazetted and to come into effect as the waterway rules for Green Lake.

## 9.6 MOBILE FOOD AND BEVERAGE VEHICLE TRADING POLICY

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<b>Department:</b>	Investment Attraction & Growth	<b>File Number:</b>	F19/A10/000001

### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes  No

Reason: Nil

### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes  No

Reason: Nil

### Appendix

Mobile Food and Beverage Trading Policy (**Appendix 9.6A**)

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### Purpose

To adopt the Mobile Food and Beverage Trading Policy.

### Summary

- The previous Mobile Food and Beverage Trading Policy was adopted prior to the new Local Laws being introduced in 2021
- The fees for mobile food and beverage trading were waived in the 2021-22 financial year

### Recommendation

That Council approve the updated Mobile Food and Beverage Trading Policy.

## REPORT

### Background

The previous Mobile Food and Beverage Trading Policy was adopted by Council in 2021 prior to the new Local Laws being introduced. The updated version refers to the new laws.

Fees for trading were also waived and the new policy incorporates these fees.

### Discussion

The updated Mobile Food and Beverage Trading Policy incorporate reference to the new Local Laws 2021.

### Options to Consider

Fees need to be reintroduced to ensure we are meeting best practice with regard to fixed businesses in the region who are paying rates in order to trade. Mobile vendors should also be required to pay a fee to ensure we are being equitable across all businesses.

### Sustainability Implications

Nil

### Community Engagement

Not Applicable

### Innovation and Continuous Improvement

The policy needed to be updated to ensure it is current and up to date by including reference to the new Local Laws.

We are continuing to improve our practices by ensuring mobile traders are treated in a similar fashion to our fixed food and beverage operators which is why we have introduced fees for mobile traders.

### Collaboration

Internal advice from Local Laws has been sought.

### Financial Implications

Nil

### Regional, State and National Plans and Policies

Not applicable

### Council Plans, Strategies and Policies

2021-2025 Council Plan

Theme 1 – Community

Theme 2 – Liveability

Theme 3 - Sustainability

City to River Masterplan

Objective 1. The Wimmera River Precinct

**Risk Implications**

Mobile food and beverage traders may consider the new fees too high.

**Conclusion**

Mobile food and beverage trading is a growing industry and we need to ensure we are supporting these operators in a fair and equitable way. The introduction of fees is important to remove any bias towards non-fixed businesses.



## 9.7 PRIVATELY INITIATED PLANNING SCHEME AMENDMENT REQUEST POLICY

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<b>Department:</b>	Investment Attraction and Growth	<b>File Number:</b>	F24/A05/000001

### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes  No

**Reason:** Nil

### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes  No

**Reason:** Nil

### Appendix

Privately Initiated Planning Scheme Amendment Requests Policy (**Appendix 9.7A**)

Privately Initiated Planning Scheme Amendment Request: Indicative Fee Schedule 2022-23 (**Appendix 9.7B**)

Privately Initiated Planning Scheme Amendment Request: Strategic Merit Assessment Tool (**Appendix 9.7C**)

### Purpose

To adopt a new Council policy in relation to privately initiated Planning Scheme Amendment requests.

### Summary

This report introduces and explains the purpose for a new Council Policy to guide Council's consideration and management of privately initiated Planning Scheme Amendment (Amendment) requests.

Council has a responsibility to exercise good governance and maintain transparency in decision making in strategic land use planning. Councillors must follow protocols that support Council's processes in determining which projects best respond to the Council Plan, statutory obligations, the Horsham Planning Scheme and deliver the widest community benefits.

Privately initiated Amendment requests typically sit outside of the Strategic Planning Team's Work Program, benefit only a small proportion of the community and are an unplanned and unbudgeted load on Council's planning resources.

### Recommendation

That Council:

1. Adopt the Privately Initiated Planning Scheme Amendment Requests Policy as per **Appendix 9.7A**.
2. Adopt the Privately Initiated Planning Scheme Amendment Requests: Indicative Fee Schedule 2022-23 as per **Appendix 9.7B**.
3. Adopt the Privately Initiated Planning Scheme Amendment Requests: Strategic Merit Assessment Tool as per **Appendix 9.7C**.
4. Apply the Privately Initiated Planning Scheme Amendment Policy to Council's consideration and management of private Amendment requests made.

## REPORT

### Background

The *Planning & Environment Act 1987* establishes the Planning Scheme Amendment process.

A Planning Scheme Amendment is a process by which the Horsham Planning Scheme is changed.

Following the Annual Budget Cycle Council updates the *Strategic Planning Work Program*. The *Strategic Planning Work Program* draws priority projects from the *Council Plan*, *Council Budget* and *Annual Action Plan*, and commits funding to those projects for the coming financial year.

Priority is given by Council to strategic projects with the widest community benefit and what has been identified by latest the Planning Scheme Review reflected in [Clause 74.02 Further Strategic Work](#).

On occasions Council receives requests from proponents (private land owners and developers) for Amendments to the Horsham Planning Scheme (typical requests include land rezoning). It is important that an internal process is established, made aware of and complied with to ensure the fair and equal treatment of all requests. As most proponent requests are ad hoc, they usually place additional pressure on Strategic Planning resources and can impact on Council's ability to advance its own Strategic Planning priorities.

Whilst some Amendment requests may demonstrate strategic merit, they can compete with other eligible projects of a potentially higher priority for Council resources. This could result in a project being delayed to the detriment of both the development industry and Horsham's community. Amendment requests also often seek to benefit a small proportion of the community when not forming part of a Council adopted plan or project (i.e. Housing Strategy or Structure Plan).

Following a process will balance Council commitments with proponent requested Amendments. This proposed Council Policy establishes a clear and consistent approach to Council's consideration and management of Amendment requests and seeks to ensure that Council's planning resources are used efficiently and effectively for the greatest community benefit.

### Discussion

The proposed Council Policy would commit Council and proponents to following a consistent and transparent process for the consideration and management of privately initiated Amendment requests. It will also ensure Council can meet its obligations to resource Strategic Planning projects that respond to highest community priorities.

The proposed Council Policy establishes obligations and expectations for both Council and proponents in the consideration and management of privately initiated amendment requests. It does so by setting four criteria that underpin how proponent requested Amendments will be considered. It also establishes consistent approach in assessing the strategic merit and priority of such requests.

Proponents would be expected to:

- Speak to Strategic Planning Officers in the first instance.
- Prepare all documentation to an appropriate standard.
- Engage appropriate professionals to prepare and manage their proposal.
- Actively engage with Council in accordance with the process as detailed in the Council Policy.

- Cover all external costs associated with their proposal including additional resources required for Council to consider, assess and potentially implement the Amendment proposal.

Council would be expected to:

- Actively engage with proponents in accordance with the process as detailed in the Council Policy.
- Consider privately initiated Amendments only where they demonstrate genuine strategic merit. Typically, such privately initiated Amendments will be those that:
  - (a) substantially aid in the implementation of the Horsham Planning Scheme or an adopted Council Strategy or Plan; or
  - (b) deliver a genuine net community benefit.

The introduction of a policy expectation that proponents cover all external costs associated with a privately initiated Amendment is new (**Appendix 9.7B**).

Some of Council's costs associated with the consideration and processing of an Amendment are covered by the *Planning and Environment (Fees) Regulations 2016*. However, Council has the potential to incur significant external costs not covered by the Regulations through the consideration and management of a privately initiated amendment and the financial beneficiary of the requests are generally the land owners involved. These may include costs associated with:

- Peer and legal review;
- Engaging additional planning resources (i.e. planning consultant or temporary planner);
- Public exhibition including advertising;
- Planning Panel fees and associated expenses; and
- Post-approval implementation costs.

Based on the principal of full cost recovery it is appropriate that such external costs are covered by proponents of privately initiated Amendment requests as opposed to falling upon ratepayers.

The *Indicative Fee Schedule* which will allow Council to recoup all additional costs associated with the processing of a private Amendment.

The introduction of a Council Policy and clear expectations that privately initiated Amendments must demonstrate genuine strategic merit is a significant change. This change will ensure that Council's planning resources are directed towards the implementation of Council's identified and adopted priorities for growth and development and projects that deliver a demonstrated and genuine net community benefit. Proponents will be provided a copy of the Council Policy, Indicative Fee Schedule, Procedure and Merit Toolkit, prior to lodgement of a formal request to ensure Council's expectations are clear prior to the processing of an Amendment.

The proposed Council Policy introduces a process by which Council Officers are obliged to provide proponents with a without prejudice, informal opinion early in the process regarding whether (in the opinion of Officers) a given proposal demonstrates genuine strategic merit. Regardless of the without prejudice, informal opinion of Council Officers, it is Council which retains the ultimate discretion to support the initiation of a formal Planning Scheme Amendment process in relation to any privately initiated Amendment request.

A legal review of the policy also determined that the Policy is the appropriate mechanism for Council to seek a full cost recovery towards the extensive costs associated with considering and processing private planning scheme amendments. Entering into a Memorandum of Understanding (MOU) between Council and the applicant also will be critical in ensuring Council is satisfied that the arrangements for a privately initiated Amendment are sufficiently transparent, and that its decision making processes are sufficiently robust.

### **Options to Consider**

Option 1: That Council adopts and applies the Privately Initiated Amendment Policy and fee schedule (Recommended).

Option 2: That Council does not adopt and apply the Privately Initiated Amendment Policy and fee schedule (Not recommended).

### **Sustainability Implications**

Privately initiated Amendment requests place pressure on Council's Strategic Planning Team diverting resources from land use plans and strategies that aim to produce sustainable development outcomes for the broader Horsham community. Most privately initiated Amendments relate to an individual parcel of land where the land owner is the main beneficiary.

### **Community Engagement**

Should Council formally resolve to seek authorisation for a privately initiated Amendment request and if that request is granted by the Minister for Planning, community engagement in relation to any privately initiated amendment request would occur as a mandatory stage of the formal Planning Scheme Amendment process.

### **Innovation and Continuous Improvement**

The proposed Council Policy is an innovative but not uncommon means to ensure that privately initiated Amendment requests are properly considered and prepared, demonstrate genuine strategic merit, are proponents funded and deliver genuine net community benefit.

### **Collaboration**

Not applicable

### **Financial Implications**

Privately Initiated Amendment requests represent an unplanned and unbudgeted load on Council's limited planning resources. By ensuring such privately initiated amendment request are fully proponent funded (including staff costing in addition to statutory fees), the proposed policy ensures Council's limited planning resources are used efficiently and effectively for the greatest community benefit.

Council planning officers will exercise the highest scrutiny in determining the anticipated costs per stage and ensure Council's financial risks are minimised by, where appropriate, applying and collecting fees.

### **Regional, State and National Plans and Policies**

Council will assess privately initiative amendments requests against the objectives of the *Planning and Environment Act 1987* and the policies contained in the Horsham Planning Scheme.

**Council Plans, Strategies and Policies**

2021-2025 Council Plan

Theme 5 - Leadership

**Risk Implications**

Privately Initiated Amendment requests typically sit outside of the Strategic Planning Work Program and represent an ad hoc and unplanned load on Council's resources. The adoption and application of the Privately Initiated Amendment Policy will reduce the risk of having Council's planning resources diverted from actioning and implementing Council's priority planning projects.

**Conclusion**

Adopting the Privately Initiated Amendment Council Policy and applying it to Council's consideration and management of privately initiated Planning Scheme Amendment requests will:

- Establish a transparent and consistent approach to Council's consideration and management of privately initiated amendment requests.
- Ensure expectations are clear regarding the process and costs associated with privately initiated amendment requests.
- Ensure Council's planning resources are used efficiently and effectively for the greatest community benefit.

## REPORTS FOR INFORMATION

### 9.8 INVESTMENT ATTRACTION AND GROWTH DEPARTMENT REPORT

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<b>Department:</b>	Communities and Place	<b>File Number:</b>	F15/A06/000001

#### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes  No

**Reason:** Nil

#### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes  No

**Reason:** Nil

#### Appendix

Nil

#### Purpose

To receive and note the Investment Attraction and Growth Department Report for September 2022.

#### Summary

The Investment Attraction and Growth Department Report provides the progress and outcomes achieved through the delivery of the investment attraction strategy and implementation plan during the reporting period.

#### Recommendation

That Council receive and note the Investment Attraction and Growth Department Report for September 2022.

## REPORT

### Background

An Investment Attraction and Growth Department Report is tabled monthly at the Ordinary Meeting of Council.

### Discussion

The work undertaken across Investment Attraction and Growth Department includes Strategic Planning, Statutory Planning, Building Services, Business Development and Tourism.

The Investment Attraction Strategy and Implementation Plan progress and key achievements for the month of September are articulated in the information and tables, as follow.

Actions are measured by goals and set timelines. The timelines are indicated by years which relate to financial years, with year 1 commencing in 2022-23.

The teams will focus on delivering actions with in the current financial year whilst carrying out the necessary planning to ensure targets are meet in sequential years.

## INVESTMENT ATTRACTION

Council Priorities	Action	Goal Measured by	Progress
1.3.6 (2 year)	Implement landscaping recommendations from Horsham North Local Area Plan for the Horsham Rail Corridor Project	Ensure amenities and landscaping to support the Silo Project are delivered	Landscaping plan still to be finalised, consultant has been appointed
2.10 (Ongoing)	Support the Wimmera Development Association to facilitate improved telecommunications, housing and workforce outcomes	- Government fund provided to improved telecommunication - Industry not reporting lack of housing availability for new employees to the region	Meetings held with Melrose 18/07/22 (Formally Spirit) and NBN 26/7/22 to understand telecommunications options for Industrial Sites (Burnt Creek, Enterprise Estate and WAL Hub)
	Undertake regular meetings between the Wimmera Development Association and Investment Attraction Department to inform and discuss economic development opportunities	10 forums held per year	No meetings held in September with WDA and Council's Investment & Business Development Team  2/10 meetings held at 30/9/22
2.8.1 (2 years)	Support the Development of Mt Zero Resort	Planning Permit decision	Applicant finalising Native Vegetation and bushfire assessments. Permit should be ready to lodge in in October/November.
(2 years)	Prepare and implement the recommendations from the Aerodrome Masterplan	Aerodrome Masterplan development	Infrastructure Fast Track Funding (IFF) application submitted to complete a Regional City – Horsham Flight Hub Master Plan (pending outcome)
3.1.2 (3 years)	Seek investment for opportunities highlighted in the Wartook Valley Strategy	3 new tourism products developed	High-end accommodation developers visited a number of

			businesses within Wartook to discuss their tourism product.
3.2.2 (2 years)	Implement the infrastructure works required for the next stage of development at the WAL Hub and both Burnt Creek and Enterprise Industrial Estates to ensure sites are market ready	Next stage developed for each of the industrial areas and ready for sale	Regional Infrastructure Fund (RIF) application submitted to seek funding to construct infrastructure for 6 lots at Burnt Creek Industrial Estate to make market ready. - Enterprise Estate subdivision to be informed by Horsham South Structure Plan (HSSP).
5+years	Investigate with stakeholders on the potential for Burnt Creek to become a green industrial area through vegetation offsets and carbon sequestration	Investigation outcomes reported to Council	HRCC working with DELWP to progress.
5+years	Investigate opportunities for industries at the WAL Hub	One Industrial lot sold annually	Two lots under contract.
3.5 (ongoing)	Advocate for mining in our region to meet world's best practice	Website updated and investment prospectus developed	Investment Prospectus Developed and updated in July 2022
3.5 (2 years)	Advocate for mining in our region to meet world's best practice	MOU developed between Council and WIM Resource	MoU signed 11 July 2022
3.5.1 (2 years)	Prepare submission of the EES for the Avonbank mining project to ensure that the licence reflects world best practice	Statutory Planning to prepare submission for consideration by council	Avonbank currently preparing EES in consultation with DELWP and agencies as part of TRG. EES intended to be exhibited 2022/23.
3.6 (ongoing)	Widely promote the advantages of establishing solar and wind farms in the Horsham region	Website updated and investment prospectus developed	Investment Prospectus Developed and finalised in July 2022
(1-2 years)	Council support and advocate for renewable energy projects of all scales	Begin discussions with smaller townships for community scale solar	Not yet commenced
(1-2 years)	Provide specific marketing information adaptable to Council's Website to encourage and support renewable energy developments	Website updated and investment prospectus developed	Investment Prospectus Developed and finalised in July 2022
4.1 (5+years)	Advocate for the use of rail as a mode for transport of materials to the Port	Increased container use on rail	Council represented at Port of Melbourne Logistic Tour 28 July 2022



## **BUSINESS DEVELOPMENT & TOURISM**

### **Dadswells Bridge Community Plan**

La Trobe University students have completed the Dadswells Bridge Community Plan as part of their studies which provides priority areas for action for the Dadswells Bridge Community. Council will now work with businesses and community members in Dadswells Bridge to gain their feedback in relation to the plan and establish a process for the next steps of implementation.

### **GRAMPIANS TOURISM – News**

#### **Grampians Tourism Industry Forum**

Industry Forum is being held on Thursday 20 October from 1:30pm. With a focus on investing in our Visitor Economy, the forum marks the official launch of the new Investment Prospectus.

Guest speakers will include Chan Uoy, Founder of the Dimboola Imaginarium, Jamey Staples, District Manager South West at Parks Victoria, and both Charles Deuchrass, Group Manager Marketing and Programs and Karin Scherma, Manager Digital Product from Visit Victoria. It's also a fantastic opportunity for our industry to get together with networking drinks from 5:00pm-6:00pm

#### **Australian Tourism Data Warehouse (ATDW) Listing Fee Update**

ATDW listings that were due to expire in October, have been automatically extended for a further month to November without charge. Businesses creating a new listing can continue to access a free coupon code via Caron at Grampians Tourism. It is also worth noting all events are free to list so do not require a coupon code.

#### **Victorian Dining & Entertainment Program**

The Victorian Government is again supporting the dining and entertainment industries by offering customers 25 per cent cash back when spending \$40.00 or more on dining or entertainment experiences. Valid any day of the week with multiple claims possible to a maximum of \$125.00 cash back, it's on a first come, first served basis until the \$25 million fund is exhausted or by Friday, 16 December.

Customers do not need to be Victorian residents to make a claim; it's open to visitors from other states, as long as they have an Australian bank account.

#### **The Live the Grampians Way**

The campaign has seen 27 people during September with unrestricted working rights registered their interest in learning more about living in the Grampians region, with another five Australian based residents registered, who are seeking sponsorships of their Visa. The remaining 81 registrations were from overseas totalling 113 registrations in September.

Candidates contacted:

- 32 new Australian based registrations (September) - all were contacted by either email or phone.
- 28 previously registered candidates were also contacted
- 60 in total for September

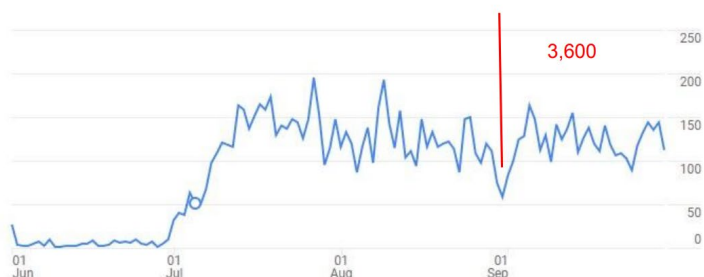
Employers

- 3 new employers were contacted in September - either by email or phone (or both).
- There were 18 communications with employers in September (i.e. telephone conversations passing resumes on, emails)

## Grampians Life Website



Users: 10K | New users: 10K | Average engagement time: 0m 22s | Total revenue: \$0.00



**3,600** users visit the Campaign website in **September**

50% (1,789) were from Australia (remainder overseas). 84% (1,508) of the Australian based users were from Melbourne.

**10,000 people** have visited the site since the July 2022 launch

## Grampians Jobs Website



Users: 1.8K | New users: 1.8K | Average engagement time: 1m 58s | Total revenue: \$0.00



**635** people visited the Jobs website in **September**

**577** (91%) clicked through from the Grampians Life website  
203 found the site 'Direct' or by 'Organic Search'.

**87** job vacancies were advertised in September

### Spendmapp



### Monthly Spending Summary – September 2022

**Peak Spending Day:** Friday, 16 September and Wednesday, 21 September 2022

**Total Local Spend:** \$1.41M on both days. It is unusual for a peak spending day to occur on a Wednesday, however this was during the school holidays and coincided with the *Spring into Horsham* Ice Skating event.

#### Expenditure by Type

Expenditure Type	Total Local Spend	Resident Local Spend	Visitor Local Spend	Resident Escape Spend	Resident Online Spend
Sept '22 Spending	\$35.7M	\$23.4M	\$12.3M	\$10.9M	\$11.8M
Change from Sept '21	17.24% increase	6.89% increase	43.6% increase	117.15% increase	6.28% increase

<b>Council Priorities</b>	<b>Action</b>	<b>Goal Measured By</b>	<b>Progress</b>
2.1.2 (ongoing)	Design, promote, participate and support municipal activities and events as scheduled including NAIDOC, Volunteers, International Women's Day & Seniors Week	Events reported on in the Investment Attraction and Growth monthly Council Report	Spring into Horsham event was very successful. Over 4000 tickets sold and fantastic feedback has been received from business owners and the community. Planning underway for Christmas Extravaganza.
2.6.1 (ongoing)	Promote recreational activities in our natural environment to increase destination tourism and visitation	Activities reported on in the Investment Attraction and Growth monthly Council Report	Enquiry received from Dimboola ski club to activate the Wimmera River on Australia with Southern Waters Ski Show Team.
2.7.1 (ongoing)	Identify and seek out commercial opportunities to activate the riverfront	Commercial opportunities reported on in the Investment Attraction and Growth monthly Council Report	Voddy and Vacay have enquired about trading on the riverfront during the Summer months. Seed N Sprout have enquired about trading on the riverfront when the weather improves.
2.8.1 (ongoing)	Support the delivery of tourism opportunities on the Wimmera River, Mt Arapiles and lakes in our region	Tourism opportunities reported on in the Investment Attraction and Growth monthly Council Report	The Natimuk Economic and Social plan was presented to Council in September and contains actions that will support the delivery of tourism in the Natimuk region. La Trobe Uni students have finalised community plan for Dadswells Bridge which will be presented to the community in October.
3.1.3 (2 years)	Develop and implement the Natimuk Social and Economic Plan	Plan Developed & Progress report to Council	Final plan was endorsed by Council in September. Council is working with the community to form a group to lead the implementation of the plan.
3.2.1 (ongoing)	Work with local business leaders throughout the municipality to develop business confidence and growth	2 business forums held annually	Business forum focussing on activities within the CAD to be held in October.
(ongoing)	Host seasonal workshop sessions with Grampians Tourism and Wimmera Mallee Tourism to organise and update our businesses and tourism operators about relevant information for the region	2 industry workshops have been hosted	Grampians Tourism Industry Forum to be held 20 October.
(ongoing)	Ensure constant communication through e-mails and business newsletters with tourism operators and local businesses regarding what is happening in the region	A minimum of 10 business newsletters distributed annually 4 business forums are held annually	Next newsletter scheduled to be sent early October.
3.3.1 (yearly)	Source opportunities and develop partnerships with technology industry bodies to enhance connectivity	A yearly submission to the Regional Connectivity Program (if available)	
(yearly)	Update and audit the Council Website Business Page	The annual audit identified no outdated information	This is an ongoing review of the site ensuring relevant information is kept up to date, relating to the Wimmera Business Centre (WBC)
3.4 (2 years)	Purchase equipment to support outdoor economic activity in public areas	Have outdoor cinema equipment purchased	Outdoor cinema equipment has been purchased. Temporary

			fencing for Sawyer Park has been purchased. This fencing when required will be erected by Breuer's Hire, there is no costing of fence hire for Horsham Municipality Non for Profit Organisations, however any ticketed event will incur a cost
3.4 (2 years)	Local marketing and communications to promote outdoor economic and fitness activity	Ensure a weekly free fitness class for community is created and that the community receives free health and wellbeing classes weekly for 12 months	Weekly fitness classes are being held at the Sawyer Park and promoted in the public notices and via HRCC Facebook page
3.4 (2 years)	Enhance the ambience of outdoor areas including laneways	Engage artists to activate laneways	Artists have been engaged. Drop in sessions were held with business owners in September.
3.4 (2 years)	Provision, maintenance, or upgrade of outdoor spaces and parklet facilities	Increased foot traffic and further activation to support outdoor dining	Not yet commenced
3.4.2 (ongoing)	Work with local business to activate the Horsham city centre	Investment Attraction and Growth monthly Council Report	Businesses have been engaged in the development of the CAD Revitalisation plan which is nearing completion. Regular events to activate the CAD will be held in order to promote localised shopping and activity in the centre of town. The block on the corner of Roberts Avenue and Ward Street has been leased for the next 12 months to enable this. Ice rink event was held in September and very well attended. Great feedback has been received from business owners and the community. Planning is underway for the Christmas Extravaganza event which was highly successful in 2021. The event will be similar to last year, but will build on the activities and include a Christmas pantomime performance, along with more activities on the Friday nights in the lead up to Christmas.
(ongoing)	Encourage homebased and start-up businesses to expand through the Wimmera Business Centre	Having two start-up businesses per year gain support through the WBC.	WDA will vacate the Wimmera Business Centre (WBC) in October allowing space for start-up businesses to gain tenancy at the WBC. The Capital Catering have commenced leasing one of the WBC garages.
(ongoing)	Attract businesses to lease vacant shops in the Horsham city centre through the Wimmera Business Centre	Vacant shops reduced from 24 shops to 20 in the first year and maintained at or below 18 shops for the succeeding years	See table below

Monthly	Develop a dynamic and up-to-date business database system to ensure information is correct, up-to-date and cross references the most recent ABR data	Data base developed and used	Information received regarding the new Civica software from RCCC. Potential to use the CRM built into this program for developing a business database and visitation and enquiry tracking system.
(2 years)	Promote Agritourism opportunities to industry by developing an information kit that outlines <ul style="list-style-type: none"> <li>• Supply chain partnerships</li> <li>• How to transition to regenerative practices</li> <li>• Local markets</li> <li>• Case studies of value-adding practices in the region</li> </ul>	Completed information kit	The Business Development Team will be attending an Agritourism conference in Ballarat mid October.
(ongoing)	Advocate for value-add opportunities with existing and future farmers through innovative practices such as regenerative agriculture, planting native perennial vegetation and implementing renewable energy sources on farms	Attend the Horsham Field Days to host conversations with farmers.	Investment Attraction team members will attend the Wimmera Machinery Field Days in March 2023.
(ongoing)	To promote Live the Grampians Way to local businesses and engage with people who show an interest in moving to the region	Ensure every person who contacts Live the Grampians Way has received a welcome/information sheet and follow up phone call	The campaign has seen 113 registrations during September including 27 with unrestricted working rights interested in learning more about living in the Grampians region, with another 5 Australian based residents, who are seeking sponsorships of their Visa's. The remaining 81 registrations were from overseas.

**Business Visitations for the Month of September 2022**

Month Visitation	Retail Services	Hospitality & Accommodation	Event interaction contacts	Event Notifications	Over all contacts for the month
January	4	3	10	5	<b>22</b>
February	4	6	19	10	<b>39</b>
March	5	41	11	4	<b>61</b>
April	12	8	8	6	<b>34</b>
May	19	4	9	11	<b>43</b>
June	3	25	4	3	<b>35</b>
July	9	30	2	2	<b>43</b>
August	4	3	10	8	<b>25</b>
September	26	2	14	12	<b>54</b>
<b>Total</b>	<b>86</b>	<b>122</b>	<b>87</b>	<b>61</b>	<b>356</b>

Occupied Businesses:

Street and Number of Businesses	AUGUST FY 22/23 Businesses Occupied	SEPTEMBER FY 22/23 Businesses Occupied	SEPTEMBER FY 22/23 Businesses Vacant	SEPTEMBER FY 22/23 Percentage Businesses Occupied
<b>Darlot St – 43</b> car wash and businesses operating from a house included	40	42	1	97%
<b>Firebrace St - 99</b>	91	91	8	92%
<b>Hamilton St - 17</b>	16	16	1	94%
<b>Wilson St – 34</b>	28	29	5	85%
<b>Pynsent St – 28</b> Cinema included	25	26	2	93%
<b>Roberts Ave – 27</b> Coles included	24	26	1	96%
<b>McLachlan St – 24</b> CFA & GWM included	21	22	2	92%
<b>Total 272</b> Post February 2022 there were 262 shops identified in the study area	<b>245/272</b>	<b>252/272</b>	<b>20</b>	<b>93%</b>

*(Businesses are determined by whether they are 1. A premises, 2. Have customers 3. Exchange money; i.e Centre Link and the Cinema are included, and the Public Library is excluded). There are four known shops that are not suitable for occupancy as they require major renovations or are being used as a secondary business not requiring a retail front. These shops are reflected in the vacant shop numbers and unfortunately reduce the percentage of occupied businesses.*

**STATUTORY PLANNING AND STRATEGIC PLANNING**

The Horsham City Urban Renewal Project is currently underway with the completion of the Planning and Property report by Urban Fold, Urban Enterprise and Echelon Planning.

The project is aimed at facilitating the development and renewal of key part of the city centre through economic modelling, urban analysis, setting a clear vision and design guidelines for future development.



**Introduction**  
Horsham Rural City Council is planning for the long term future of the regional city. The aim is to transform and revitalise the city to make it a more attractive place to live, work, visit and invest. The project forms part of a suite of strategic projects being undertaken and forms one of the projects identified in the recently completed Horsham City to River Vision & Masterplan. The master plan sets out a long term vision and Masterplan for central Horsham and will be used to guide the revitalisation of the area over the next 20 to 30 years.

The Horsham City Urban Renewal Project identifies a number of sites and precincts suitable for urban renewal to encourage residential, commercial, mixed use development. The project will also facilitate the development of these precincts through economic modelling, urban analysis, setting a clear vision and design guidelines.

The Urban Renewal plan will address the constraints and opportunities for redevelopment and provide the necessary planning tool required to facilitate the redevelopment of the precincts.

**Investigation Areas**  
The Urban Renewal study area extends from the Wilson St and Firebrace St south to Botanic Gardens and encompasses parts of the Horsham Central Activities District (CAD). The identified urban renewal development sites which are the subject of this project:

**Investigation area 1** includes the Council Depot and adjoining community uses, 22-32 Selkirk Drive. An existing operational Council Depot has been identified for relocation.

**Investigation area 2** includes land north of Selkirk Drive and south of Wilson Street, comprises a range of commercial and industrial uses including a concrete batching plant and vacant industrial land which is considered to be inappropriately located. The site is currently zoned Commercial 1 (C1).

**Investigation area 3** includes commercial land bounded by Firebrace Street, Madden Street, Baker Street, the Botanic Gardens and Harvey Norman retail premises. The land comprises a mix of vacant land, residential housing and commercial uses.



The planning and property report provides analysis of the project context, review of the sites constraints and opportunities and insights into the property market highlighting the high demand for 2-3 bedroom dwellings, commercial land demand, changing demographics and increase property values and opportunities for mix of housing types and commercial development.

The next phase of the project will involve a range of workshops to test development options across the precinct.

### Statutory Planning

### Planning Applications Determined

Below are the number of Planning Permits issued for the month of September 2022 and a comparison with the same period last year.

Type	SEPTEMBER 2022		SEPTEMBER 2021	
	No.	*Value \$	No.	*Value \$
Miscellaneous Domestic	4	156,500	8	6,952,377
Industrial/Commercial	8	1,264,879	6	1,279,810
Subdivisions	4 (11 lots)	-	1 (2 lots)	-
Other	-	-	1	1,500
<b>Total</b>	<b>16</b>	<b>1,421,379</b>	<b>16</b>	<b>8,233,687</b>

(\*Please note: Not all applications have a \$ figure)

Total number of planning permits issued in the Horsham Rural City Council area from 1 July 2022 to 30 September 2022 is 37 compared to 35 in the same period in 2021-22.

Planning permits issued for subdivision have permitted 82 new lots from 1 July 2022 to 30 September 2022 compared to 24 in the same period in 2021-22.

## BUILDING SERVICES

Below are the number of building permits issued for the month of **September 2022** and a comparison with the same period last year.

### Permits issued by Horsham Rural City Council for this Municipality

Type	SEPTEMBER 2022		SEPTEMBER 2021	
	No.	Value \$	No.	Value \$
Dwellings	1	612,000	1	175,000
Alterations to Dwellings	-	-		
Dwelling resitings	-	-		
Misc Domestic (Carports, Garages etc)	3	88,172	4	50,418
Removal/Demolish	1	11,000		
Industrial/Commercial	-	-		
Signs	-	-		
<b>Total</b>	<b>5</b>	<b>711,172</b>	<b>5</b>	<b>225,418</b>

### Permits issued by other Private Building Surveyors for this Municipality or by Government Departments:

Type	SEPTEMBER 2022		SEPTEMBER 2021	
	No.	Value \$	No.	Value \$
Dwellings	3	1,715,786	5	1,855,531
Alterations to Dwellings	1	28,996	4	142,127
Dwelling resitings	-	-	-	-
Misc Domestic (Carports, Garages etc)	8	277,184	13	513,108
Removal/Demolish	-	-	2	14,820
Industrial/Commercial	1	2,289,436	9	2,798,917
Signs			-	-
<b>_Sub Total</b>	<b>13</b>	<b>4,311,402</b>	<b>33</b>	<b>5,324,503</b>

A total of **9** Building Permits have been issued by the Horsham Rural City Council at a total value of **\$861,668** from **1 July 2022 to 30 September 2022** compared to **22** Building Permits at a total value of **\$1,351,951** for the same period in 2021-22.

Private Building Surveyors have issued **61** Building Permits at a total value of **\$18,988,599** from **1 July 2022 to 30 September 2022** compared to **74** at a total value of **\$18,397,626** for the same period in 2021-22.



## Strategic Planning

### Horsham North Local Area Plan

The Recreation and Open Space Planning and Strategic Planning Teams are currently preparing for two consultation events for *Horsham North Draft Local Area Plans*. The Teams will also organise two pop up events towards the end of the six week consultation period. The webpage will include a survey for community members to participate in to help us identify what is liked about the plan, what is missing and the concerns they have.

Council Priorities	Action	Goal Measured By	Progress
1.3.5 & 1.3.6 (1 year)	Develop and implement the Horsham North Local Area Plan	<ul style="list-style-type: none"> <li>Horsham North Local Area Plan adopted by Council</li> <li>Progress report on implementation plan</li> </ul>	The draft Horsham North Local Area Plan will be presented to Council for a decision to release for public consultation.
(1 year)	Develop a style guide to ensure consistency in street furniture, lighting, understorey plants, signage and parking.	Style Guide endorsed by EMT	The style guide is underway.
(2 years)	Improve the public realm, wayfinding and promotional signage of Horsham's main entrance to capture trade.	Wayfinding signs installed and match Council style guide	This project is underway
1.5.2 (1 year)	Deliver on the Horsham Silo Project with Barengi Gadjin Land Council to promote, celebrate and share first nation stories of significance.	Silo Art Complete  (the complementary infrastructure is being delivered by the project team)	Horsham Silo Art completed.
1.5.3 (2 years)	Identify and recognise areas and places of cultural and historical significance that maintain connection to places, land and culture and engage early.	<ul style="list-style-type: none"> <li>Report Presented to Council Cultural</li> <li>Heritage Overlay completed</li> </ul>	Currently BGLC is working with Council on the feasibility study for an alternative truck route. Initial discussions are taking place with BGLC for the Horsham South Structure Plan.
1.6.4 (2 years)	Implement the Horsham Heritage Study to protect buildings and places of historic cultural heritage to reinforce a 'sense of place' and celebrate Horsham's character and distinctiveness.	Horsham Planning Scheme amended	Staff are preparing to brief Councillors on proposed upcoming consultation.
1.6.5 (3 years)	Prepare a Conservation Management Plan for the Horsham Botanical Gardens.	Management plan endorsed by Council	Not yet commenced
(4 years)	Prepare a Conservation Management Plan for the Horsham Cinema.	Management plan endorsed by Council	To be scoped in Oct/Nov
1.6.6 (2 years)	Prepare heritage controls and complete amendment to the HRCC Planning Scheme.	Heritage controls complete and incorporated into the Planning Scheme	see 1.6.4
2.10.2 (2 to 3 years)	Develop and implement a Housing Affordability and Diversity Strategy.	Strategy developed and implemented through a planning scheme amendment	Awaiting results of the VPA's Streamlining for Growth grant program.
2.10.3 (2 years)	Prepare and implement the Horsham South Structure Plan (Stage 2).	Plan adopted by Council	Technical background reports underway.
3.1.1 (2 to 4 years)	Prepare and implement a Commercial & Industrial Land Use and Supply Strategy.	Plan developed & Strategy adopted by Council	Not yet commenced

**Officers Reports**

(3 to 4 years)	Prepare and implement a Rural Land Use and Small Settlements Strategy to plan for small towns and settlements and to ensure productive agricultural land is protected.	Rural land use and small settlements Strategy developed	Not yet commenced
(3 years)	Peer review and implement the recommendations from the Wartook Valley Strategy.	Peer review completed Undertake the necessary planning amendments from the recommendations	Not yet commenced
(2 years)	Complete a Planning Scheme Review as a vehicle for specifying desired outcomes across the municipality.	Planning Scheme Review Completed and suggested changes implemented	Awaiting report from DELWP's Regional Planning Hub.

**Options to Consider**

Not applicable – no decision required

**Sustainability Implications**

The report provides an overview of the development and business activity across the region with no direct sustainability implications.

**Community Engagement**

The report has been prepared in consultation with range of agencies and will be made publicly available to Wimmera Development Association, West Vic Business, and Grampians Tourism and on Council's website.

**Innovation and Continuous Improvement**

Report provides overview of activity and assists with continuous improvement.

**Collaboration**

Report has been prepared in collaboration with Council officers across Planning, Building and Business Development and Tourism Support.

**Financial Implications**

Nil

**Regional, State and National Plans and Policies**

Not applicable – no direct relationship or requirements

**Council Plans, Strategies and Policies**

2021-2025 Council Plan

Theme 3 – Sustainability

Horsham Rural City Council will actively lead in sustainable growth and development of the community and the economy.

Strategy 2: A sustainable economy where local business, agriculture, tourism and other diverse industries thrive.

**Risk Implications**

Not applicable – no decision required

**Conclusion**

The monthly Investment Attraction and Growth Department report provides the opportunity to give Council and the community an insight into the projects being undertaken to grow our municipality and Horsham as a regional city.

## 9.9 ACTING CHIEF EXECUTIVE OFFICER'S OPERATIONAL REPORT

<b>Author's Name:</b>	Fiona Kelly	<b>Director:</b>	Not applicable
<b>Author's Title:</b>	EA to CEO and Councillors	<b>Directorate:</b>	Not applicable
<b>Department:</b>	Chief Executive Office	<b>File Number:</b>	F06/A01/000001

### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes  No

Reason: Nil

### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes  No

Reason: Nil

### Appendix

Nil

### Purpose

To receive and note the Acting Chief Executive Officer's Operational Report for November 2022.

### Summary

The Chief Executive Officer's Operational Report highlights issues and outcomes affecting the organisation's performance and matters which may not be subject of Council reports or briefings.

### Recommendation

That Council receive and note the Acting Chief Executive Officer's Operational Report for November 2022.

## REPORT

### Background

At the 24 June 2019 Ordinary Meeting of Council, it was resolved that the Chief Executive Officer provide an operational report to Council.

### Discussion

Key items of interest for the report period are summarised below.

#### **A. Advocacy/Funding Announcements**

**North West Municipalities Association (NWMA):** The Acting CEO attended (virtually) the NWMA MAV Regional Grouping Review meeting held on Wednesday 2 November. The purpose of the meeting was to review the MAV Board Region proposal.

**Wimmera Regional CEO Meeting:** The CEOs from Yarriambiack, Hindmarsh, Buloke, Northern Grampians and West Wimmera Shire Council's met on Thursday 10 November 2022. CEO's received an update from Wimmera Development Association Project Officer Jo Martin, with the main item of discussion being childcare.

**Wimmera Southern Mallee Regional Partnership:** The Acting CEO attended the WSMRP meeting on 17 November 2022 in Horsham. Discussions included Horizon Highway 30 year vision project, WSM Commonwealth Games and updates from RDV and RDA.

#### **Funding Opportunities:**

Visitor Economy Community Engagement Pilot Program Expression of Interest Department of Health	
Council Flood Support Fund – Council	\$500,000
Australia Day Community Event 2023	\$15,000

#### **B. Community Engagement**

**Flood Amendment:** Amendment C81hors (Flood Amendment) is currently on exhibition. This amendment to the Horsham Planning Scheme seeks to implement the Wimmera CMA's six flood studies by applying the:

- Floodway overlay
- Land subject to inundation overlay
- Special building overlay

to properties identified as being flood prone.

The Flood Amendment impacts around 3,400 properties across Horsham. Council's [website](#) has all the amendment documents and FAQs, furthermore the proposed flood overlays are available on Pozi.

#### **C. Projects and Events**

**Citizenship Ceremony:** Council welcomed six new citizens at a Citizenship Ceremony on Tuesday 8 November 2022. Countries of origin included The Philippines, India and the United Kingdom.

**Civic Reception:** The Mayor, Cr Robyn Gulline hosted a Civic Reception on Friday 4 November 2022 as a welcome to the Lions Club International District Convention.

**Remembrance Day:** In honour of the service and sacrifice of Australians in war since World War I, a minute's silence was held at 11.00am on Friday 11 November for Remembrance Day.

**Nati Frinj Festival:** The festival was held in Natimuk on 28, 29 and 30 October 2022. The Frinj fosters innovation and showcases an array of multidisciplinary, community-focused, and collaborative arts. The festival is renowned for its participatory elements and has a reputation as a regional arts leader, particularly the work produced on the silo, some of which has toured domestically and internationally. There is a twenty-year history of ephemeral works on the Natimuk silo using large numbers of artists and non-artists, and these performances use projection, aerial choreography, sound, shadow, and puppetry.

**Statutory Meeting:** At the 17 November Council Meeting, Cr Robyn Gulline was returned at Council's Mayor for a third consecutive term and Cr Penny Flynn was elected Deputy Mayor.

**Australia Day Award Nominations:** Help celebrate what's great about our community by nominating someone you know for an Australia Day Award.

Horsham Rural City Council's Australia Day Awards recognise and honour individuals and groups who have made an outstanding contribution to our local community.

Council is on the lookout for the next:

- [Community Event of the Year](#)
- [Citizen of the Year](#)
- [Young Citizen of the Year](#)

Nominations for Horsham Rural City Council Australia Day Awards are open now. To nominate someone, complete the online form or a hard copy is available at the Civic Centre.

Awards will be presented at the Australia Day Celebration on Thursday, 26 January 2023, at Horsham's Sawyer Park.

#### ***D. Staff Matters***

**Better Sorted Waste:** Council were at the Horsham Plaza to provide information about the Better Sorted Waste implementation from April next year. In readiness for the upcoming Better Sorted Waste implementation, staff involved in the project attended two of our local Retirement Villages to discuss these changes with both staff and residents, the team also visited Sunnyside Retirement Village and met with key staff.

**Onboarding:** Over recent weeks the People Culture and Performance (PCP) and IT teams have been working together to improve and streamline the onboarding process. Rather than the burdensome checklist previously given to supervisors, we now have an automated system which went live a couple of weeks ago. The emails will prompt the relevant department representatives to invite the new staff member to various onboarding sessions, the invitations for which will hopefully be in their inbox before they even commence.

#### **Financial Implications**

Not applicable

#### **Links To Council Plans, Strategies, Policies**

2021-2025 Council Plan

Theme 5 - Leadership

#### **Consultation/Communication**

Not applicable

**Risk Implications**

Not applicable

**Environmental Implications**

Not applicable

**Human Rights Implications**

This report complies with the rights listed in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

**Conclusion**

The report provides an update on a range of activities of the Acting Chief Executive Officer during November 2022.

## 10. COUNCILLOR REPORTS AND ACKNOWLEDGEMENTS

Cr Robyn Gulline (Mayor)

<b>Committee Representation</b>	
Date	Description
21/10/22	Wimmera Development Association Board meeting
2/11/22	North-West Municipal Association meeting (virtual)
<b>Other Council Activities</b>	
Date	Description
21/10/22	Seniors Week Concert
21/10/22	Wimmera Business Awards
22/10/22	Horsham Special School Debutante Ball
26/10/22	Horsham North Local Area Plan community engagement
26/10/22	Attended the Introduction to Rock and Roll session for Seniors Week
28/10/22	Launched the Natimuk Frinj Festival
29/10/22	Attended the ACT Creative Lab launch and presentations at Natimuk
30/10/22	Attended the "Climate Eyes" book launch at Natimuk
30/10/22	Natimuk Brass Band 120 <sup>th</sup> birthday celebrations
2/11/22	Horsham North Local Area Plan community engagement
3/11/22	Horsham North Local Area Plan community engagement
4/11/22	Goolum Wimmera River Challenge
4/11/22	Civic Reception, Dinner and Official Opening of the 102 V2 Lions Convention
8/11/22	Welcomed 6 new Australians at the Citizenship Ceremony
9/11/22	Launched the Kmart Wishing Tree 2022 appeal
9/11/22	Centre for Participation AGM
11/11/22	Remembrance Day service 2022
14/11/22	Launched the HRCC/Foundation for Young Australians Young Mayors program
15/11/22	Jonathon Schoolderman art exhibition opening
15/11/22	St Brigid's STEAM and landscaping project official opening by Senator Jana Stewart



15/11/22	Discussed Council priorities with Senator Jana Stewart and acting CEO John Martin
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**Cr Bob Redden**

<b>Other Council Activities</b>	
Date	Description
30/10/22	Natimuk Frinj–Discussions bike riders, community organisers, Natimuk Lake.
30/10/22	Town Hall Next Gen VCE expo, fashions and school building designs
1/11/22	Kalkee Hub community meeting Horsham North, zoning, rail station, survey online
4/11/22	Attended Goolum “Challenge” and historic walk Dimboola
5/11/22	Lions Club Convention at Horsham Town Hall
5/11/22	Haven Market – discussions with stall holders

**Cr Penny Flynn**

<b>Committee Representation</b>	
Date	Description
8/11/22	ALGWA Vic Finance Sub Committee – Online
<b>Other Council Activities</b>	
Date	Description
21/10/22	Wimmera Business Awards Gala Dinner & Presentation – Horsham Town Hall
28/10/22	VLGA Training – Electing a Mayor – What’s to Know – Online
28/10/22	Nati Frinj Festival – Opening and various events – Natimuk
29/10/22	Nati Frinj Festival – Creative Lab Launch and various events – Natimuk
30/10/22	Nati Frinj Festival – Launch of Climate Eyes 2022 – we saw, we learnt, we survive and various events – Natimuk
4/11/22	Civic Reception - Lions Club International District Convention – Council Chamber
8/11/22	Citizenship Ceremony – Council Chamber
14/11/22	Foundation For Young Australians and Horsham Rural City Council Young Mayor’s Program Launch – Council Chamber
17/11/22	Statutory Council Meeting – Council Chamber
21/11/22	Councillor Workshop – Wimmera Business Centre

**Cr David Bowe**

<b>Other Council Activities</b>	
Date	Description
26/10/22	Horsham North Local Area Plan - Consultation Workshop – Horsham Neighbourhood House
28/10/22	Victorian Local Governance Association (VLGA) Electing a Mayor – What’s to Know – (online via zoom) - VLGA councillor professional development program
28/10/22	Nati Frinj Launch - NC2 Building, Main Street, Natimuk
30/10/22	Natimuk Farmers Market & Natimuk Brass Band 120 <sup>th</sup> Years celebration performance
30/10/22	Gen-Next VCE Exhibition Launch – Horsham Town Hall
2/11/22	Horsham North Local Area Plan - Consultation Workshop – Children’s Hub, Kalkee Road
4/11/22	Civic Reception - Lions Club International District Convention – Council Reception
7/11/22	Council Briefing Meeting– Council Chambers
8/11/22	Citizenship Ceremony – Council Reception
10/11/22	COP26 – One Year On: Victorian Local Governance Association (VLGA) & Local Government Information Unit (LGIU) Australia Global Live Panel Forum
11/11/22	Remembrance Day Service – Horsham Cenotaph
14/11/22	Young Mayors Program Launch - Horsham Youth Council, Horsham Rural City Council and Foundation for Young Australians – Council Reception
14/11/22	Council Briefing Meeting– Council Chambers
15/11/22	Jonathon Schoolderman's exhibition Launch – Redrock Books & Gallery
16/11/22	Pre-Statutory Meeting– Council Chambers
17/11/22	Statutory Meeting– Council Chambers
21/11/22	Councillor Workshop with Leading Teams – Wimmera Business Centre
21/11/22	Council Briefing Meeting– Council Chambers

Cr Claudia Haenel

<b>Committee Representation</b>	
Date	Description
04/11/22	<p>Rail Freight Alliance meeting via zoom</p> <ul style="list-style-type: none"> <li>Recent Federal Budget \$2.7 billion funding for Victorian suburban rail and some roads</li> <li>Continue Maroona Portland line upgrades advocacy, awaiting a report from ARTC</li> <li>VAGO Report: <a href="https://www.audit.vic.gov.au/report/freight-outcomes-regional-rail-upgrades">https://www.audit.vic.gov.au/report/freight-outcomes-regional-rail-upgrades</a></li> </ul>
23/11/22	CEO Employment & Remuneration Committee meeting via zoom
<b>Other Council Activities</b>	
Date	Description
26/10/22	Coffee with Cr. Claudia
26/10/22	Horsham North Local Area Plan - Consultation Workshop Neighbourhood House
28/10/22	VLGA - Electing a Mayor - What's to Know via zoom
28/10/22	Nati Frinj Launch – Main Street Natimuk
29/11/22	Horsham Rockers annual exhibition Horsham Plaza
02/11/22	Horsham North Local Area Plan - Consultation Workshop Kalkee Road Hub
02/11/22	Coffee with Cr. Claudia
02/11/22	<p>Conversations with homeless</p> <ul style="list-style-type: none"> <li>Checking on welfare of homeless sleeping rough along Wimmera River <ul style="list-style-type: none"> <li>local young men sleeping rough, nowhere to go, no long term rental availability and 2 year wait for social housing</li> <li>aware of services but long waiting lists</li> <li>mental health wait lists from 2 months up to 2 years</li> <li>up to a dozen people reported to sleep within the auto doors of local bank flexi teller on cold nights</li> <li>homeless sleep under cars to keep warm</li> <li>homeless women unaware of 'Orange door' as GP shortage and wait lists too long to see GP who would refer them</li> <li>residents offering homeless a room to give them a roof over their head</li> <li>vacant houses could be converted to housing for homeless</li> <li>accessing cheap food from supermarket but were aware of food bank</li> </ul> </li> </ul>
3/11/22	<p>Joshua Lourensz, Executive Director, Catholic Social Services Australia regarding Horsham Regional Forum rescheduled to early 2023.</p> <ul style="list-style-type: none"> <li>Panel to discuss homelessness, housing affordability, domestic violence and environmental crisis (flood/fire) amongst other complexities and how community might work together with services and community groups, alongside state, federal and local government to address these challenges in our municipality.</li> <li>Already successfully run in Bairnsdale and Bendigo West</li> </ul>
07/11/22	Council Briefing Meeting Council Chambers

**Councillor Reports and Acknowledgements**

09/11/22	Coffee with Cr. Claudia
11/11/22	Chatty Coffee fortnightly, Horsham Neighbourhood House
12/11/22	Resource conscious food production garden and urban lifestyle Open Weekend - Patchwork Jungle Jung
14/11/22	FYA/Council Young Mayor's Program Launch <ul style="list-style-type: none"> <li>• Marking the launch of the Young Mayors Program and announcement of the 2 year partnership between Horsham Rural City Council and Foundation For Young Australians</li> </ul>
14/11/22	Council Briefing Meeting Council Chambers
16/11/22	Coffee with Cr.Claudia
16/11/22	Women for Election - In Conversation with Hon Bridget Archer MP via zoom
16/11/22	Pre Statutory Meeting Council Chambers
17/11/22	Mayoral Elections Statutory Council Meeting Council Chambers
20/11/22	Community Matters HRC Public Meeting <ul style="list-style-type: none"> <li>• Issues and challenges raised by residents and ratepayers of Horsham Rural City. Some of the topics discussed were:                 <ul style="list-style-type: none"> <li>- State of our rural roads</li> <li>- Rebranding a waste of ratepayers money</li> <li>- External independent audit of the city to river</li> <li>- Horsham north delay of plans</li> </ul> </li> </ul>
21/11/22	Leading Teams Training – Horsham Business Centre
21/11/22	Council Briefing - Budget Meeting Council Chambers
23/11/22	Coffee with Cr. Claudia
28/11/22	Council meeting Council Chambers

**11. URGENT BUSINESS**

## 12. PETITIONS AND JOINT LETTERS

### 12.1 ROBINS ROAD WAIL – PETITION TO UPGRADE

<b>Author's Name:</b>	John Martin	<b>Director:</b>	John Martin
<b>Author's Title:</b>	Director Infrastructure	<b>Directorate:</b>	Infrastructure
<b>Department:</b>	Infrastructure	<b>File Number:</b>	F07/A04/000001

#### Officer Conflict of Interest

Officer disclosure in accordance with Local Government Act 2020 – Section 130:

Yes  No

Reason: Nil

#### Status

Defined as confidential information in accordance with Local Government Act 2020 – Section 3(1):

Yes  No

Reason: Nil

#### Appendix

Petition cover email (**Appendix 12.1A**)

#### Purpose

To consider a petition proposing the upgrade of the earthen section of Robins Road, Wail.

#### Summary

- A petition signed by more than 100 people, has been received, seeking the upgrade of the northern, earthen section of Robins Road, Wail, to an all-weather surface.
- The petition was presented to Council's October 2022 meeting, but in accordance with Council's Governance Rules, no resolution was made on the petition at that meeting.
- In April 2022, Council adopted the Rural Road Network Plan, which proposed the upgrade of some routes in the municipality, in similar circumstances to Robins Road, but Robins Road was not included in the upgrade proposals.
- It is proposed that an investigation proceed to assess the merit of upgrading Robins Road in comparison with other roads proposed for upgrade through the Rural Road Network Plan.
- A recommendation relating to the inclusion of Robins Road in 2023-24 or subsequent budgets will be made by March 2023 based on the outcomes of the investigation.

#### Recommendation

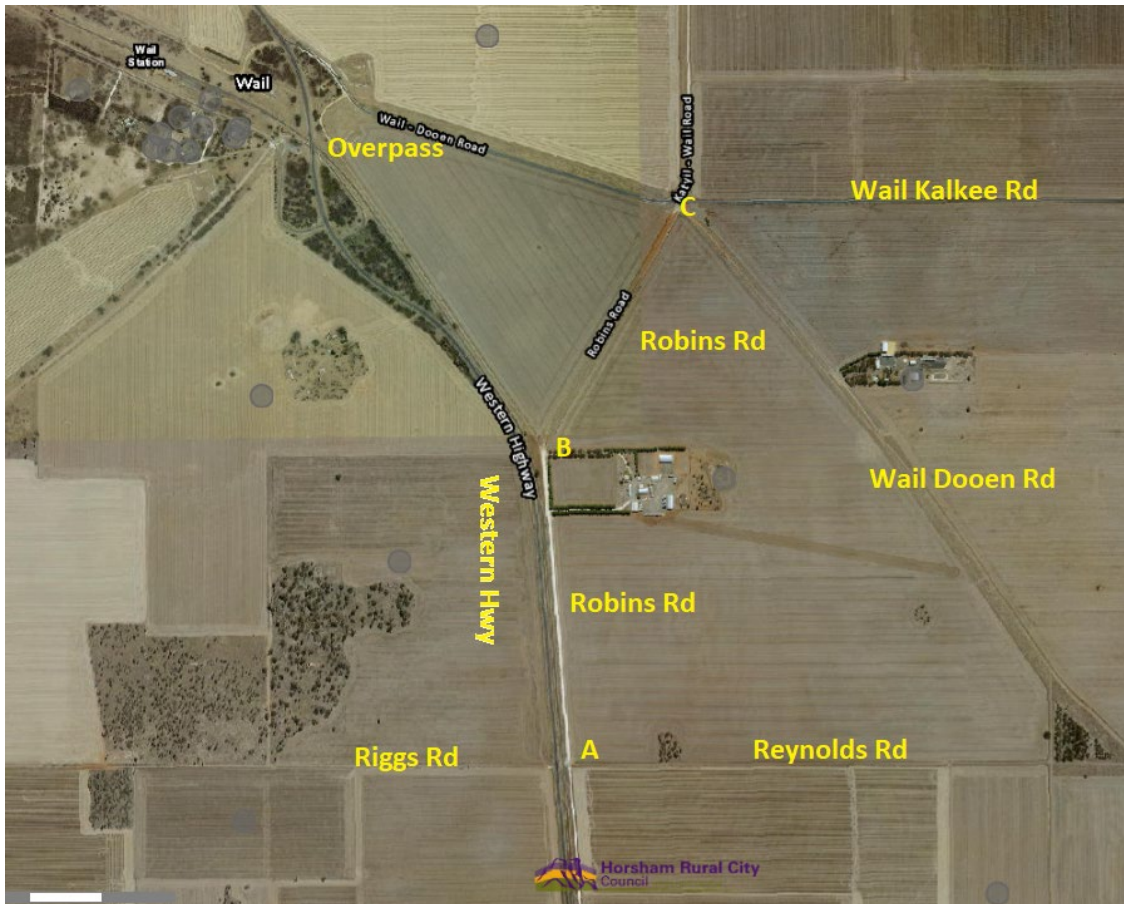
That Council:

1. Endorse the proposed investigation into the merit of upgrading Robins Road, Wail.
2. Receive a further report on this matter by March 2023 to consider potential inclusion of an upgrade in either the 2023-24 or subsequent budgets.

REPORT

Background

The map below shows the key features in the vicinity of Robins Road, Wail, the subject of the petition.



Robins Road is mostly adjacent to the railway line, on the opposite side from the Western Highway along much of its length. In the diagram above, Robins Road is typically accessed from the railway level crossing at Point A on Reynolds Road, and can be seen as the white, gravel surface extending to point B, where it services the property at that location, being that of the lead submitter for the petition. Robins Road continues from B to C as an earthen-only formation, where it joins the Wail Kalkee, Wail Dooen and Katyl Roads. Robins Road also extends to the south of point A, but that is not material to the petition.

The text of the email accompanying the petition (as included in **Appendix 12.1A**) provides relevant background, as follows:

- *Please find attached a signed petition respectfully requesting Horsham Rural City Council extend the gravel to complete Robins Road, Wail to the intersection of the Wail-Kalkee Road, Wail-Dooen Road and the Wail- Katyl Road enabling all-weather vehicle use.*
- *Currently this section of road is dirt, whilst other sections of the road are gravelled. Over recent years there has been a significant increase in the volume of heavy vehicle traffic using the section of road as a result of the large grain storage business operating on Robins Road (at point B on the map above) necessitating it's gravelling. Additionally, the road is a critical route for oversize agricultural machinery moving north and south due to restrictions across the Wimmera River.*

- *The current volume of traffic entering the storage site from the north is resulting in significant deterioration of the dirt road surface including potholes and poses a potential safety issue. When wet, any grain freight and oversize agricultural machinery heading north has to go around to the Wail Overpass on the highway and then turn right at the bottom of the overpass and head up the Wail-Dooen Road. Indeed, even the local council garbage truck has been bogged on this section of the road when collecting bins at the intersection. To increase safety for heavy vehicles and agricultural machinery, it is critical this section of the road is gravelled.*
- *In addition, gravelling the road would allow safer access to the Western Highway. Currently, when the road is wet, it is forcing traffic to turn right and go down to the Wail Overpass and merge on to the highway which is extremely dangerous in an area with such poor visibility.*

### **Discussion**

At face value, there is merit in the proposal to upgrade Robins Road.

The Rural Road Network Plan, adopted in April 2022, identified a series of roads in the rural parts of the municipality that should be converted to an all-weather surface, and with sufficient vegetation clearance, to facilitate the movement of farm machinery, including to keep this traffic off arterial roads. The plan identified 38 roads to be upgraded at a cost of some \$2.9 M. Funding to upgrade these roads has not yet been identified, but it is planned to nominate priority roads from the Plan in the 2023-24 and subsequent budgets.

Robins Road, Wail, was not identified for upgrade in that Plan, based on priorities identified through community consultation. It is reasonable to consider that priorities for upgrades may change over time, and hence the merit of various roads should be reviewed, based on a range of technical criteria, and community input.

It is proposed that a small investigation be conducted to assess the relative merit of upgrading Robins Road, based on the following factors:

- Traffic counts, to inform patterns of usage in the roads in the vicinity
- Developing an understanding of the routes used in the area, and the basis for that
- Community input.

This investigation is proposed to occur over the coming harvest period, with a report to Council by March 2023, so that consideration of the upgrading of Robins Road could be made in time for the 2023-24 budget process.

### **Options to Consider**

The investigation will examine the utilisation of various routes in the vicinity of Robins Road.

### **Sustainability Implications**

Not applicable

### **Community Engagement**

The petition represents the views of about 100 residents.

Further engagement will occur in the proposed investigation.



**Innovation and Continuous Improvement**

Not applicable

**Collaboration**

Not applicable

**Financial Implications**

The cost of upgrading the 950 m section of Wail Road to be gravel is about \$40,000. While not excessive in itself, this needs to be assessed against competing priorities including:

- Council's regular gravel re-sheeting program. The funds committed to this program are less than that shown to be required in long-term modelling. Further, these costs have been impacted by recent significant price rises in fuel and materials, and exacerbated by this season's extremely wet conditions.
- Roads proposed for upgrading in Council's Rural Road Network Plan.

The proposed investigation will be conducted in-house with existing resourcing.

**Regional, State and National Plans and Policies**

Not applicable

**Council Plans, Strategies and Policies**

Council's Rural Road Network Plan, adopted earlier in 2022, proposes the development of farm machinery routes to assist in keeping this traffic off main arterial roads. This concept is consistent with that identified in the petition.

**Risk Implications**

Safety issues have been identified in the petition, in particular in relation to access to/from the Western Highway, and the nearby Wail overpass.

**Conclusion**

An investigation is proposed to be conducted into the merit of upgrading Robins Road.

### **13. PROCEDURAL BUSINESS**

#### **13.1 INFORMAL MEETINGS OF COUNCILLORS – RECORD OF MEETINGS**

Nil

#### **13.2 SEALING OF DOCUMENTS**

Nil

#### **13.3 INWARD CORRESPONDENCE**

Nil

#### **13.4 COUNCIL COMMITTEE MINUTES**

- Wimmera Intermodal Freight Terminal Advisory Committee Minutes 18 May 2022
- Older Persons Advisory Committee Minutes 16 November 2022
- Wimmera Intermodal Freight Terminal Advisory Committee Minutes 17 August 2022

Refer to **Appendix “13.4A”**

#### **Recommendation**

That Council receive and note agenda items:

- 13.1 Informal Meetings of Councillors – Record of Meetings
- 13.2 Sealing of Documents
- 13.3 Inward Correspondence
- 13.4 Council Committee Minutes.

**14. NOTICE OF MOTION**

**Section 10B - Appointment and Authorisation  
(Environment Protection Act 2017)**

**Council Resolution**

**Appointment and Authorisation (Environment Protection Act 2017)**

In the exercise of the power conferred by s 242(2) of the Environment Protection Act 2017 and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, Horsham Rural City Council (**Council**) **RESOLVES THAT -**

1. The members of Council staff referred to in 1.1<sup>1</sup> be appointed and authorised as set out in the instrument.

1.1

- Fiona Gormann
- Jackson Hanlon
- Jason Brady
- Joel Hastings
- John Martin
- Kevin O'Brien
- Luke Mitton
- Mandi Stewart
- Rehan Majeed
- Robyn Evans
- Mazen Aldaghstani

2. The instrument comes into force immediately upon resolution of Council and signed by Council's Chief Executive Officer and will remain in force until Council determines to vary or revoke the instrument.

**Signed by the Chief Executive Officer of Council  
In the presence of:**

)

.....  
**Witness**

**Date:** .....

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<sup>1</sup> When a member of Council Staff departs the organisation their Appointment and Authorisation is automatically revoked.

***Section 18 Instrument of Sub-Delegation  
under the Environment Protection Act 2017***

**Horsham Rural City Council**

**Instrument of Sub-Delegation**

**to**

**Members of Council staff**

## Instrument of Sub-Delegation

By this Instrument of Sub-Delegation, in exercise of the power conferred by s 437(2) of the *Environment Protection Act 2017* ('Act') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, Horsham Rural City Council (Council):

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described in column 3 of the Schedule;
2. record that references in the Schedule are as follows;

Abbreviation	Position
<b>Coord Com Saf (4)</b>	Co-ordinator Community Safety (4)
<b>Coord Envir Health</b>	Co-ordinator Environmental Health
<b>Coord PL Bldg</b>	Co-ordinator Statutory Planning & Building
<b>Coord Waste Sust</b>	Co-ordinator Waste Infrastructure
<b>Dir Com Plc</b>	Director Communities and Place
<b>Dir Infra</b>	Director Infrastructure
<b>EHO</b>	Environmental Health Officer
<b>Mgr Com Serv</b>	Manager Community Services & Safety
<b>Mgr Inv Attrct</b>	Manager Investment Attraction & Growth
<b>Mgr Ops</b>	Manager Operations

3. this Instrument of Sub-Delegation is authorised by a **resolution of Council** passed on **#date** pursuant to a power of sub-delegation conferred by the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021;
4. the delegation:
  - 4.1 comes into force immediately following this Council Resolution to this Instrument of Sub-Delegation and signed by the Chief Executive Officer of Council;
  - 4.2 remains in force until varied or revoked;
  - 4.3 is subject to any conditions and limitations set out in sub-paragraph 5, and the Schedule; and
  - 4.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
5. this Instrument of Sub-Delegation is subject to the following limitations:

- 5.1 the powers, duties and functions described in column and summarised in column 2 of the Schedule are only delegated for the purpose of regulating:
  - 5.1.1 onsite wastewater management systems with a design or actual flow rate of sewage not exceeding 5000 litres on any day; and
  - 5.1.2 noise from the construction, demolition or removal of residential premises;
- 6. the delegate must not determine the issue, take the action or do the act or thing:
  - 6.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
  - 6.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
    - (a) policy; or
    - (b) strategy
 adopted by Council;
  - 6.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
  - 6.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

**Signed by the Chief Executive Officer of Council**  
**In the presence of:** )

.....  
**Witness**

**Date:** .....

## SCHEDULE

<b>ENVIRONMENT PROTECTION ACT 2017</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 271	Power to issue improvement notice	Coord Envir Health, Dir Com Plc, EHO, Mgr Com Serv , Mgr Inv Attrct, Coord PL Bldg, Coord Waste Sust, Mgr Engr	
s 272	Power to issue prohibition notice	Coord Envir Health, Dir Com Plc, EHO, Mgr Com Serv , Mgr Inv Attrct, Mgr Engr	
s 279	Power to amend a notice	Coord Envir Health, Dir Com Plc, EHO, Mgr Com Serv , Mgr Inv Attrct, Mgr Engr	
s 358	Functions of the Environment Protection Authority	Coord Envir Health, Dir Com Plc, EHO, Mgr Com Serv , Mgr Inv Attrct, Coord Waste Sust, Mgr Engr	
s 359(1)(b)	Power to do all things that are necessary or convenient to be done for or in connection with the performance of the Environment Protection Authority's functions and duties and to enable the Authority to achieve its objective.	Coord Envir Health, Dir Com Plc, EHO, Mgr Com Serv, Mgr Inv Attrct, Dir Infra, Mgr Ops, Mgr Engr	
s 359(2)	Power to give advice to persons with duties or obligations	Coord Envir Health, Dir Com Plc, EHO, Mgr Com Serv , Mgr Inv Attrct, Dir Infra, Mgr Ops, Mgr Engr, Coord Com Saf (4)	



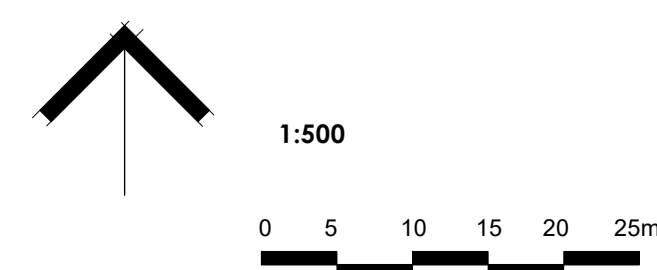
SUNNYSIDE PARK - THE VILLAGE VIBE - COMMUNITY, PLAY & RELAX

- 1 **Playspace** - support active participation and involvement in the play space by including a diverse range of play opportunities suited to a range of ages and abilities with shade & seating.
- 2 **Multi-use Courts** - extend existing court surface to support an additional tennis court plus multi-use line marking - included for basketball & netball. Include removable goals for netball & cantilever basketball goals. Opportunity for art interpretation of existing concrete pad & downball wall.
- 3 **Gathering Areas** - provision of a variety of gathering & viewing areas amongst a parkland setting. Include shade/ shelter. Relocate existing water storage tanks to south of cricket nets.
- 4 **Clubrooms/ viewing area** - opportunity to develop a brief to liaise with Sunnyside Bowling Club to combine storage, change room, toilet, access and social provisions whilst creating a viewing platform with shade. Review entrance to carpark and clearly define private realm with dynamic signage solutions.
- 5 **Viewing & gathering** - provision of social gathering areas, sessional spaces, shade, seating and low growing plants - ensure any trees are a minimum ten metres from existing bowling greens.
- 6 **Sensory & Recreational Activities** - provision of social inclusive play activities that offer opportunities for multi-generational user groups - opportunity to develop specific equipment with engagement directly with local health services.
- 7 **Viewing & gathering** - Provision of gathering, interesting pavement selection and shade with green climbers. Include playful social elements such as table tennis tables, inground trampolines and stage. Ensure any trees are a minimum of 10 metres from existing bowling greens. Include picnic settings & BBQ's.
- 8 **Gathering / open lawn area** - provision of a shelter with BBQ facilities, gathering & shade trees in parkland open lawn setting.
- 9 **Entrances** - can include a combination of interpretive signage, water refill station, seating, dog bags, soft landscaping and art elements of interpretive history.
- 10 **Sunnyside Oval** - continuing improvements to irrigation, turf, lighting and boundary treatment. Potential additional practice net.
- 11 **Hard stand area** - provision of a cafe/gelato food van standing pad with access from maintenance entrance.
- 12 **Nature Play** - create a meandering granitic gravel path with landforming (equal cut & fill) to enhance existing drainage line/ swale, work with WSUD principles, incorporate nature play elements to support self-directed play, with natural elements to support balance skills, vestibular and creative play. Incorporate a broad range of indigenous planting to support local biodiversity.
- 13 **Gathering Area / Outdoor Learning Area** - provide connecting paths and compliment adjacent school use with a free-form outdoor learning area - include free form deck seat/ platforms, log blocks and log seats under the shade of the existing trees.
- 14 **Carpark** - opportunity to design carparking within the reserve. Ensure pedestrian access is provided.



**LEGEND**

- BUILDING LAYOUT
- BOUNDARY FENCELINE
- EXISTING TREES TO BE RETAINED AND PROTECTED
- PROPOSED TREES
- PROPOSED GARDEN BEDS
- LAWN (IRRIGATED)
- ASPHALT SURFACE
- CONCRETE PAVING
- UNIT PAVING
- FEATURE PAVING
- COMPACTED GRANITIC SAND SURFACE
- SYNTHETIC GRASS CARPET (NON-IMPACT ATTENUATING)
- ACRYLIC SURFACE WITH LINEMARKING
- PLAYGROUND MULCH (IMPACT ATTENUATING TO AS 4422)
- WETPOUR SYNTHETIC SURFACE (IMPACT ATTENUATING TO AS4422)
- POROUS PAVING
- ROCK EDGING
- TIMBER LOG EDGING
- FEATURE TIMBER LOG
- VERTICAL LOG EDGING
- TIMBER DECKING
- TABLE TENNIS TABLE
- INGROUND TRAMPOLINE
- PERGOLA
- TIMBER DECKING
- TIMBER BALANCE, PLAY & HELPER
- INTERPRETIVE ART ELEMENTS
- INCLUSIVE WATER REFILL STATIONS
- DOG BAGS
- SHADE ELEMENTS
- ACCESSIBLE BBQ FACILITIES
- BICYCLE STORAGE FACILITIES
- LIGHTING



Sunnyside Park - Landscape Concept Layout

# Sunnyside Park

Baillie Street HORSHAM 3400

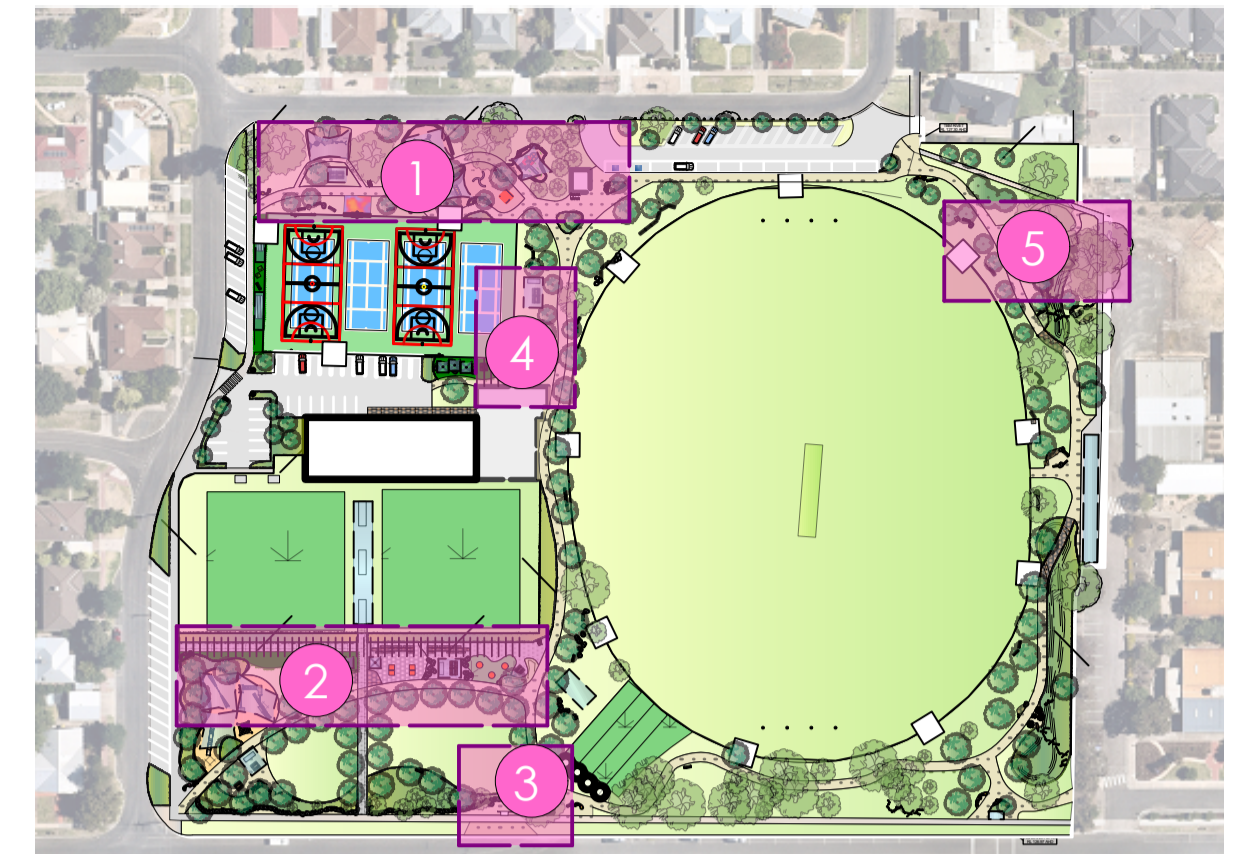
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SUNNYSIDE PARK - THE VILLAGE VIBE - COMMUNITY, PLAY & RELAX

SUNNYSIDE PARK CONTEXT



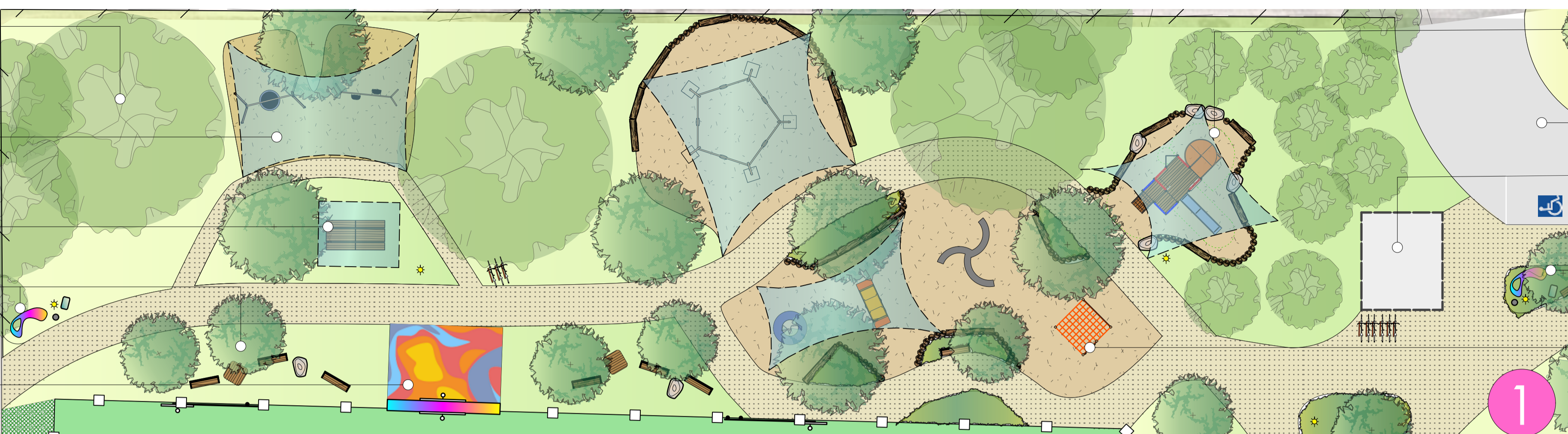
**Existing Trees** to be retained and protected

**Swings** located away from the main movement patterns - provide opportunities for universal access and multigenerational use - consider basket swing on senior frame, toddler seat or Joey seat, strap seat and a five way swing

**Shelter** structure located for viewing court sports and play area refuge

**Seating & entrance** provide a range of seating and gathering spaces throughout

**Ballcourt pad** & rebound wall painted with artistic interpretation - potential inclusion of heavy duty junior basketball net



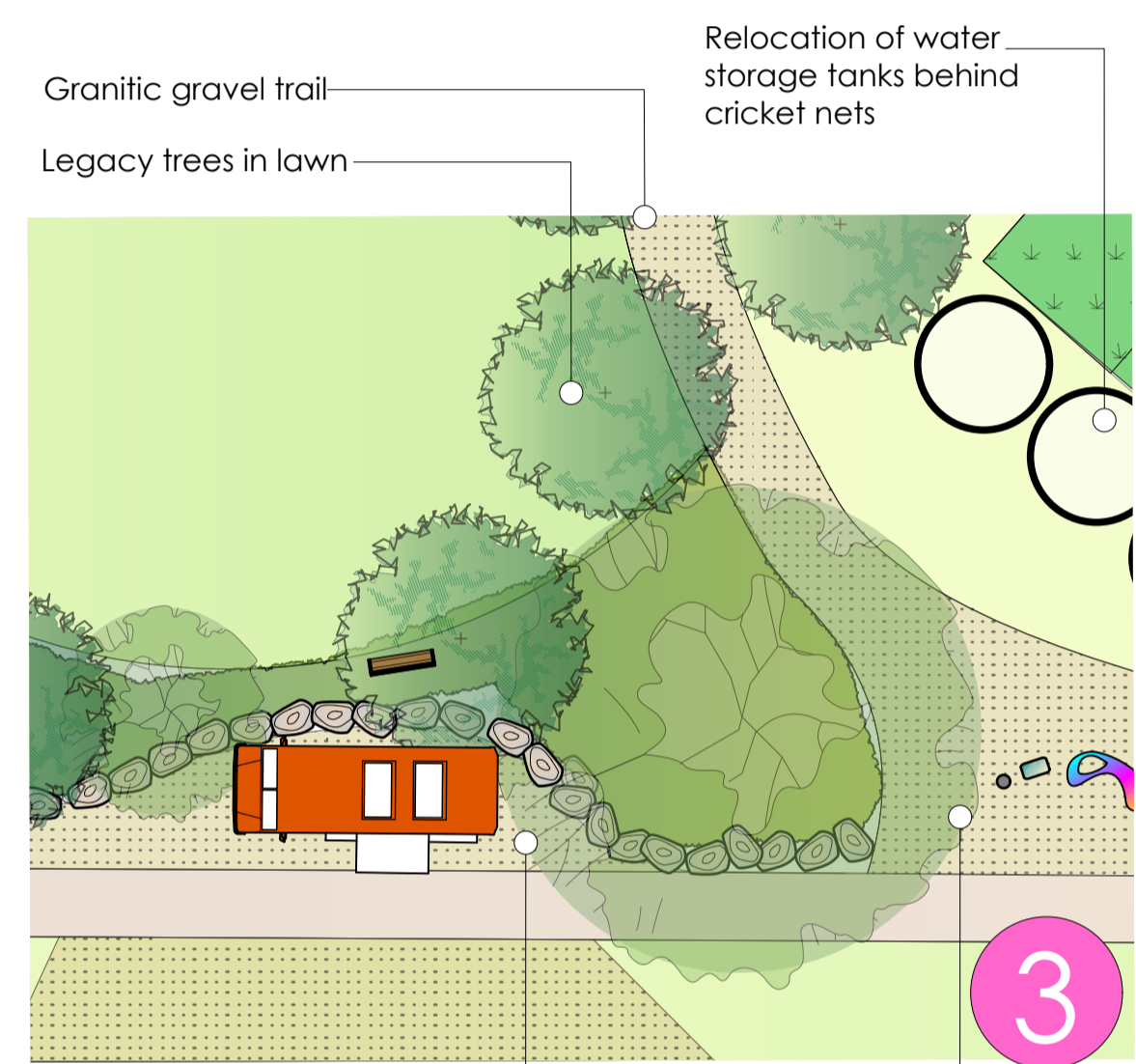
**Multi-unit** integrate slide and climb elements with activities at ground level to support social and physical play opportunities

**Carparking** design consistent with Olga Avenue & off street drop off parallel parking

Universally designed unisex **toilet facilities** with baby change. Walls clad with artistic interpretation

**Entrance feature** - including artistic interpretative & direction art, water refill station, dog bags, shade tree, seat, bicycle storage etc

**Playspace** - unite existing single pieces into a universally accessible area with an additional climbing cube and rocker surrounded by future shade trees and balancing edges



Granitic gravel trail

Legacy trees in lawn

Relocation of water storage tanks behind cricket nets

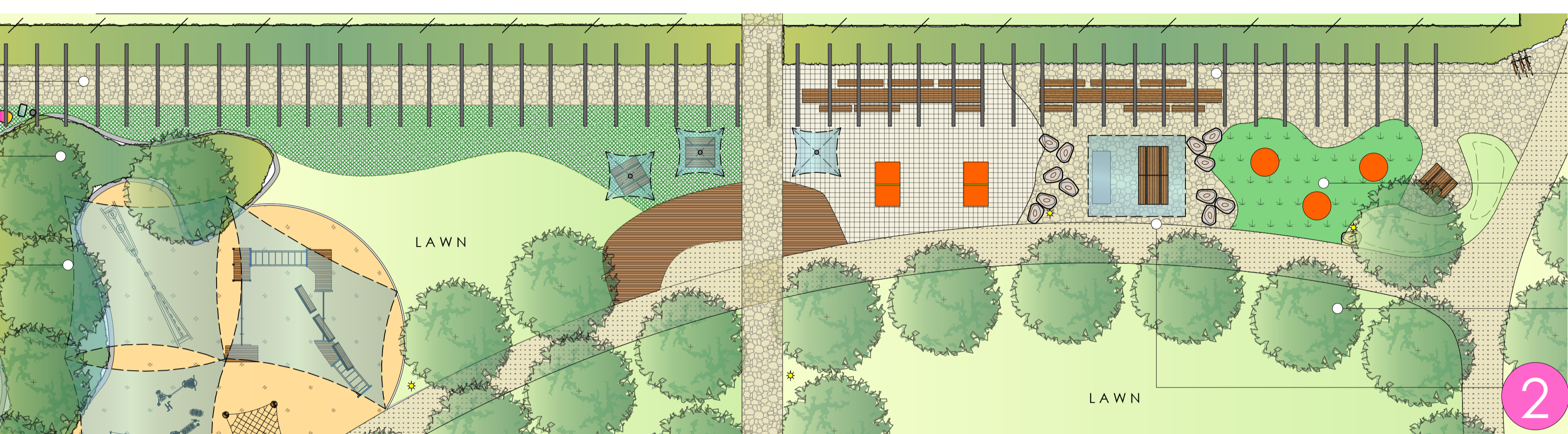
Opportunity for food/cafe van integrated with park and precinct access

Entrance elements of wayfinding signage, water refill, dog bags, etc

**Entrance** from Olga Avenue - feature pergola with vines over, seating shade, no trees within 10 metres of bowling green

**Olga Avenue garden bed** to meander with a 'seating edge' to create additional nooks for seating, shade trees and planting

**Multi-generational equipment** variety of static and dynamic equipment with a variety of opportunities for group fitness, physiotherapy programmable space, school active area and aged care mobility. Inclusion of shade overhead and seating opportunities



**Gathering area** with a variety of different opportunities under shade surrounded by low planting and vines overhead

**Playful elements** potential to include inground trampolines, table tennis, rock boulder seating and stage

**Lawn area** for kick-a-bout, play, picnics and shade trees for legacy planting

**Shelter & BBQ** with seating



**Ballcourt pad** to be extended to accommodate an additional tennis court and lined marked with basketball/tennis. Maintain north south orientation of all courts

**Viewing & gathering area** integrated into the surroundings to provide social areas for spectators and players

**Shelter BBQ** and picnic facilities with room for relocatable stand for viewing ball courts

**Legacy trees** continue to plant for future shade and biodiversity

**Shared pathway** compacted granitic gravel 2500mm wide pathway throughout the reserve for all user groups

**Building renovations** to consider shared facility opportunities with onsite sports. Consider decking to the north for transparent views through the site, integrated store, retaining of existing trees, viewing platform all sports



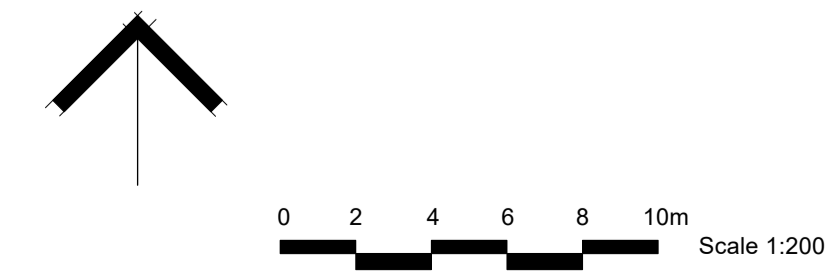
**Outdoor learning environment** to relate to Horsham PS (298 Campus) with a variety of gathering/ learning areas including log stumps, rock boulders and deck platforms

**Nature Play** encourage indigenous planting of swale/drainage line - equal cut and fill - incorporate logs & rock boulders for play, cubby and investigation

**Shared trail** granitic gravel 2500mm wide consistent width connection throughout the park

**LEGEND**

	BUILDING LAYOUT		FEATURE TIMBER LOG
	BOUNDARY FENCELINE		VERTICAL LOG EDGING
	EXISTING TREES TO BE RETAINED AND PROTECTED		TIMBER DECKING
	PROPOSED TREES		TABLE TENNIS TABLE
	PROPOSED GARDEN BEDS		INGROUND TRAMPOLINE
	LAWN (IRRIGATED)		PERGOLA
	ASPHALT SURFACE		TIMBER DECKING
	CONCRETE PAVING		TIMBER BALANCE PLAY & SHELTER
	UNIT PAVING		INTERPRETIVE ART ELEMENTS
	FEATURE PAVING		INCLUSIVE WATER REFILL STATIONS
	COMPACTED GRANITIC SAND SURFACE		DOG BAGS
	SYNTHETIC GRASS CARPET (NON-IMPACT ATTENUATING)		SHADE ELEMENTS
	ACRYLIC SURFACE WITH LINE MARKING		ACCESSIBLE BBQ FACILITIES
	PLAYGROUND MULCH (IMPACT ATTENUATING TO AS 4422)		BICYCLE STORAGE FACILITIES
	WETPOUR SYNTHETIC SURFACE (IMPACT ATTENUATING TO AS 4422)		LIGHTING
	POROUS PAVING		
	ROCK EDGING		
	TIMBER LOG EDGING		



Community Engagement Report

# SUNNYSIDE PARK CONCEPT PLAN

NOVEMBER 2022

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## PURPOSE OF ENGAGEMENT REPORT

This report summarises the engagement process undertaken and feedback received in the development of the draft concept plan for upgrades to Sunnyside Park.

### BACKGROUND

The Sunnyside Park project is the culmination of planning work that commenced in 2018 and was initiated by a committee of Council, the Sunnyside Park Committee of Management. The Sunnyside Park Advisory Committee, a committee of Council was also not able to finalise the project before the committee structure was changed.

A ten member Community Reference Group (CRG) was established in July 2021. The CRG and HRCC officers have worked together to develop the concept plan for Sunnyside Park.

The project is responding to a community need to provide freely accessible public areas where community members can gather. The plan also addresses safety concerns (lines of sight, location of the public toilet), provides a plan that responds to changing community expectations re: active recreation and organised sport and represents opportunities available in the provision of community assets and public-private partnerships.

### FOCUS AREA



The area is shown (left):

The park is bounded by Baillie St, Olga Ave and Charles/Cathcart Streets. Horsham Primary School is located on the eastern side of the oval.

The land is owned by Horsham Rural City Council (HRCC). The Sunnyside Bowling Club (parking, pavilion and four bowling greens) was originally land owned by HRCC.

### PUBLIC PARTICIPATION GOAL

The main outcomes of this community consultation are to:

- Obtain feedback on design elements within the landscape plan
- Obtain feedback regarding the draft plan to ensure the functional layout of the plan satisfies both a community vision for the Park and the needs of the local community.

### IAP2 LEVEL

Community – Consult

Community Reference Group – Involve

## OUR PROMISE

To the community - We will keep you informed, listen to and acknowledge concerns and aspirations and provide feedback on how public input influenced the decision.

To the CRG - We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.

## ESTABLISHMENT OF COMMUNITY REFERENCE GROUP

A Community Reference Group (CRG) was formed in July 2021.

The CRG is comprised of the following members: Community representatives (4), and single representatives from:

- Horsham Primary School
- Homers Tennis
- Homers Cricket
- Kalkee Football and Netball Club
- Holy Trinity Lutheran College
- Horsham Sporting Club (Sunnyside Bowling Club) (Total of 10 members on the CRG)

Two HRCC officers from the Recreation and Open Space team attended CRG meetings.

The CRG met regularly from July 2021 until March 2022.

Meetings were held in person at the Sunnyside Bowling Club and as required via Zoom.

Meetings were generally of a 1.5 hour duration.

## PROJECT TIMELINE

July 2021	Project commenced with the formation of the CRG.
April – November 2021	Project planning with CRG (Includes stakeholder consultation undertaken by HRCC officers)
November 2021	CRG endorsement of draft concept plan
13 December 2021	Report to Council seeking approval to release the draft concept plan for community feedback
14 December 2021 to 11 March 2022	Community engagement
April – May 2022	Feedback grouped and themed
June 2022	Community feedback reviewed by CRG and amendments made
25 July 2022	Amended plan endorsed by CRG
12 September 2022	Amended plan presented to the community via HRCC webpage
November 2022	Plan presented to Council for adoption

## THE VISION

The CRG developed the following Vision:

*Our vision is that Sunnyside Park is the heart of our community; an open, restful space that is welcoming, easy to access and safe; a place to meet new people and build connections; a place that encourages and supports activity of different types and for different interests.*

## EXISTING CONDITION ANALYSIS, CONSTRAINTS AND OPPORTUNITIES

The CRG and HRCC officers undertook a detailed examination of existing site conditions, usage patterns, and opportunities. A gap and safety analysis was also completed (playground standard, location of the toilets, provision of community amenities, particularly infrastructure that supports community gathering opportunities. The concept plan for Sunnyside Park responds to the challenges and opportunities identified through the planning process.

## ENGAGEMENT TOOLS

A combination of static and interactive engagement tools were used.

Static: Weekly print media (local newspapers), HRCC webpage, HRCC e-newsletter, HRCC Facebook posts, HRCC Active e-newsletter, Core flute displayed at Horsham Primary School, Sunnyside tennis, Sunnyside Bowling Club.

Interactive: Attendance at Sunnyside tennis, at the Sunnyside Lutheran Retirement Village and at Sunnyside Bowling Club Board and general meetings of members.

Individual stakeholder meetings were held with:

- Wimmera Catchment Management Authority
- Department of Education and Training – Principal of Horsham Primary School and Principal of the Holy Trinity Lutheran College
- Sunnyside Lutheran Retirement Village
- Representatives from Kalkee Football and Netball Club
- Wimmera HealthCare Group
- Wimmera Whippets
- Wimmera Regional Sports Assembly
- Engineer - HRCC
- Strategic Planning Coordinator - HRCC
- Statutory Planning Coordinator - HRCC
- Parks and Gardens' (Acting) Coordinator - HRCC

## WHAT FEEDBACK WAS RECEIVED?

Sixty-seven (67) submissions were received.

## GENERAL COMMENTS MADE BY RESPONDENTS

Feedback (long-form comments) was transferred to a spreadsheet and was grouped according to themes that emerged in frequency (Example: shade, seating, play elements etc).

## HOW WAS THE FEEDBACK EVALUATED?

Feedback was considered against three forms of criteria, including the:

1. Vision developed by the CRG
2. Victorian Urban Design guidelines
3. Open Space Strategy (HRCC)

## HOW DID THE FEEDBACK INFLUENCE THE FINAL DESIGN?

Feedback that was consistent with the evaluation criteria was included in the amended concept plan.

In many cases, feedback reinforced existing elements of the draft plan and was 'Noted' by the CRG or additional notes were added in the explanatory sections of the draft plan.

Following the evaluation process, the draft plan was amended, endorsed by the CRG and placed on the HRCC website for a four week period. A description of the feedback process and themes identified by the community was also placed on the HRCC website.

No additional feedback was received during the four week display.

## WHAT DESIGN ELEMENTS WERE MOST SUPPORTED?

The design element most preferred in survey responses was:

*Vibrant spaces that support activity for all ages and that are well used.*

## WHAT DID PEOPLE LIKE MOST ABOUT THE DRAFT PLAN

People confirmed the importance of:

- The importance of trees, shade and seating around the park
- Universal design – pathways that people of different ages and abilities can use
- Play equipment for people of different ages and abilities
- Provision of gathering areas for families and community groups
- Ensuring parking is considered.

## WHAT PARTS OF THE DRAFT PLAN DID PEOPLE WANT CHANGED?

- Additional parking for school drop off and pick up
- Designated school parking in Baillie St
- More clearly designated parking for bowling club members
- An additional BBQ located in the Baillie St park
- Provision of additional seating throughout the park



## WHAT ARE THE NEXT STEPS IN THE ENGAGEMENT PROCESS?

The engagement process for this stage of the project is complete.  
When detailed construction drawings are developed they will be shared via the HRCC webpage.

## WHAT IS THE ROLE OF THE CRG?

The role of the CRG for this stage of the project will be completed when the concept plan has been presented to Council at a Council Briefing. Three members of the CRG will be invited to attend the Briefing.

The CRG has worked collaboratively throughout the project to understand site constraints, work within the defined scope of the project and identify landscape features that are consistent with a shared vision for improvements to the community.

The commitment of members of the CRG has been greatly appreciated and the model confirms the value of working closely with the community when undertaking complex community asset planning.

END

'A SAFE HAVEN FROM LIVES STORMS' - COMMUNITY, COMMERATE, CELEBRATE & PLAY

DESIGN INTENT

**Convenient and safe access**

Potential for improved connections to surrounding community - support pedestrian connections and define vehicle movements

**Enhancing the environment and natural beauty**

To incorporate principles of biodiversity to support a broad range of plants & habitat to encourage and value the indigenous birds, insects and local fauna

To reinforce the existing environment to support opportunities for the community to commemorate, celebrate and play

**Vibrant spaces that support activity for all ages and are well used**

Provide a base to support a variety of activities to encourage participation and engagement with the space - creating a destination for walkers/ bike riders, visitors, local community, etc

**Ensure safety, amenity and comfort for all ages**

Consideration of the principles of CPTED through the provision of open views for safety, seamless access throughout, opportunities to rest and recover and a clear delineation of the public and private realm

**Support a strong sense of place and local character**

Continue to support the complexity of art, culture and story telling in the park

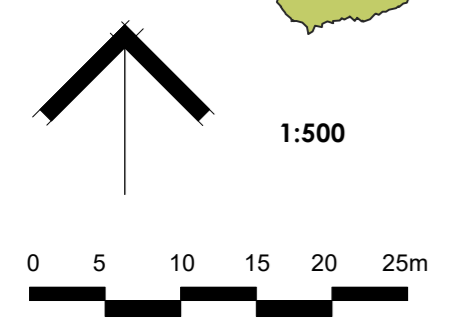
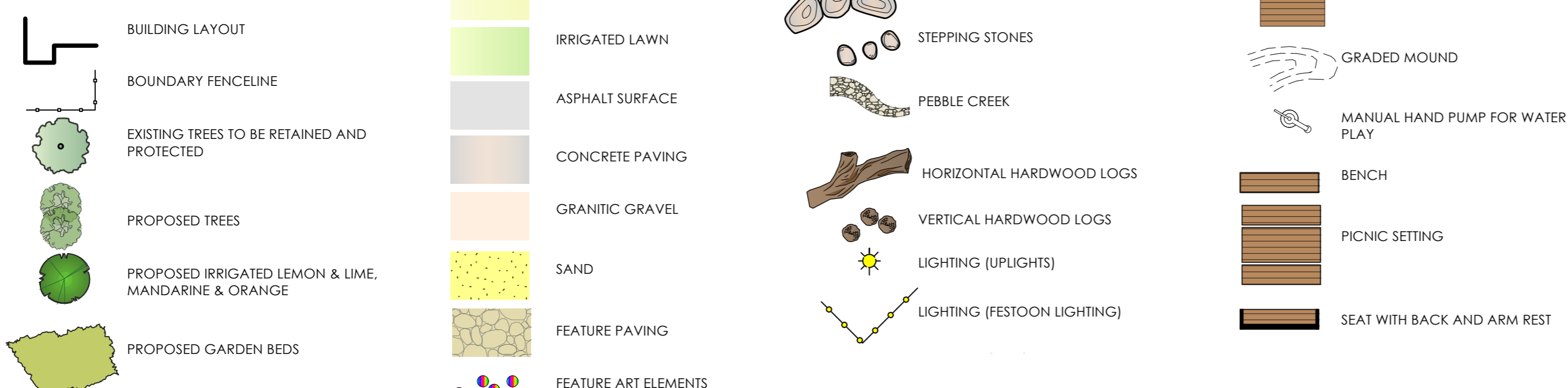
Incorporate principles of sustainability through direct reference to the natural environment in the use of re-used and reclaimed materials

It is with respect that we understand that a detailed oral history exists for the stories and customs of the traditional owners of this area. Incorporate active engagement with representatives from the Barengi Gadjin Land Council to reflect the potential interpretation from the Wotjobaluk, Jaadwa, Jadawajali, Wergaia and Japagulk families.



- 1 **Carpark** - a minimum of 8 carparks including A minimum of one accessible carpark spaces. Resolve open drainage swale
- 2 **Focal entry area** - including feature paving, interpretative signage, artistic elements reflecting the history and natural environment of Haven & seating
- 3 **Nature Play Area** - support the existing natural character of the area through revegetation under the Grey Box trees with low growing indigenous tussocks, small shrubs and grow covers. Incorporate vertical and horizontal logs and rocks for balancing, stepping stones for playful games, seating nooks for gathering, lighting to be creative uplighting of the trees, water feature with hand operated water pump (connect to additional water storage tank), sandplay & shelters
- 4 **Shared trail & Mural on toilet facilities** - offset indigenous re-vegetation to ensure CPTED attributes are considered. Include low growing grassy woodland planting to ensure powerline restrictions are considered - include groupings of small shrub wattles less than 4m tall - ensure open views are retained into the site. Include occasional seating along the path at rest stops with shade and low rural style fencing
- 5 **Pedestrian circulation** - provide connection across service road to support bicycle riding & pedestrian access throughout the site. Consider traffic control measures on the service road with a raised pavement and zebra stripes to slow traffic down
- 6 Incorporate **natural play equipment** that supports social interaction and playfulness - include a 5 person swing, basket swing, see-saw, obstacle courses with balance below 600mm, cool irrigated grassed areas for picnics and gathering
- 7 **Gathering Area** - provide complimentary elements to support the existing shelter - include pergola, paved area, additional natural shade, seating, party table, lighting - festoon or uplights, areas of irrigated grass, BBQ/woodfired oven, drinking water, etc
- 8 **Pedestrian connection from gathering area to Haven Primary School** - inclusion of art, seat/balancing edges, indigenous planting, paving details and shade trees
- 9 **Celebrate** the existing **commemorative space** with feature paving, additional flag poles (to total 3 - for our 3 flags), seating, memorial planting, shade, lighting, art (sensitive & interactive interpretation of Private James Plozza & Haven Primary School letter - potential silhouettes to the setting sun in the west - facing the rising sun in the east), seasonal planting of poppies
- 10 **Visitor & Staff carparking** - parallel parking with granitic gravel access path - retain all existing trees and avoid entering the Tree Protection Zone. Carparking to support staff parking in shade and occasional visitor carparking and after hours caravan/carparking. Service Road to be one way in front of School and signposted
- 11 **Remnant Grey Box Woodland** to be retained and extended - support additional groundcover planting and planting to provide habitat connection and increased biodiversity.
- 12 **Flexible open space** with grassed areas, some areas irrigated, grass reinforced with inground compaction protection system, open plan to support market stall set up, walking trail around the perimeter to support walkability/ strollability/ bikability, incorporate indigenous shade trees as legacy planting for shade and habitat, potential gathering/ evening movies/ market space. Discourage as carparking space. Grade area to drain indigenous planted swale.
- 13 **Existing clubrooms** to be retained until future facilities are on site. Provide drainage works to ensure access to facilities. Removal of 'dense medium sized shrubs' and replace with indigenous vegetation of low growing shrubs/ tussocks/ groundcovers
- 14 **WSUD (Water Sensitive Urban Design) swale** - Indigenous planting of swale/ creek form with habitat elements designed to support drainage of the openspace area - include logs, timber bridge crossings and habitat planting. Support open views into the park with the use of low growing indigenous vegetation. Long term potential incorporation of Haven Inc office in future infrastructure development. Incorporate low key post & wire fencing in planting
- 15 **Stage/ Performance/ Sound shell** flexible use for community gathering
- 16 **Henty Hwy/ Service Road intersection** to be engineered to improve sightlines, safety and movements - future liaison with authorities required to ensure a safe system is created
- 17 **Maintenance/ Market entrance** low key access to open space
- 18 **Haven entrance** signage for Haven Recreation Reserve/ School/ Market - artistic interpretation - potential to be located outside of the clearzone

LEGEND



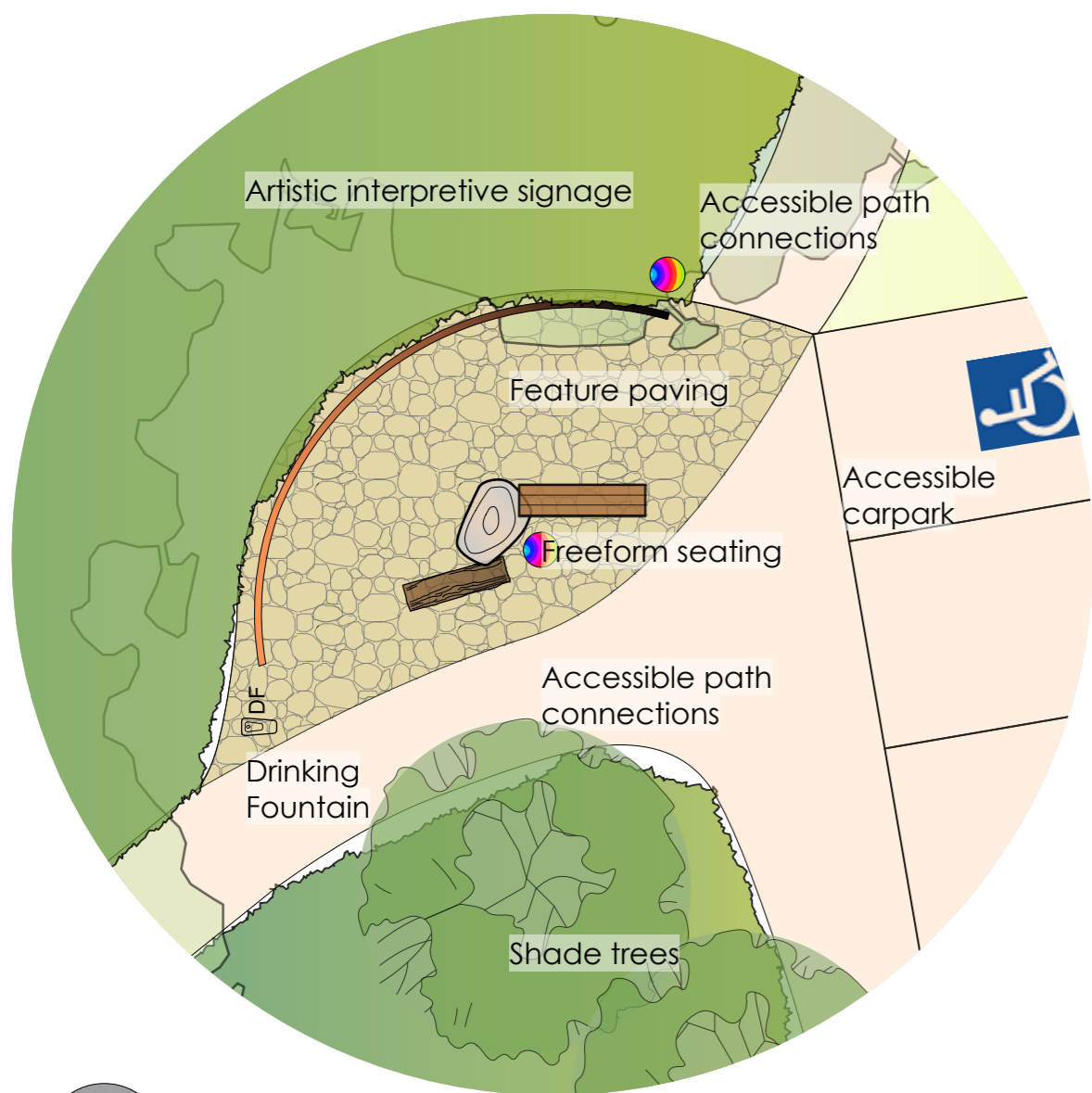
Anzac Park - Concept Layout  
**Haven Common Precinct Plan**  
Henty Highway HAVEN 3401

27.06.22  
PN 176

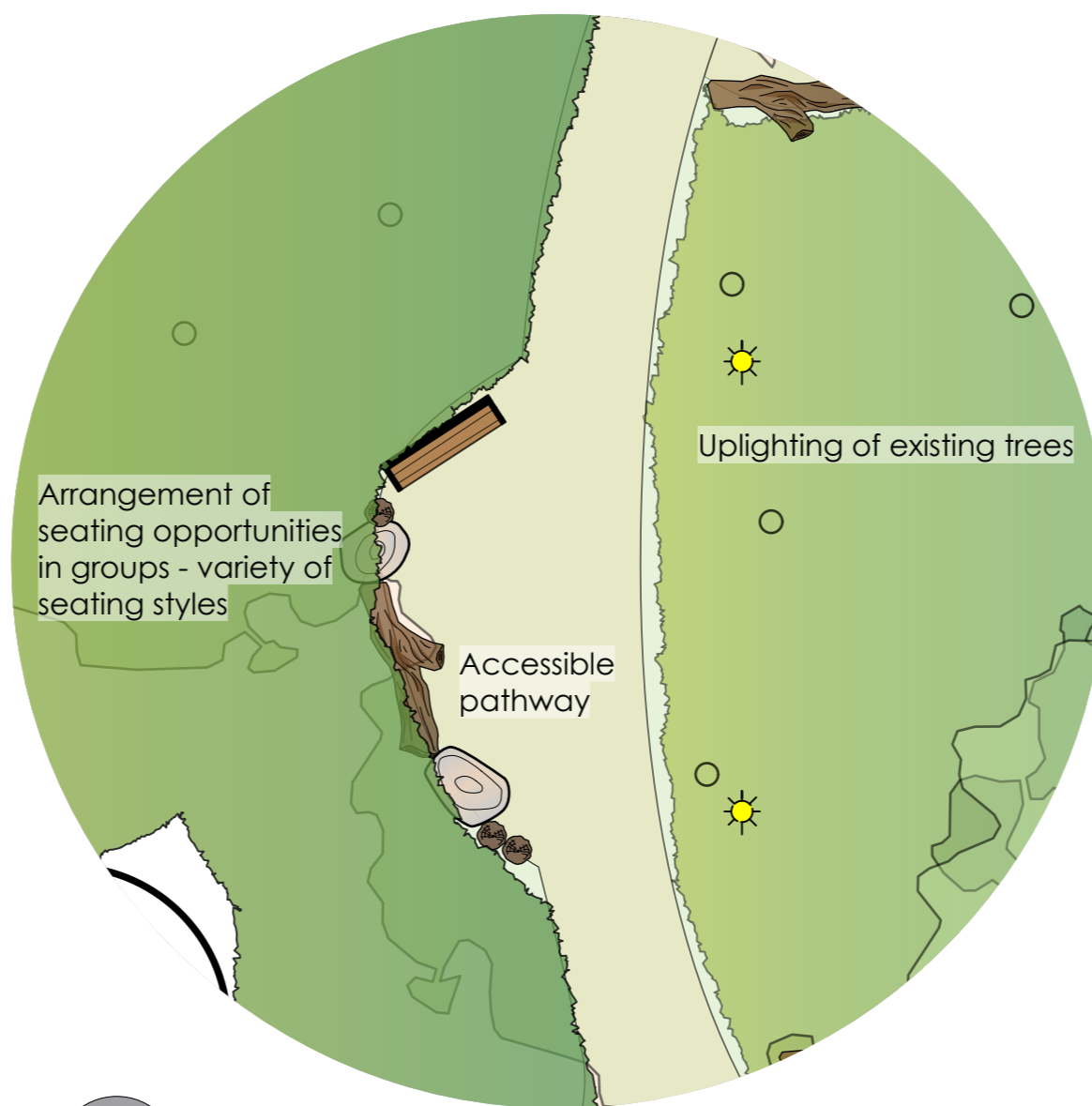
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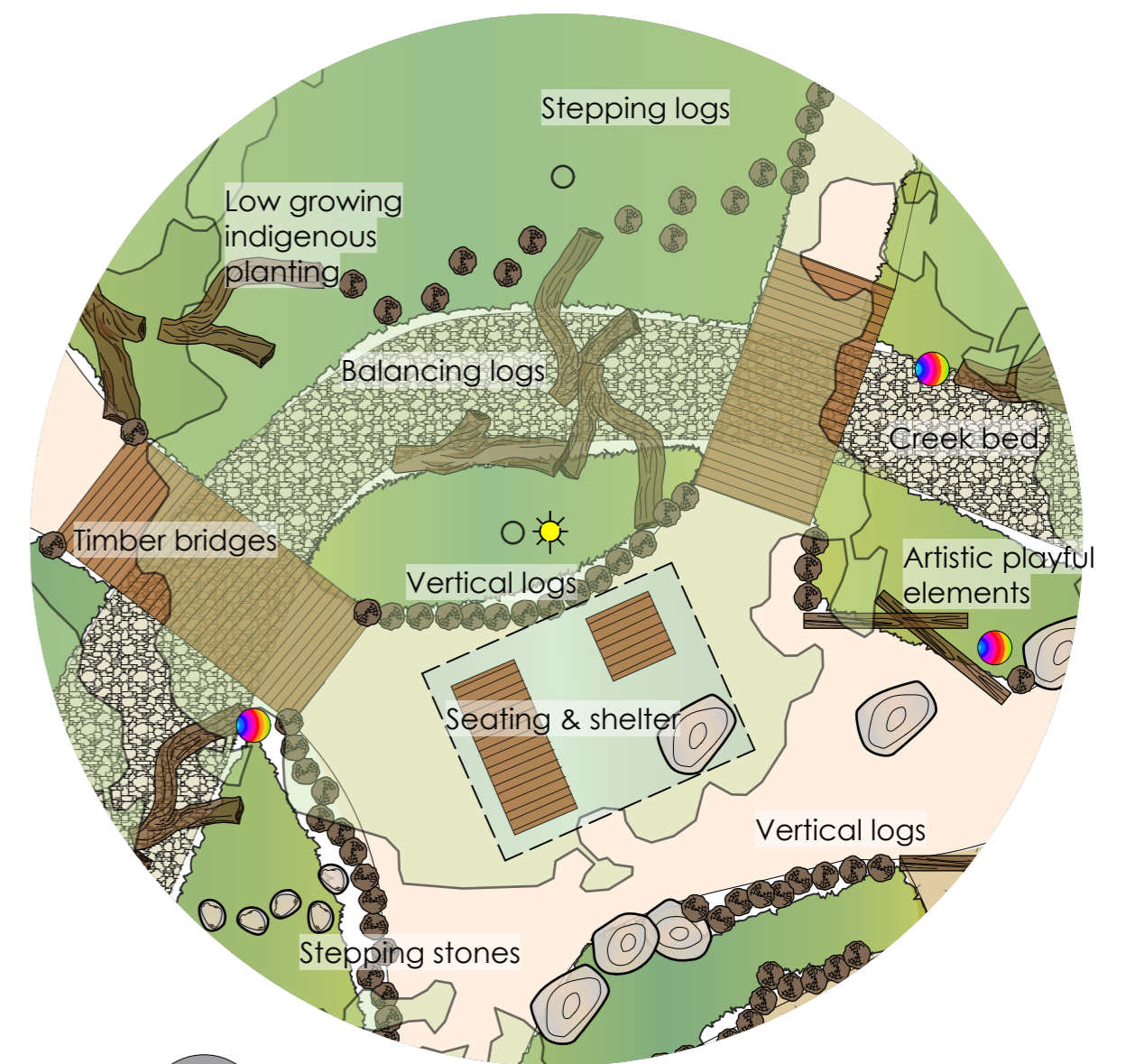
'A SAFE HAVEN FROM LIFES STORMS' - COMMUNITY, COMMERATE, CELEBRATE & PLAY



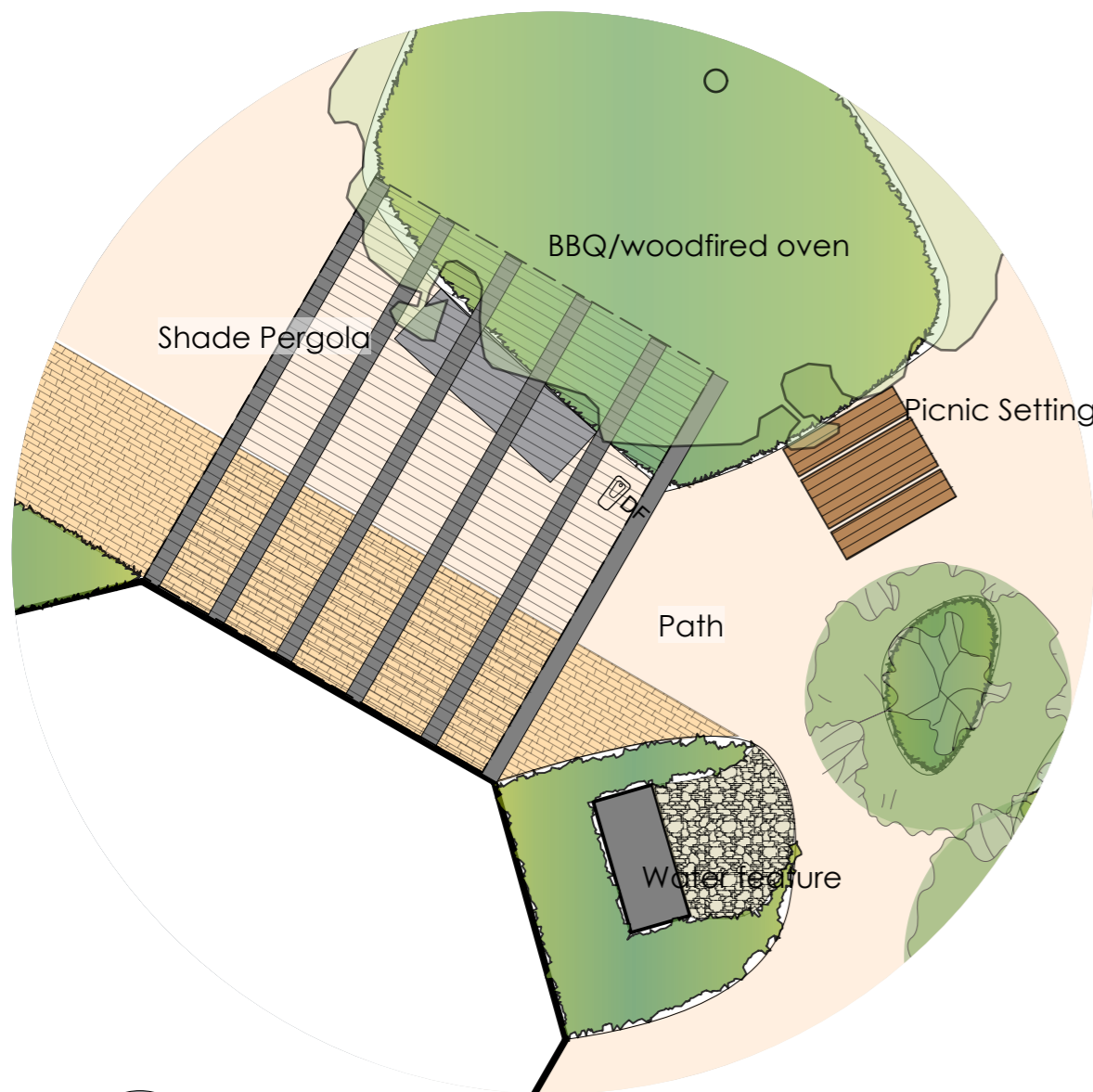
1 Feature Entrance



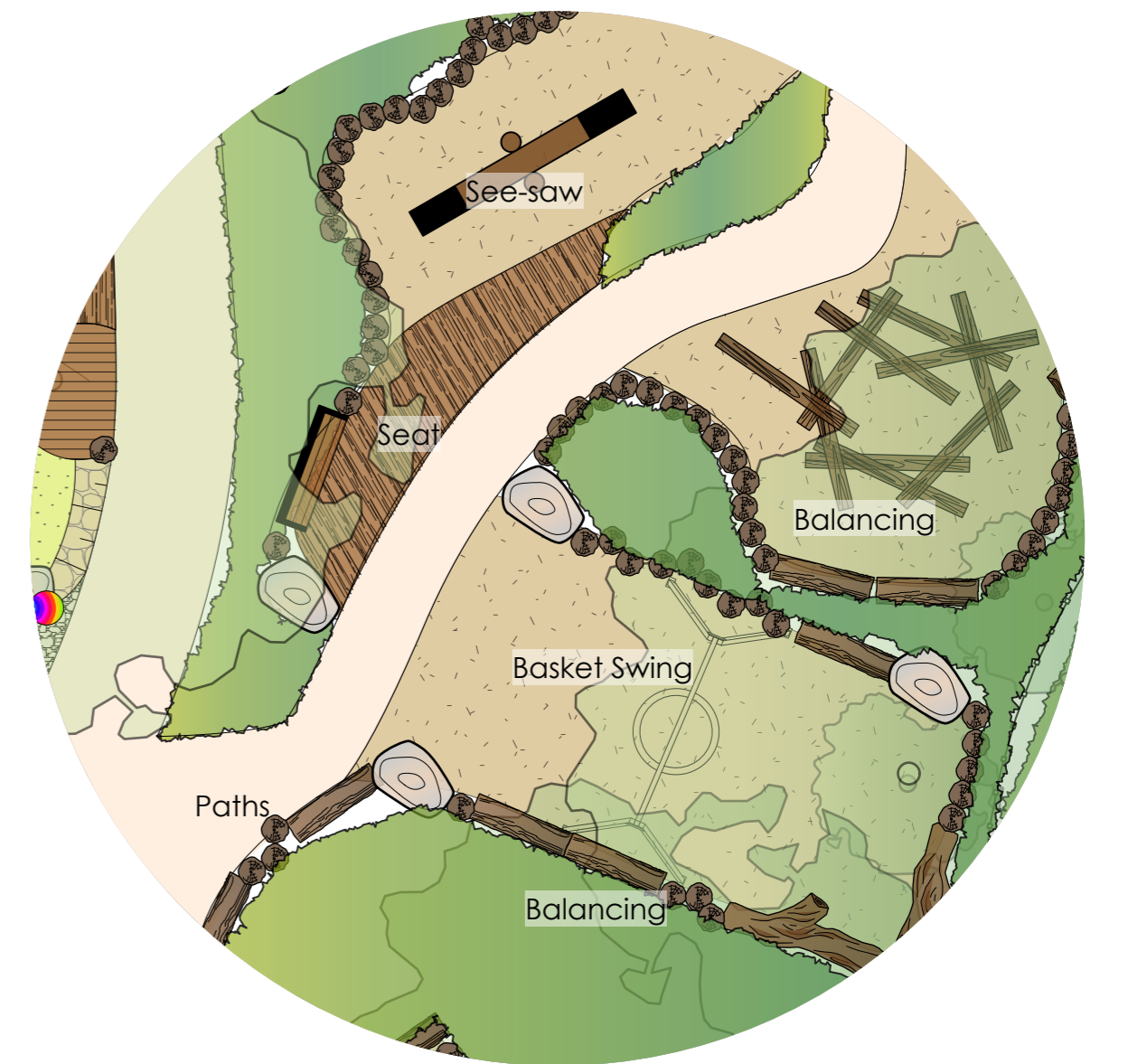
2 Typical seating area



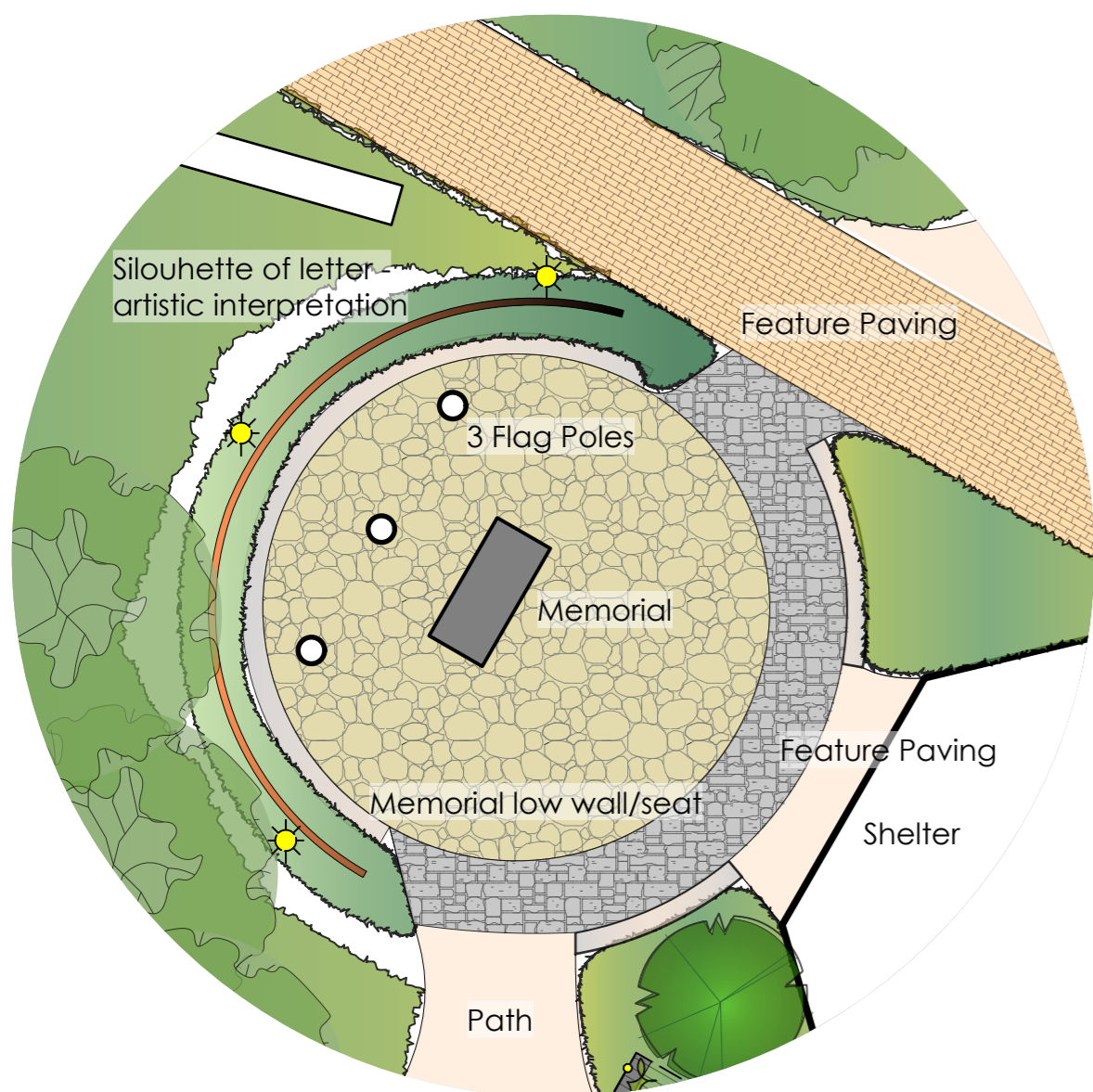
3 Nature Play



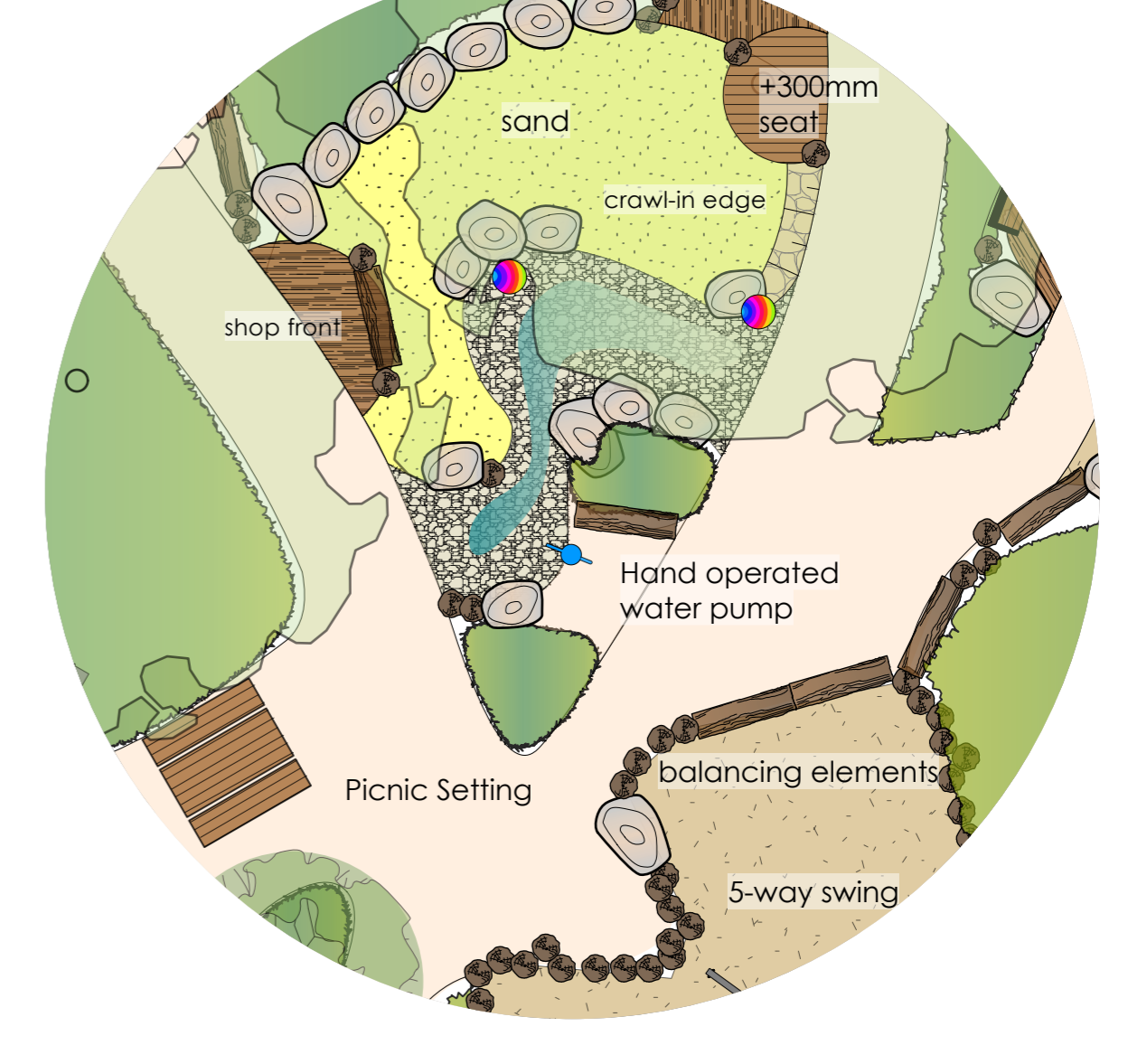
10 Gather & cook



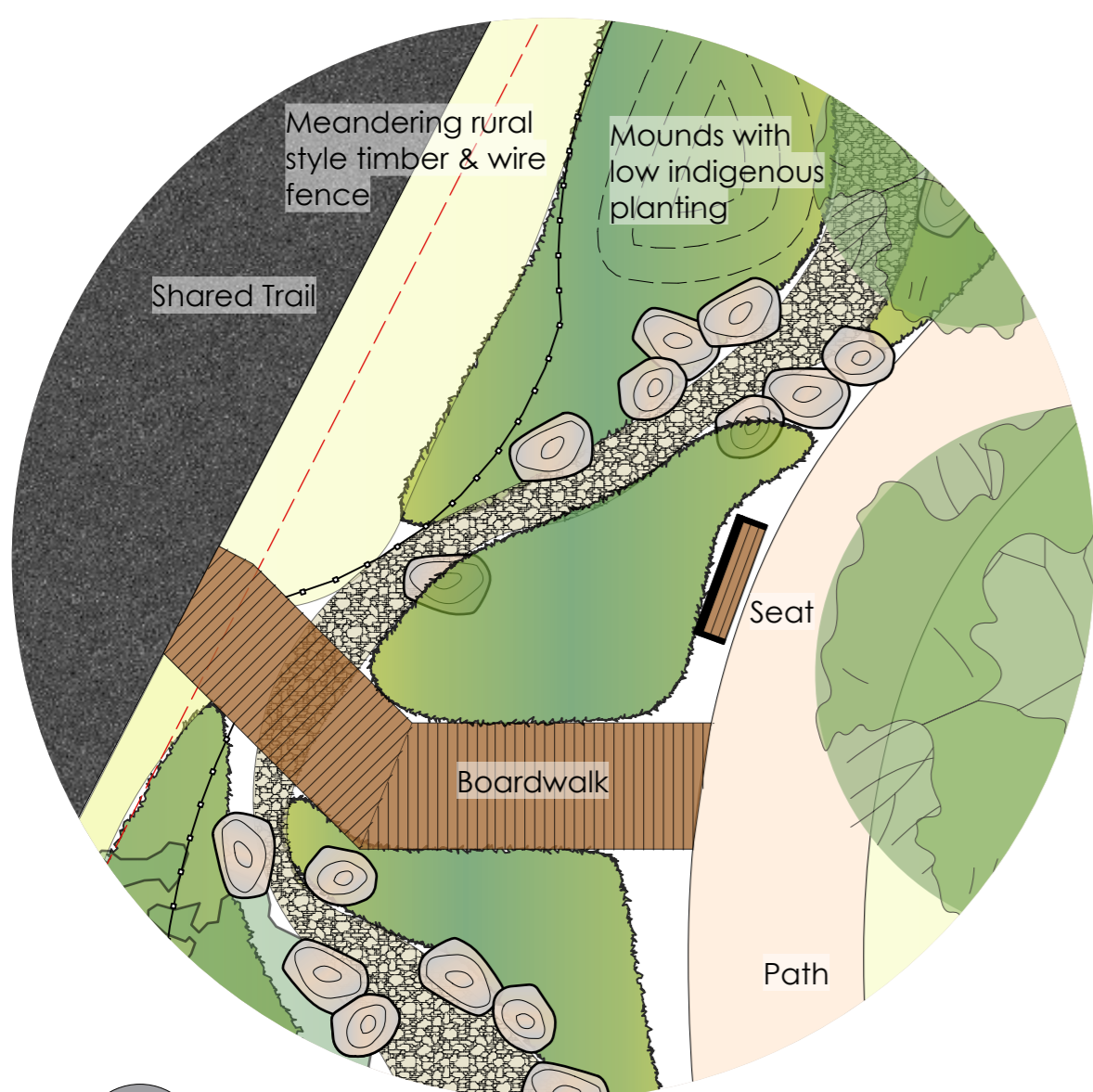
4 Nature Play



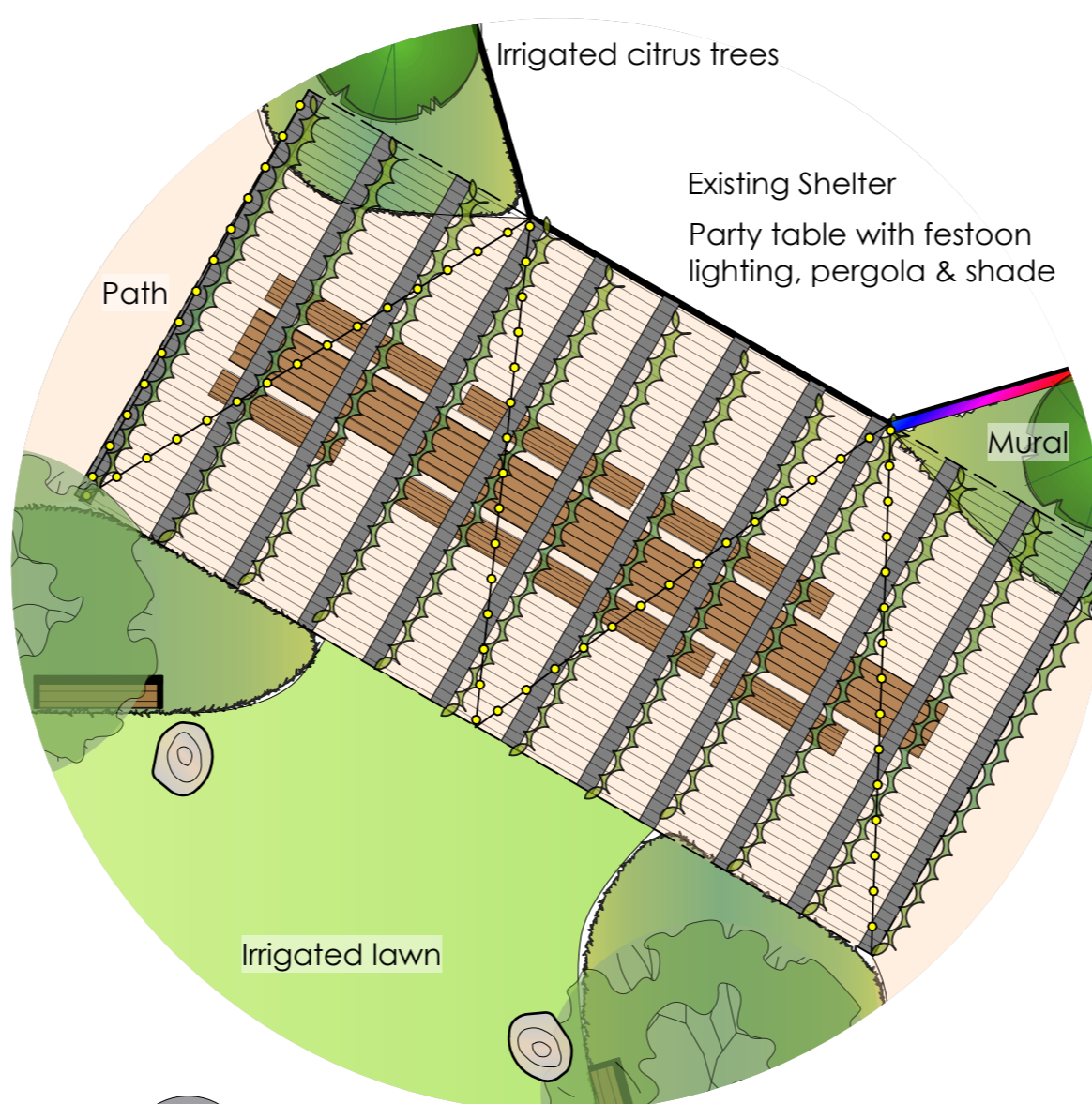
9 Anzac Memorial



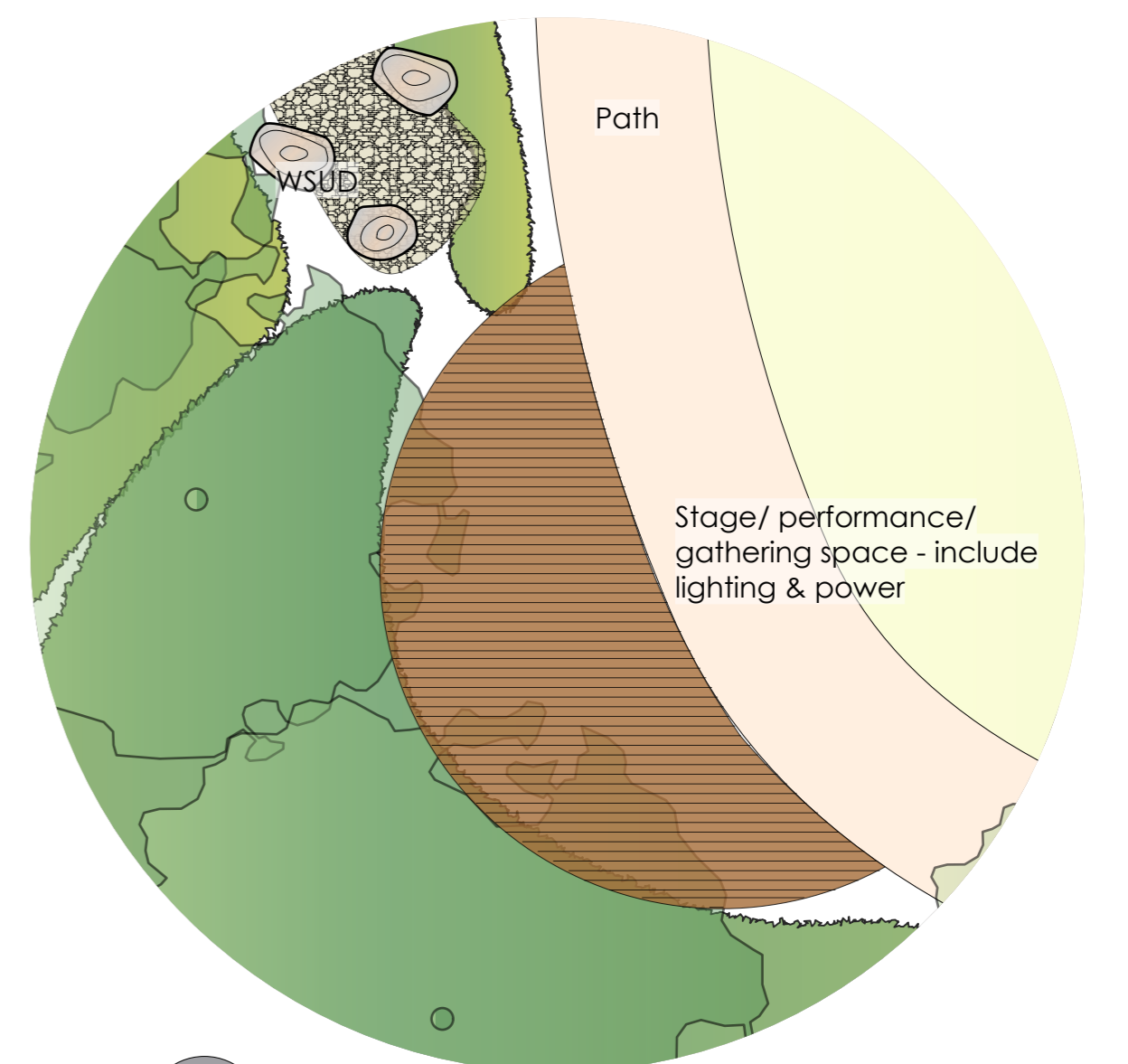
5 Nature Play



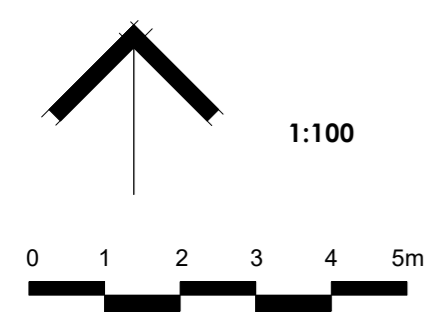
8 WSUD & Boardwalks



7 Gathering



6 Performance & Gather



Anzac Park - Concept Layout - Detail  
**Haven Common Precinct Plan**

Henty Highway HAVEN 3401

27.06.22  
PN 176

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Community Engagement Report

# HAVEN – ANZAC PARK CONCEPT PLAN

NOVEMBER 2022

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## PURPOSE OF ENGAGEMENT REPORT

This report summarises the engagement process undertaken and feedback received in the development of the draft concept plan for upgrades to Haven – Anzac Park.

## BACKGROUND

The Haven Anzac Park project is the first stage of a more comprehensive development plan for the area. Other related projects include:

- Horsham South Structure Plan (in development) and the
- Wimmera Regional Multi-sport precinct feasibility study (in progress).

Initial development of a Haven ‘precinct’ plan was completed in August 2015 and was endorsed by Council 19 September 2016. A review of the precinct plan commenced in April 2021 but cannot proceed until the Wimmera Regional Multi-sport feasibility study has been completed.

## FOCUS AREA



The area is shown (left):

The area is bounded by the Henty Highway (west) and the access road to the hall, school and reserve.

The site is Crown land, with Horsham Rural City Council (HRCC) being the Committee of Management for the site.

The area is approximately 6400m<sup>2</sup> in size with a 400m+ perimeter.

## PUBLIC PARTICIPATION GOAL

The main outcomes of this community consultation are to:

- Obtain feedback on design elements within the landscape plan
- Obtain feedback regarding the draft plan to ensure the functional layout of the plan satisfies both a community vision for the Park and the needs of the local community.

## IAP2 LEVEL

Community – Consult

Community Reference Group – Involve

## OUR PROMISE

To the community - We will keep you informed, listen to and acknowledge concerns and aspirations and provide feedback on how public input influenced the decision.

To the CRG - We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.

## ESTABLISHMENT OF COMMUNITY REFERENCE GROUP

A Community Reference Group (CRG) was formed in April 2021.

The CRG is comprised of the following members: Community representatives (4), and single representatives from: Haven campus, Horsham West Primary School, Horsham Dog Obedience Club, Haven Tennis Club and Haven Community Enterprise Inc. (8 members)

Two HRCC officers from the Recreation and Open Space team attended CRG meetings.

The CRG met regularly from April 2021 until March 2022.

Meetings were held in person at the Haven Hall, the Haven campus of Horsham West Primary School and as required, via Zoom. Meetings were generally of a 1.5 hour duration.

## PROJECT TIMELINE

15 April 2021	Project commenced with the formation of the CRG.
April – November 2021	Project planning with CRG (Includes stakeholder consultation undertaken by HRCC officers)
November 2021	CRG endorsement of draft concept plan
13 December 2021	Report to Council seeking approval to release the draft concept plan for community feedback
14 December 2021 to 11 March 2022	Community engagement
April – May 2022	Feedback grouped and themed
June 2022	Community feedback reviewed by CRG and amendments made
25 July 2022	Amended plan endorsed by CRG
12 September 2022	Amended plan presented to the community via HRCC webpage
November 2022	Plan presented to Council for adoption

## ENGAGEMENT TOOLS

A combination of static and interactive engagement tools were used.

Static: Weekly print media (local newspapers), HRCC webpage, HRCC e-newsletter, HRCC Facebook posts, HRCC Active e-newsletter, Core flute displayed at Haven campus of the Horsham West Primary School and at Haven hall.

Interactive: Attendance at Haven market, Haven tennis, and targeted stakeholder meetings.

Individual stakeholder meetings were held with:

- Wimmera Catchment Management Authority
- Department of Transport
- Representatives from Taylor's Lake Football and Netball Club
- Wimmera HealthCare Group
- Strategic Planning Coordinator - HRCC

- Statutory Planning Coordinator - HRCC
- Parks and Gardens' (Acting) Coordinator - HRCC

## WHAT FEEDBACK WAS RECEIVED?

Seventy-nine (79) submissions were received with an additional 20 submissions from Grade 5 students attending the Haven campus of Horsham West Primary School (Total of 99 responses).

## GENERAL COMMENTS MADE BY RESPONDENTS

Feedback (long-form comments) was transferred to a spreadsheet and was grouped according to themes that emerged in frequency (Example: shade, seating, play elements etc).

## HOW WAS THE FEEDBACK EVALUATED?

Feedback was considered against three forms of criteria, including the:

1. Vision developed by the CRG
2. Victorian Urban Design guidelines
3. Open Space Strategy (HRCC)

## HOW DID THE FEEDBACK INFLUENCE THE FINAL DESIGN?

Feedback that was consistent with the evaluation criteria was included in the amended concept plan.

In many cases, feedback reinforced existing elements of the draft plan and was 'Noted' by the CRG or additional notes were added in the explanatory sections of the draft plan.

Following the evaluation process, the draft plan was amended, endorsed by the CRG and placed on the HRCC website for a four week period. A description of the feedback process and themes identified by the community was also placed on the HRCC website.

No additional feedback was received during the four week display.

## WHAT DESIGN ELEMENTS WERE MOST SUPPORTED?

The design element most preferred in survey responses was:  
Vibrant spaces that support activity for all ages and are well used.

## WHAT DID PEOPLE LIKE MOST ABOUT THE DRAFT PLAN

People confirmed the importance of:

- Creating opportunities for social connection and family gatherings
- Trees, shade, tables and seating that encourage people to gather and linger longer in the area
- Nature-based play that is accessible to people of different ages and abilities
- Connected pathways that can be used by different people – for walking, running and movement throughout the park



- Public art being integrated throughout the area so the park is a welcoming entrance to Haven Reserve

### WHAT PARTS OF THE DRAFT PLAN DID PEOPLE WANT CHANGED?

- Adjustment to the placement of sensory plants to improve access to people requiring mobility assistance
- Provision of additional seating throughout the park
- Increased integration of art work throughout the park

### WHAT ARE THE NEXT STEPS IN THE ENGAGEMENT PROCESS?

The engagement process for this stage of the project is complete.

When detailed construction drawings are developed they will be shared via the HRCC webpage.

### WHAT IS THE ROLE OF THE CRG?

The role of the CRG for this stage of the project will be completed when the concept plan has been presented to Council at a Council Briefing. Three members of the CRG will be invited to attend the Briefing.

The CRG has worked collaboratively throughout the project to understand site constraints, work within the defined scope of the project and identify landscape features that are consistent with a shared vision for improvements to the community.

The commitment of members of the CRG has been greatly appreciated and the model confirms the value of working closely with the community when undertaking complex community asset planning.

END

## Schedule 78: Green Lake (near Horsham)

### Waterway Manager: Horsham Rural City Council

#### 78.1 Interpretation

In this Schedule:

- a) 'Outlet structure' refers to the Grampians Wimmera Mallee Water owned lake outlet, which is a concrete and steel structure located at the northern tip of the Lake approximately 70 metres east of the main boat ramp.
- b) Distances are measured along the full water line from the outlet structure.
- c) 'Current water level' is the water level in the Lake as measured by Grampians Wimmera Mallee Water and published on the Storage Manager website.

#### 78.2. Access lanes for the purposes of Clause 5.

The following waters of Green Lake are access lanes:

- d) approximately 100 metres wide, situated along the north shore, commencing approximately 20 metres east of the outlet structure
- e) approximately 100 metres wide, situated along the northeast shore, commencing approximately 470 metres east of the outlet structure

#### 78.3. Five (5) knot speed restriction for the purposes of Clause 7.

The following waters of Green Lake are subject to a speed restriction of five (5) knots:

- a) the entire lake when the current water level is lower than 133.9 mAHD.

#### 78.4. Areas where vessels with engines are prohibited for the purposes of Clause 10.

The following waters of Green Lake are prohibited to vessels with engines used for propulsion:

- a) areas delineated in this Schedule as special purpose areas (other than 78.5 (b) slalom water-skiing).
- b) the entire lake when the current water level is lower than 133.7 mAHD.

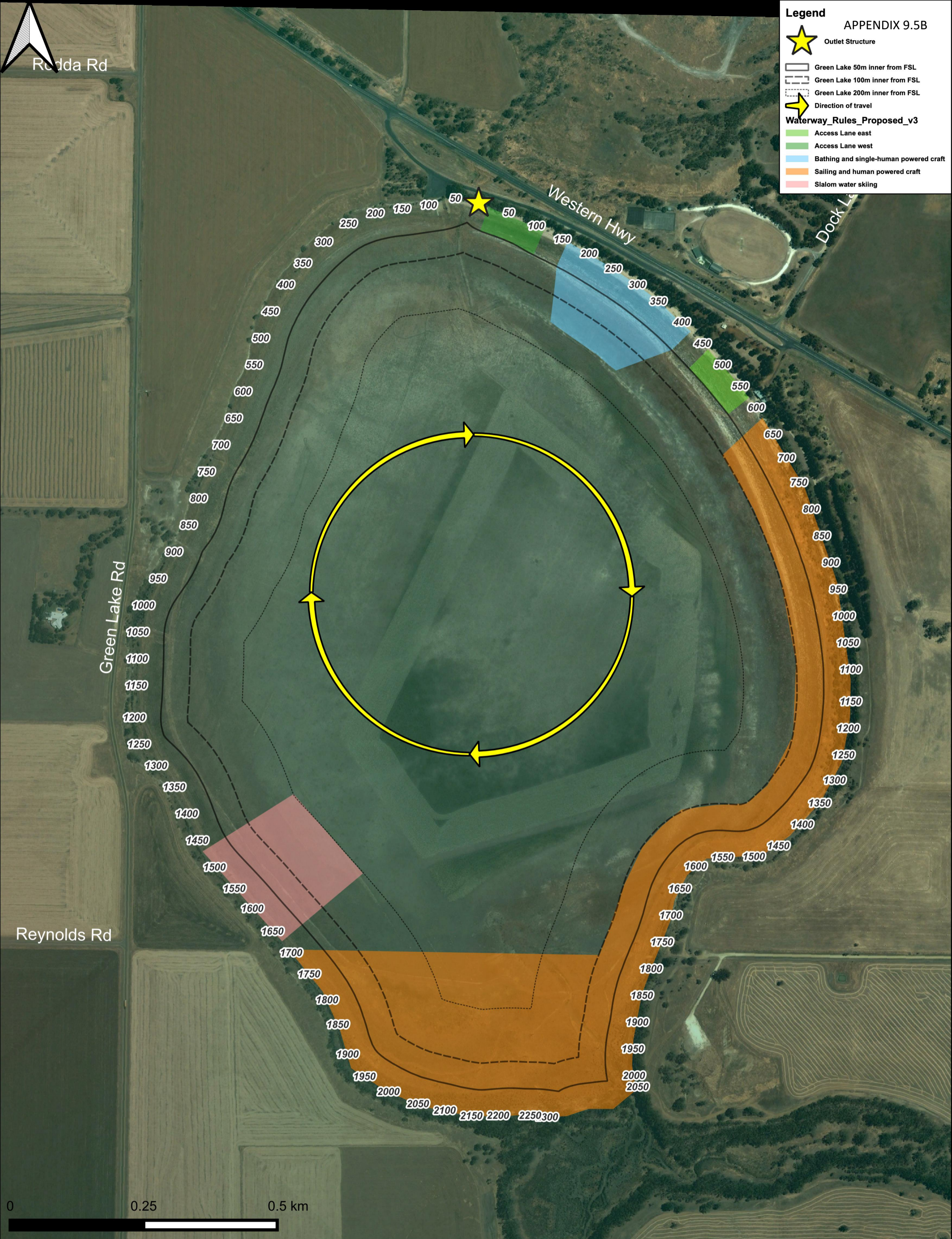
#### 78.5. Exclusive use and special purpose areas for the purposes of Clause 13.

The following waters of Green Lake are special purpose areas for the exclusive use of:

- a) bathers and human powered craft only (stand-up paddle board, canoe, kayak) situated along the northeast shore, from approximately 160 metres east of the outlet structure to approximately 420 metres east of the outlet structure, and extending 150 metres offshore, each boundary being marked on the foreshore by signage and on the water by buoys.
- b) slalom water-skiing only - situated along the southeast shore commencing approximately 1450 metres west of the outlet structure to approximately 1700 metres west of the outlet structure and extending 200 metres offshore, each boundary being marked on the foreshore by signage and on the water by a buoy, are set aside for slalom water-skier racing when red flags are displayed on the buoys.
- c) sailing and manually operated vessels – situated along the south shore, including all waters south of the line of latitude bearing 36°47'50" (in line with Reynolds Road), each boundary being marked on the foreshore by signage and on the water by buoys.
- d) sailing and manually operated vessels – situated along the east shore, from approximately 620 metres east of the outlet structure to approximately 1800 metres east of the outlet structure and extending 100 metres offshore, each boundary being marked on the foreshore by signage and on the water by buoys.

78.6. Direction of travel for the purposes of Clause 14.

All vessels with an engine used for propulsion must proceed in a clockwise direction in relation to the approximate centre of the waterway around the waters of Green Lake.

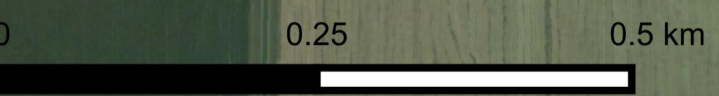


**Legend** APPENDIX 9.5B

- Outlet Structure
- Green Lake 50m inner from FSL
- Green Lake 100m inner from FSL
- Green Lake 200m inner from FSL
- Direction of travel

**Waterway\_Rules\_Proposed\_v3**

- Access Lane east
- Access Lane west
- Bathing and single-human powered craft
- Sailing and human powered craft
- Slalom water skiing



Prepared by: D Wallis  
 Checked by: E Davies  
 Wednesday 10/08/2022, 12:31pm  
 Job number: 1573

# Green Lake Waterway Rules



Projection: MGA94 Zone 54  
 © Imagery remains property of: Data Vic

Disclaimer: This map has been prepared in accordance with the scope of services described in the contract or agreement between RMCG and the Client. Any findings only apply to the aforementioned circumstances and no greater reliance should be assumed or drawn by the Client. Furthermore, the report has been prepared solely for use by the Client and RMCG accepts no responsibility for its use by other parties.

# Green Lake waterway rules review

Engagement Report October  
2022

## 1 Introduction

### OVERVIEW

RMCG has been engaged by Horsham Rural City Council (HRCC) to undertake a review of the waterway rules at Green Lake, Horsham. The aim of this review was to address safety concerns that Maritime Safety Victoria had recorded at prior visits to the lake (2013, 2016); and to consult the user groups of the lake and broader community so that the rules reflect the modern-day use of the lake.

This summary of feedback report identifies all stakeholders of Green Lake that were targeted for engagement and captures any feedback that was received throughout this process.

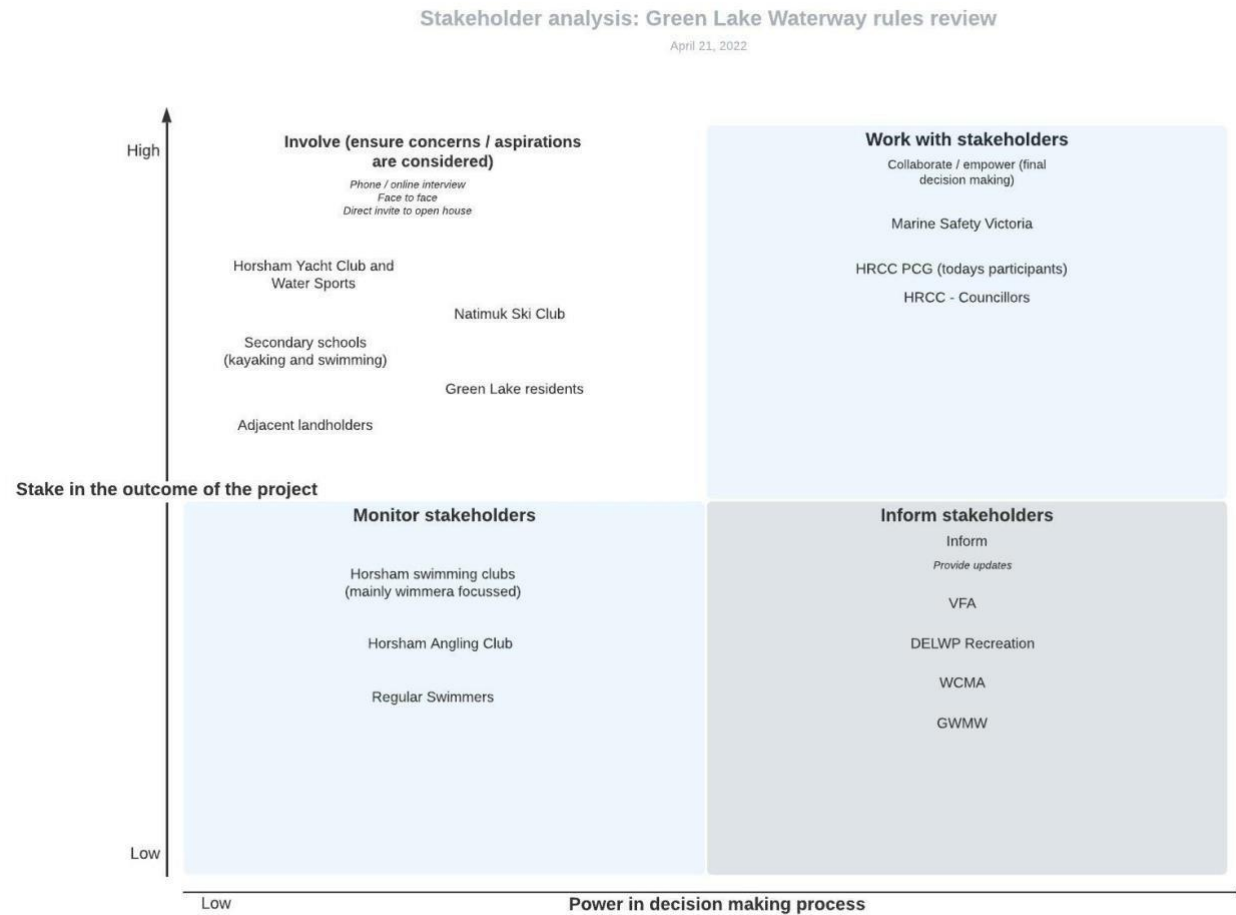
### ACKNOWLEDGMENT OF COUNTRY

We acknowledge the Wotjobaluk, Wergaia (Were-guy-ya), Jupagalk, Jaadwa and Jadawadjali people as the Traditional Owners of the Country on which this project was conducted. We recognise their continuing connection to land, waters and culture and pay our respects to their Elders past, present and emerging.

Moreover, we express gratitude for the knowledge and insight that Traditional Owners and other Aboriginal and Torres Strait Islander people contribute to our shared work

## 2 Consultation

A stakeholder analysis for engagement of the waterway rules review was undertaken in consultation with HRCC staff and is displayed below.



**Figure 2-1: Project stakeholder analysis**

### 3 Direct consultation

The Green Lake user groups and waterway stakeholders that were identified in the stakeholder analysis (above) were directly contacted for feedback. They were asked a series of questions based on their interest in the lake, what they value about the lake and what changes to the rules they would and would not want to see. Table 3-1 below outlines a summary of feedback received.

**Table 3-1. Summary of feedback**

STAKEHOLDER	PURPOSE / LEVEL OF ENGAGEMENT	ENGAGEMENT UNDERTAKEN
Marine Safety Victoria	<p><b>Empower</b></p> <ul style="list-style-type: none"> <li>▪ Provide advice on regulation changes.</li> </ul> <p>Approve final regulations.</p>	<p>Three online meetings have been held to consult MSV on the review.</p> <p>Meeting 1: Discussed the safety concerns, MSV provided two maps for the project; existing uses and proposed changes.</p> <p>Meeting 2: tested proposed changes</p> <ul style="list-style-type: none"> <li>▪ New slalom course on southwest corner of lake</li> <li>▪ New ski access lane next to yacht club</li> <li>▪ Direction of travel to remain</li> <li>▪ Decrease in width of swimming zone but increase in depth (compromise).</li> </ul> <p>Feedback:</p> <ul style="list-style-type: none"> <li>▪ Overall, no concerns</li> <li>▪ Must be a 50m buffer zone between swimming and ski access lane.</li> </ul> <p>Meeting 3: Clarified buffer zone and discussed safe depth levels for motorised vessels.</p>
HRCC Councillors	<p><b>Collaborate</b></p> <ul style="list-style-type: none"> <li>▪ Provide input (views, concerns, advice) on the potential regulation changes.</li> </ul>	<p>Draft rules presented to EMT (6 September) and Council via a Council Briefing (12 September) and Council Meeting (24 September)</p>

STAKEHOLDER	PURPOSE / LEVEL OF ENGAGEMENT	ENGAGEMENT UNDERTAKEN
<b>Key Green Lake user groups</b>		
Horsham Yacht Club and Water Sports (HYCaWS)	<p><b>Involve</b></p> <ul style="list-style-type: none"> <li>▪ Identify concerns and needs, ensuring they are well understood early in the project.</li> </ul> <p>Provide feedback on potential regulation changes.</p>	<p>Justin Brilliant, Ian Ruwoldt and Daryl Scollary attended an online meeting. We discussed safety concerns and proposed changes.</p> <p>(Did not note number of members, will need to follow up)</p> <p>The HYCaWS would like to see:</p> <ul style="list-style-type: none"> <li>▪ The introduction of a ski access lane near the yacht club so boats can park and launch near the yacht club (to use the facilities)</li> <li>▪ A slalom course on the south-west corner of the lake</li> <li>▪ No change in direction (clockwise to remain) ▪</li> </ul> <p>Replace poles with buoys.</p> <p>Very enthusiastic about the process. Would like to see the lake socially rejuvenated to accommodate more people to use the yacht club (when there is water in the lake).</p> <p>On using the lake and club:</p> <p><i>'Over time there has been a decrease in numbers as a result of a changing social demographic. We would like to future proof the Lake. Green Lake is a premium recreational lake for skiing, boating, yachting. Billboard for Horsham tourism. The yacht club has a fantastic building of which we all hope to utilise more.'</i></p> <p>On the need for a ski access lane near the yacht club: <i>'We don't have far northwards before the swimming area starts. If we have 6-10 catamarans and the ski boats want to cook lunch, there's (currently) not enough room. It's a great space to facilitate recreation. There are also depth issues, shallower near the yacht club than the boat ramp.'</i></p>



<p>Natimuk Ski Club</p>	<p><b>Involve</b></p> <ul style="list-style-type: none"> <li>Identify concerns and needs, ensuring they are well understood early in the project.</li> </ul> <p>Provide feedback on potential regulation changes.</p>	<p>Mary and Peter Smith attended an online meeting.</p> <p>Natimuk Ski Club represents 30 members.</p> <p>They were happy overall with the use of the lake and felt there was a general level of understanding and respect between all users.</p> <p>Would like to see a formalised slalom course on the lake.</p>
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STAKEHOLDER	PURPOSE / LEVEL OF ENGAGEMENT	ENGAGEMENT UNDERTAKEN
<p>Green Lake Residents (adjacent landholders)</p>	<p><b>Involve</b></p> <ul style="list-style-type: none"> <li>Identify concerns and needs, ensuring they are well understood early in the project.</li> </ul> <p>Provide feedback on potential regulation changes.</p>	<p>Spoke to Russel directly and Russell and Libby attended the open house (30/06).</p> <p>Very supportive of the process.</p> <p>Spoke to Glenn Mibus over the phone (01/07) and have provided two emails; one with the slide pack of all posters displayed at the open house and the amended map based on the proposed rules (12/07). Glenn thought the ski access lane should be southeast of the yacht club, but I explained that it is not as suitable for boats there than the proposed area.</p>
<p>Secondary Schools (kayaking and swimming)</p>	<p><b>Involve</b></p> <ul style="list-style-type: none"> <li>Identify concerns and needs, ensuring they are well understood early in the project.</li> </ul> <p>Provide feedback on potential regulation changes.</p>	<p>Email sent to all schools on contact list provided by HRCC.</p> <p>Email outlined in Appendix 1. All responses outlined below ( Table 3-2).</p>

Horsham Swimming Club: Peter Walsgott	Peter Walsgott	Initial email to invite for discussion and response provided context of lake. <i>Reply to initial email: 'To the best of my knowledge the swim club has not swum in the lake for many years. Could you provide me with the current and new rules so as we can make an informed decision'.</i> Second email sent to invite to open house. No response.
Horsham Angling Club: Bruce Thomson	Bruce Thomson	No response - two emails sent. Phoned and left voicemail.
STAKEHOLDER	PURPOSE / LEVEL OF ENGAGEMENT	ENGAGEMENT UNDERTAKEN
<p>Key stakeholders:</p> <ul style="list-style-type: none"> <li>▪ Victorian Fisheries Authority (VFA)</li> <li>▪ DELWP (Regional)</li> <li>▪ Wimmera Catchment Management Authority</li> <li>▪ GWM Water</li> <li>▪ DELWP (Water policy – recreation)</li> </ul>	<p><b>Inform</b></p> <ul style="list-style-type: none"> <li>▪ Provide project updates</li> <li>▪ Identify issues and opportunities relating to the regulation changes.</li> </ul>	<p><b>GMW Water.</b> Bernie Dunn. Co-ordinator Water Resources and Recreation Strategy.</p> <p>Spoke to via phone. Supportive of process and has no concerns with proposed changes. Provided the project with:</p> <ul style="list-style-type: none"> <li>▪ Storage management rules</li> <li>▪ Socio-economic value of water in the Wimmera region.</li> </ul> <p><b>Fisheries Victoria:</b> spoke to Murray Burns, Regional Manager. No concerns with rule changes but thought it would be more practical to have direction of travel consistent with the rest of the state.</p> <p><b>Wimmera CMA:</b> email sent to David Brennan and Tony Baker on 27/06 to explain project and invite to open house.</p>

**Table 3-2. Schools that were engaged and feedback received.**

NAME	EMAIL	CONTACT	POSITION TITLE	RESPONSES TO DATE
Horsham Primary School - 298 Campus	<a href="mailto:Walter.christopher.l@edumail.vic.gov.au">Walter.christopher.l@edumail.vic.gov.au</a>	Mr Chris Walter	Principal	Nil
Horsham Primary School - 298 Campus	<a href="mailto:horsham.ps@edumail.vic.gov.au">horsham.ps@edumail.vic.gov.au</a>		Administration	Nil
Holy Trinity Lutheran School	<a href="mailto:htls.hsm@bigpond.com">htls.hsm@bigpond.com</a>	Mr Daniel Weller	Principal	Nil
Horsham Primary School - Rasmussen Road Campus	<a href="mailto:horsham.north.ps@edumail.vic.gov.au">horsham.north.ps@edumail.vic.gov.au</a>		Campus Manager	Nil
Horsham West Primary School	<a href="mailto:horsham.west.ps@edumail.vic.gov.au">horsham.west.ps@edumail.vic.gov.au</a>	Mr Andrew Parry	Principal	Nil
Haven Campus - Horsham West Primary School	<a href="mailto:amos.craig.e@edumail.vic.gov.au">amos.craig.e@edumail.vic.gov.au</a>	Mr Craig Amos	Campus Manager	Nil
Laharum Primary School	<a href="mailto:laharum.ps@edumail.vic.gov.au">laharum.ps@edumail.vic.gov.au</a>			Nil
Natimuk Primary School	<a href="mailto:natimuk.ps@edumail.vic.gov.au">natimuk.ps@edumail.vic.gov.au</a>	Ms Ingrid Clarkson	Principal	Nil
St Michael's & St John's Primary School	<a href="mailto:principal@smjhorsham.catholic.edu.au">principal@smjhorsham.catholic.edu.au</a>			Nil

Horsham Secondary College	<a href="mailto:horsham.co@edumail.vic.gov.au">horsham.co@edumail.vic.gov.au</a>	Mr Rob Pyers	Principal	Nil
St Brigid's Secondary College	<a href="mailto:principal@stbc.vic.edu.au">principal@stbc.vic.edu.au</a>	<del>Mr Peter Gutteridge</del>	Principal	St Brigids college: (24/06) Hello Emily and thank you for your email. St Brigid's College are supportive of the proposed changes, and we would like that noted. Please also note that Peter Gutteridge is no longer the principal of the College and is no longer employed at St Brigid's. I am the new Principal at St B's and I look forward to continuing the relationship with you. Kind regards, Gerard. <a href="mailto:principal@stbc.vic.edu.au">principal@stbc.vic.edu.au</a>
Horsham Special School	<a href="mailto:horsham.ss@edumail.vic.gov.au">horsham.ss@edumail.vic.gov.au</a>		Principal	Nil
Longerenong College	<a href="mailto:info@longy.com.au">info@longy.com.au</a>	Mr John Goldsmith	General Manager	Nil
Federation University Campus	<a href="mailto:head.westerncampus@federation.edu.au">head.westerncampus@federation.edu.au</a>			(27/06/22) I just wanted to advise you that <b>we do not hold any recreational activities at Green Lake</b> however I will be happy to pass this information on the Federation University Teaching & Administration teams if you feel it's appropriate for public feedback. Let me know and I'll pass on your email/information if necessary.  Kind regards, Christine Brown. Director, Wimmera Campus. Federation TAFE

## 4 Open House drop-in session

**Green Lake waterway rules review Open House  
Horsham Council Civic Centre Reception Room 30  
June 2022.**

To seek community feedback on the Green Lake water way rules review, an Open House 'Drop-in session' was held at the Horsham Council Civic Centre Reception Room. The aim of the open house was to provide the opportunity for the broader community to attend and provide feedback on the waterway rules review at Green Lake. Two sessions were held 12.30pm-2pm and 4.00pm-6.30pm.

The open house presented information in a poster format (see Appendix 2). The proposed rule changes presented for feedback were:

- ✦ a small reduction of the width of the swimming zone to provide a new space (access lane) for ski boats to park near the yacht club house and to take-off from the beach
- ✦ an extension of the swimming zone (further into the water) and the inclusion of 'human powered' vessels in the same zone i.e., stand-up paddle boards, canoes
- ✦ a 50m buffer zone between the swimming and ski access lane for safety purposes ✦ a recognised ski slalom course at the south-east corner of the lake.

A total of seven participants attended the open house events. The general feedback was in support of the rule changes and of providing the opportunity to attend the open house. The following comments were received:

### 4.1.1 DIRECTION OF TRAVEL

***Do you think this needs to be changed or should it stay the same?***

- Summer sun sets in the west, so anti clockwise look into the sun
- Direction of travel is fine, no issue, keep clockwise, ensure there ✦ clear signage - Lots of poles (bouys)
- Not really an issue for sailing craft.
- Beach area (of the swimming zone) could be reduced as most
- Swimming area could be reduced as it not as popular now.

### 4.1.2 CHANGES IN THE SWIMMING ZONE

***Comments on new proposed changes***

- Ensure swimming area is clearly marked: is
- Make the zone a uniform shape i.e. semi-circle or rectangle.
- swimmers are boaters as well

#### 4.1.3 CHANGES TO THE YACHTING AREA PROPOSED

##### *What do you value about the yachting area?*

- Good access to clubhouse/storage area, well situated to wind position.

##### *How do you use this area?*

- Launch retrieval of yachts. Sometimes we have staging of weekly competitions.
- If the yacht club have a function, we might have yachts and kayaks.

#### 4.1.4 SLALOM COURSE

✦ Known as the 'Matushka' end of the lake ✦  
It's a good location because it is well-sheltered here.

#### 4.1.5 WATER-SKI BOAT ACCESS LANE PROPOSED

##### *What do you value about the lake for ski and boating?*

- Skiing – well protected from wind, not choppy
- Close to Horsham

##### *How do you use the current boating access lanes (east of the boat ramp)?*

- Ski departure and arrival
- Family picnics on the beach
- In mornings, lake is often used to teach children how to ski.

#### 4.1.6 ANY ADDITIONAL COMMENTS?

- ✦ For MSV: Do water sports club need a permit for one-off events? (Competitions etc.) i.e. Large ski boat display
- ✦ For HRCC: Access improved at rubbish tip road
- ✦ Diggers Creek and Mibus Creek need a walking track
- ✦ Boat ramp needs rebuilding
- ✦ For HRCC: New ski zone, might require more parking near club

# Public Engagement

A 4 week public engagement period was held. One submission was received. Details below:

Submission	Summary of feedback	Review	Outcome
1.	<p>Email received highlighting safety concerns regarding the access lanes, requesting consideration for 'in' and 'out' zones within the access lanes.</p> <p>Consideration needs to be given to clear and appropriate signage on and around the Lake to ensure understanding of and compliance with the updated rules.</p>	<p>A further meeting was held with the member of the public to better understand the feedback being provided and ensure appropriate considerations were given in relation to the waterway rules</p>	<p>Duncan (RMCG) explained that section 6 of the State Waterway Rules provide detail regarding Use of Access Lanes:</p> <p>must ensure that the vessel is operated in a manner so as to keep:</p> <p>(i) as far to the right as practicable when entering or leaving the access lane; or</p> <p>(ii) as far to the left as possible when entering or leaving the access lane where a Schedule prescribes that vessels must be operated in a clockwise direction in relation to the approximate centre of the waterway;</p> <p>The signage on and around Green Lake, once the rules are gazetted by MSV, will clearly define the different zones.</p>

# Appendix 1: Email to stakeholders

**Email sent 24/06 to schools, Longernong College and Federation University, Angling club, swimming club**

To whom it may concern,

I am writing to notify your (school/university/club) that there is a review underway for the waterway rules of Green Lake, Horsham. Consulting firm RMCG has been engaged by Horsham Rural City Council to undertake this review. You have been identified as a representative for the (school/university/club) and I understand your (school/university/club) may use the lake on occasions for recreational purposes. \*\*If you could please forward this on to your relevant teachers it would be much appreciated.

The aim of Green Lake waterway rule review is to address on-water safety concerns and issues that Maritime Safety Victoria have in regard to the lake, and to ensure the rules reflect the modern-day use and values of the lake. We would be interested in hearing from your (school/University/club) about how the students use the lake, issues or tensions you may have with the current rules and any opportunities you may see for the rule review (i.e. the types of changes you may like to see made to the existing rules to better support how your school uses the lake).

This **Thursday 30 June**, we are holding a drop-in session where you are invited to come along at any time between **12.30pm-2pm** and **4.00pm-6.30pm** at the Reception Room at The Civic Centre, 18 Roberts Avenue Horsham.

In addition, based on some of the user groups that we have spoken to (to date), we are seeking feedback on the following proposed changes:

- A small reduction of the width of the swimming zone to provide a new space (access lane) for ski boats to park near the yacht club house and to take-off from the beach
- An extension of the swimming zone (deeper into the water) and the inclusion of 'human powered' vessels in the same zone i.e., stand-up paddle boards, canoes
- A 50m buffer zone between the swimming and ski access lane for safety purposes
- A recognised ski slalom course at the south-east corner of the lake.

If you are unable to attend Thursdays open house and would like to provide feedback, please respond to this email and I will follow up with you.

Kind regards and thank you,



## Appendix 2: Public Engagement Website



**Horsham Rural City**  
Council urban rural balance

Home (<https://www.hrcc.vic.gov.au/Home>) / Have Your Say  
(<https://www.hrcc.vic.gov.au/Have-Your-Say>) / Green Lake Water Way  
Rules Review



### Green Lake Water Way Rules Review

Green Lake is highly valued by a range of recreational users for sailing, swimming, rowing, waterskiing, jet skiing, canoeing, shing and (seasonal) duck hunting. The lake hosts the Horsham Yacht Club and Water

Sports and the Natimuk Water

Ski Club. It is also important for its cultural heritage and environmental values.

To improve safety outcomes of on-water activities at Green Lake we have reviewed and are updating the Waterway Rules. Key user groups of Green Lake as well as the broader public have been engaged to inform the draft updated Waterway Rules. We are now inviting the public to review the draft updated Waterway Rules for Green Lake prior to a final submission to Maritime Safety Victoria for endorsement.

The draft updated Waterway Rules reflect current use of the lake and are based on contemporary expectations regarding safety outcomes for onwater activities. Key changes to the rules include:



- An Access Lane introduced near the Horsham Yacht Club to improve
  - access and activation of this area and facility
  - A deepened non-powered vessel zone (bathing) to enhance swimming and active recreation opportunities
- Clearer terminology and geographical references
- Provision for slalom skiing in the Southeast area of the lake

The direction of travel on the lake is remaining the same (clockwise) Please download the draft rules: [Green Lake Waterway Rules](#) <sup>(PDF, 40KB)</sup> ([// les/assets/public/document-resources/our-council/have-yoursay/rosp/proposed-green-lake-waterway-rules\\_september-2022.pdf](https://les/assets/public/document-resources/our-council/have-yoursay/rosp/proposed-green-lake-waterway-rules_september-2022.pdf)) and the [Green Lake Water Way Rules Map](#) <sup>(PDF, 2MB)</sup> ([// les/assets/public/document-resources/our-council/have-yoursay/rosp/map-of-updated-green-lake-proposed-new-rules.pdf](https://les/assets/public/document-resources/our-council/have-yoursay/rosp/map-of-updated-green-lake-proposed-new-rules.pdf)) (or view the map online [Green Lake Map](#) <sup>(JPEG, 2MB)</sup> ([// les/assets/public/imageresources/our-council/have-your-say/open-space/map-of-updated-greenlake-proposed-new-rules.jpeg](https://les/assets/public/imageresources/our-council/have-your-say/open-space/map-of-updated-greenlake-proposed-new-rules.jpeg)))

Submissions close 26 October at 5pm.

Feedback can be provided directly to Dale Schmid via [Council@hrcc.vic.gov.au](mailto:Council@hrcc.vic.gov.au) or 0428 407 184.



## 1. PURPOSE

This policy has been developed to provide a framework for consideration of applications for permits under Council's Community Local Law 2021 to operate mobile food and beverage trading vehicles (MFBTVs), and for the management of MFBTVs in the municipality.

## 2. INTRODUCTION

Council's primary support is for traders in retail premises. As a consequence, MFBTVs are broadly only seen as appropriate where normal retail facilities are either not in close proximity or at a time when other food and beverage premises are closed.

## 3. SCOPE

This policy applies to the operation of MFBTVs on roads under Council control and land managed by Council, including public open space areas. It does not apply to MFBTVs associated with an event.

## 4. PRINCIPLES

### 4.1 Trading Activities

#### ***Community Local Laws Part 3 - 2021***

Clause 48 of Council's Community Local Law Part 3 states:

#### ***Council Controlled or Managed Places***

48. Without an approval or other authority under an Act or permit a person must not on a road, road related area or Council land—

f. sell or offer for sale or hire any goods or services carried about or placed on the person or any other moveable thing;

### 4.2 Council Standards

#### 4.2.1 Safety and Accessibility

The safety of all members of the community including pedestrians, motorists, cyclists and other footpath or road users must be protected at all times on or nearby the MFBTV site.

#### 4.2.2 Community Amenity

To ensure the amenity of the area surrounding a MFBTV site is protected and enhanced, the standards outlined in the Mobile Food and Beverage Trading Procedure document must be met.

Compliance with Environment Protection Authority requirements, particularly with respect to noise must also be met.

#### 4.2.3 Hygiene and Cleanliness

The hygiene and cleanliness of a MFBTV site must be maintained and the standards outlined in the Mobile Food and Beverage Trading Procedure document must be met.

The preparation, handling and serving of food and drinks to patrons must be conducted in accordance with the requirements of the *Food Act 1984* and Council's Environmental Health Officer.

- Without limiting the requirements of the *Food Act 1984*, the following standards must be met:
  - (i) The MFBTV must be registered with the local Council where the primary place of storage of the vehicle is located. A copy of a current Food Act Registration Certificate from the relevant Council must be submitted with each application for a permit.
  - (ii) The MFBTV must comply with the National Food Safety Standards, including Standard 3.2.2 Food Safety Practices and Standard 3.2.3 Food Premises & Equipment.

#### 4.2.4 Trader Restrictions

Council's priority is to support food and beverage traders currently operating or wishing to operate from commercial premises within the municipality. To ensure a MFBTV does not compromise the operation of existing or future food and beverage businesses within commercial premises in the area:

- The operational hours of a MFBTV may be limited to those outside existing business hours for surrounding food and beverage premises.
- The location of a MFBTV may be restricted so as to not impact on existing food and beverage premises.

MFBTV trading permits will be reviewed annually with no guarantees that a permit will be granted for the following year. Renewal of a permit will be based on matters such as cleanliness, conduct, past performance and customer service.

#### 4.2.5 Appropriate Locations

In considering the options available for potential MFBTV sites, it is important to acknowledge that **any commercial use of public space is a privilege, not a right.**

The location of a MFBTV must always comply with Council standards in relation to safety and accessibility, community amenity and hygiene and cleanliness.

To ensure appropriate locations are determined, the criteria outlined in the Mobile Food and Beverage Trading Procedure document should be met.

### 4.3 Operator's Responsibilities

#### 4.3.1 Daily Management

To ensure appropriate management, permit holders are required to:

- Operate in accordance with the permit, endorsed plans and the standards and objectives as outlined within these guidelines
- Monitor the surrounding area i.e. observe patrons at all times to promote orderly patron behaviour.
- Uphold the cleanliness of the area surrounding the MFBTV
- Maintain access for all users in and around the footpath at all times
- Provide rubbish bins for patron use
- Remove all rubbish from site once trading has ceased

- Recycle waste material removed from the site.

### 4.3.2 Insurance Requirements

The permit holder **must** ensure they are adequately covered by public liability insurance. To meet Council requirements, the policy must note the Council's interest and be for the amount not less than \$20,000,000 in respect of any single occurrence.

### 4.3.3 Indemnity Requirements

The permit holder **must** complete a "Form of Indemnity" to indemnify the Council against all claims of any kind arising from any negligent act either by the permit holder or the permit holder's agents and users.

### 4.3.4 Display of Permit Registration

Permit holders must display a current permit registration clearly and legibly on the MFBTV. Failing to display the current permit registration is a breach of the permit conditions.

## 4.4 Council Responsibilities

### 4.4.1 Trading on Public Space

The Council will continue to manage the use of all public land at all times and reserves the right to reclaim access to and remove all MFBTV trading at any time for any purposes deemed suitable by the Council.

### 4.4.2 Compensation and Loss of Trade

Where service authorities and others are required to carry out works within the road reserve which require removal and/or alteration to the MFBTV trading arrangements, **no compensation** is payable for any loss of trade experienced due to these works.

Any inconvenience or loss of trade, which may result from activities or works, carried out by the Council or its contractors, at or adjacent to a permit holder's MFBTV trading area will not be considered for payment of compensation.

### 4.4.3 Monitor Compliance with Approved Permit

The Council's officers will monitor the operation of MFBTV trading permits and ensure and these Guidelines are consistently being met.

## 5. COMMUNICATION

This policy will be promoted on the Horsham Rural City Council website and intranet.

## 6. RESPONSIBILITY

**Policy Owner:** Coordinator Investment and Business Development

# Mobile Food and Beverage Trading Vehicle Policy



## 7. DEFINITIONS

Term	Meaning
<b>Mobile Food and Beverage Trading Vehicle (MFBTV)</b>	Any vehicle, caravan, trailer or any other method of transport from which food and/or beverages are sold.
<b>Sell</b>	Offer or attempt to sell; or receive for sale; or display for sale; or have in possession for sale.

## 8. SUPPORTING DOCUMENTS

Document	Location
Community Local Law Part 3 – 2021, Clause 48	HRCC website/Intranet
Mobile Food and Beverage Trading Procedure	Intranet

## 9. DOCUMENT CONTROL

Version Number	Approval Date	Approval By	Amendment	Review Date
01	19 August 2013	Council via Planning Committee	New policy	
02	30 October 2017		Reviewed – no changes required	30 October 2021
03	22 November 2021	Council	Reviewed and amended	30 June 2022
04	TBD	Council	Reviewed and amended	28 November 2025

## 1. PURPOSE

This policy applies to requests made by applicants (landowners or their representatives) for Council to initiate Planning Scheme Amendments which do not form part of or are designed to implement:

- Council's strategic planning program (detailed in the *Council Plan* and *Annual Action Plan*);
- Council's planning scheme review program; or
- A Council-adopted major strategic land use and development project.

For the purposes of this policy, these types of Planning Scheme Amendments are referred to as 'privately initiated amendment requests'.

The purpose of this policy is:

- To ensure a transparent and consistent approach to the consideration and management of privately initiated amendment requests.
- To ensure that applicants of privately initiated amendment requests are clear about expectations regarding process and costs.
- To ensure that Council maintains the ability to commit its strategic planning resources to those Planning Scheme Amendments that respond to identified community priorities and deliver the widest community benefits.
- To ensure that privately initiated amendment requests:
  - Are properly considered and prepared;
  - Demonstrate genuine strategic merit;
  - Demonstrate the delivery of genuine net community benefit; and
  - Are fully applicant funded (statutory fees in accordance with the current Schedule of the *Planning and Environment (Fees) Regulations 2016* and reimbursement of costs incurred by Council).

## 2. INTRODUCTION

The *Planning & Environment Act 1987 (the Act)* establishes the Planning Scheme Amendment process that guides and controls land use and development.

A Planning Scheme Amendment is the process by which the laws pertaining to and regulating land use and development (that is, the Horsham Planning Scheme) is changed.

Council maintains a *Council Plan* that details Council's strategies, initiatives and priorities over a four year period. The *Council Annual Action Plan* sets out the key activities and projects that will implement the initiatives and priorities outlined in the *Council Plan*. For Council's Strategic Planning Team, the *Annual Action Plan* includes a pool of projects relating to policy development, strategic initiatives, Planning Scheme Amendments, structure plans and land use strategies.

Following the Annual Budget Cycle, Council develops a *Strategic Planning Work Program* that draws priority projects from the *Annual Action Plan* and commits funding for the coming financial year. Priority is given to strategic projects with the widest community benefit. This process establishes the activities, projects and initiatives that Council will pursue in the coming year.

Privately initiated amendment requests typically sit outside of Council's *Strategic Planning Work Program* and responding to them creates an ad hoc and unplanned load on Council's resources. Privately initiated amendment requests often provide benefit to only a small proportion of the community because they do not form part of (and must be considered and assessed outside of) a Council-adopted major strategic project. Of course, some privately initiated amendment requests compliment and can be captured in projects already on Council's *Strategic Planning Work Program*.

In recognition of the administrative and financial burden that privately initiated amendment requests can place on Council's resources, this policy has been developed and adopted to better manage the private Planning Scheme Amendment process to ensure the most efficient and effective use of Council's resources in the interests of the municipal community as a whole.

Planning Scheme Amendment requests can be divided into two categories:

1. Council initiated - either a municipal-wide, place-based (e.g. neighbourhood scale or precinct wide) or topic-based (e.g. flood and heritage controls) Planning Scheme review process. This ensures the allocation of the resources required to process Planning Scheme Amendments and that Planning Scheme Amendments address priority needs and deliver the widest community benefit possible.
2. Privately requested – these can be ad-hoc in the context of Council's *Strategic Planning Work Program* and have the potential to divert Council's already limited resources from the priorities outlined in the *Council Plan* or *Annual Action Plan*. They will often benefit only a small proportion of the community.

Council has the discretion to seek Authorisation from the Minister for Planning to prepare and exhibit a Planning Scheme Amendment, or to decline a Planning Scheme Amendment request. There is nothing which imposes an obligation on Council to progress privately initiated amendment requests.

It is noted that, in addition to the standard Planning Scheme Amendment process, Section 96 of the Act allows a proposed Planning Scheme Amendment to be combined with a proposed planning permit.

### 3. SCOPE

This policy applies to requests made by applicants (i.e., landowners or their representatives) of Council to initiate a Planning Scheme Amendment, including combined Planning Scheme Amendment and planning permit applications.

### 4. PRINCIPLES

The following criteria underpin how privately initiated amendment requests will be considered by Council:

#### Criteria 1: Standard of information

Applicants are expected to prepare and provide all documentation in relation to a private planning scheme amendment request to the standard required by Council and the Minister for Planning, including by providing all supporting information.

It is expected that applicants or their representatives will engage professional town planning consultants (and associated technical specialists as required) to prepare and manage their privately initiated amendment requests and will provide sufficiently detailed information to Council at each relevant stage of the process. This will enable proper consideration and assessment of a proposal, in particular against the Strategic



Assessment Guidelines for preparing and evaluating Planning Scheme Amendments as detailed in Planning Practice Note 46.

Applicants should understand that Council may, at any stage in the Planning Scheme Amendment process, require an applicant to provide further information to Council, and that assessment of a privately initiated amendment requests may not be progressed pending provision of that further information, to Council's satisfaction.

### Criteria 2: Strategic merit

Privately initiated amendment requests will only be accepted for assessment by Council if, on an initial desktop evaluation, they demonstrate genuine strategic merit. Privately initiated amendment requests which may be worthy of consideration by Council include (but are not limited to):

1. Amendments which will, if progressed, substantially aid in the implementation of the applicable directions of the Horsham Planning Scheme or the applicable directions of an adopted strategic study, plan or policy which is of significance and priority for the municipal community.
2. Amendments which will, if progressed, deliver a genuine net community benefit.

### Criteria 3: Full cost recovery

Statutory fees for the Planning Scheme Amendment process are prescribed under the *Planning and Environment (Fees) Regulations 2016*.

Council will usually require the costs associated with receiving, considering and formally assessing a privately initiated amendment request which are not otherwise covered by the *Planning and Environment (Fees) Regulations 2016* to be paid by the applicant.

Depending upon the nature and complexity of a privately initiated amendment request, external costs may include costs associated with:

1. Peer and legal review of application documents and submissions.
2. Engaging additional planning resources (e.g., consultant or temporary planner) to assist with negotiation, investigation, document preparation, assessment.
3. Public exhibition costs including advertising.
4. Planning Panel fees.
5. Post-approval implementation costs.

Requests that meet the above-mentioned criteria will be included in Council's *Action Plan* and will be considered annually for actioning alongside all other Council initiated projects and private requests.

The terms and conditions of such arrangements, including funding, will be set out in a *Memorandum of Understanding (MOU)* between Council and the applicant. Planning resources will be recruited, appointed and managed by Council, entirely at Councils discretion. The MOU will be in a form determined by Council from time to time.

### Criteria 4: Effect of MOU

Nothing in this Policy or in a MOU entered into under this Policy affects Council's specific legislative obligations and responsibilities in acting as a Responsible Authority or a Planning Authority or as a Collecting

## Council Policy: Privately Initiated Planning Scheme Amendment Requests

Agency or Development Agency under legislation including the Act and the *Subdivision Act 1988* and as a municipal council under the *Local Government Act 2020*.

Nothing in this Policy or in a MOU entered into under this Policy in any way fetters any of Council's statutory powers, functions, duties and discretions to make decisions or impose requirements or conditions, including in connection with the assessment and determination of privately initiated amendment requests, the grant of planning permits, the certification of plans of subdivision and the use and development of any land.

### 5. COMMUNICATION

This Policy will become available on Council's Strategic Planning webpage as well as being provided to developers and land owners upon any initial discussions and enquiries concerning rezoning requests. The Strategic Planning Team will also find opportunities to brief staff internally to ensure the Policy is understood and acted upon.

### 6. RESPONSIBILITY

Who	Responsibilities
Councillors	<ul style="list-style-type: none"> <li>Be aware of this policy and refer parties seeking a Planning Scheme Amendments to Council's Strategic Planning Team.</li> <li>Assess privately initiated amendment requests and endorse Strategic Planning Work Program (Action Plan) when asked to do so by Council's Strategic Planning Team.</li> </ul>
Proponent / Applicant	<ul style="list-style-type: none"> <li>Complete key tasks detailed in Part 4 of this policy and otherwise as required by Council from time to time.</li> </ul>
Strategic Planning Officers	<ul style="list-style-type: none"> <li>Assessment of privately initiated amendment requests submitted by proponents.</li> <li>Advice to proponents / applicants.</li> <li>Regular review of this policy (policy owner).</li> </ul>

### 7. ATTACHMENTS

Nil

### 8. DEFINITIONS

Not applicable

### 9. SUPPORTING DOCUMENTS

Document	Location
Privately Initiated Planning Scheme Amendment Requests Attachments 1-3	Strategic Planning Webpage
Planning and Environment Act 1987	<a href="https://www.legislation.vic.gov.au/">https://www.legislation.vic.gov.au/</a>
Planning and Environment (Fees) Regulations 2016 (as amended)	<a href="https://www.legislation.vic.gov.au/">https://www.legislation.vic.gov.au/</a>
Ministerial Direction No.11: Strategic Assessment of Amendments	<a href="https://www.planning.vic.gov.au/guide-home/the-role-of-the-minister">https://www.planning.vic.gov.au/guide-home/the-role-of-the-minister</a>
Ministerial Direction No.15: The Planning Scheme Amendment Process	<a href="https://www.planning.vic.gov.au/guide-home/the-role-of-the-minister">https://www.planning.vic.gov.au/guide-home/the-role-of-the-minister</a>
Ministerial Direction on the Form and Content of Planning Schemes	<a href="https://www.planning.vic.gov.au/guide-home/the-role-of-the-minister">https://www.planning.vic.gov.au/guide-home/the-role-of-the-minister</a>

## Council Policy: Privately Initiated Planning Scheme Amendment Requests



Planning Practice Note 46: Strategic Assessment Guidelines	<a href="https://www.planning.vic.gov.au/resource-library/planning-practice-notes">https://www.planning.vic.gov.au/resource-library/planning-practice-notes</a>
Planning Practice Note 29: Ministerial Powers of Intervention in Planning and Heritage Matters	<a href="https://www.planning.vic.gov.au/resource-library/planning-practice-notes">https://www.planning.vic.gov.au/resource-library/planning-practice-notes</a>

### 10. DOCUMENT CONTROL

Version Number	Approval Date	Approval By	Amendment	Review Date
01	TBD	Council	New policy	November 2023

**PRIVATE PLANNING SCHEME AMENDMENT REQUEST:  
INDICATIVE FEE SCHEDULE 2022-2023**

STAGE	FEE	TIME OF PAYMENT
<b>STAGE 1 - INITIAL CONSULTATION TO UNDERSTAND THE PROPOSAL</b>		
No fee required		
<b>STAGE 2 - PRELIMINARY DISCUSSIONS ON THE PROPOSAL</b>		
Fee for Council to consider request (including peer review)	At cost	The time at which a proposal is submitted
<b>STAGE 3 - SUBMIT A FORMAL AMENDMENT REQUEST DOCUMENTATION</b>		
Fee for Council to review documentation (including peer review) and submit for Council resolution	At cost	The time at which the amendment is requested
<b>STAGE 4 - AUTHORISATION AND EXHIBITION OF AMENDMENT</b>		
<b>AUTHORISATION</b>		
Fee for Council to prepare amendment for authorisation	At cost	The time at which the amendment is requested for authorisation
Fee for DELWP to review documentation	\$3,149.70*	
<b>PUBLIC EXHIBITION</b>		
Public notice letters		
Public notice in local papers	At cost	Following public exhibition
Public notice in Government Gazette		
Consultation material		
<b>CONSIDERATION OF SUBMISSIONS AND SUBMITTER RESOLUTION</b>		
Fee for Council to review and respond to submissions including meeting with submitters	At cost	Prior to scheduling the Council report seeking a resolution to refer the amendment to a Panel
<b>STAGE 5 - PANEL HEARING</b>		
<b>REFERRAL TO PLANNING PANELS VICTORIA</b>		
Up to 10 submission (Panels)	\$15,611.10*	Prior to scheduling the Council report seeking a resolution to refer the amendment to a Panel
11 - 20 submissions (Panels)	\$31,191.60*	
More than 20 submissions (Panels)	\$41,695.80*	
<b>PANEL (IF REQUIRED)</b>		
Preparation of documentation for Panel Hearing		
Expert evidence	At cost	Following Panel Hearing
Council representation at Panel Hearing		
Planning Panels fee	At cost (approx \$5,000 per day of hearing – subject to change on application-by-application basis)*	Prior to scheduling the Council report seeking a resolution to adopt the amendment
Venue hire (if required)	At cost	
<b>APPROVAL OF AMENDMENT</b>		
Fee to undertake subsequent changes to amendment if required.	At cost	Following submitting amendment
Adopting the amendment, submitting it for approval and giving notice of approval	\$496.60 if the Minister is not the planning authority or nil fee if the Minister is the Planning Authority*	At time of submitting the amendment for approval to the Minister for Planning
Statutory fee to submit the amendment to the Minister for Planning for approval	\$496.90 if the Minister is not the planning authority or nil fee if the Minister is the Planning Authority*	

Note 1: The payment of fees does not guarantee Council support for the amendment  
Note 2 Council will invoice proponents for the above fees at each stage of the process

\* Fees in accordance with Planning & Environment (Fees) Regulations 2016

## PRIVATE PLANNING SCHEME AMENDMENT REQUEST: STRATEGIC MERIT ASSESSMENT TOOL



Note: The Strategic Merit Assessment Tool is to be completed by the Planning Scheme Amendment proponent prior to lodgement with Council. Once strategic merit is assessed and demonstrated to the satisfaction of Council Staff, the tool must form part of the lodged Planning Scheme Amendment documents.

### PROJECT DESCRIPTION

Property Address:

Owner:

Proponent:

### ASSESSMENT CRITERIA / FACTORS TO CONSIDER

STRATEGIC MERIT ASSESSMENT CRITERIA	ASSESSMENT Y/N	COMMENTS
1. Aids the implementation of an adopted State, regional or Horsham strategic study, plan of policy/strategy of significance and priority.		
2. Provides net community benefit in terms of environmental, social and economic factors.		
3. Is professionally supported with sufficient information provided to enable strategic justification to be assessed including but not limited to a comprehensive Planning Report, supporting documentation such as technical reports, concept land use plans, draft Explanatory Report and any new or replacement Clauses or Schedules (if applicable).		
4. Has been the subject to recent pre-lodgement discussions with Council officers.		
5. Is not a piecemeal removal or adjustment to provisions that form part of larger projects or apply to precincts or would involve a whole plan needing to be reviewed.		
6. Is not a single lot or small precincts that primarily benefit a limited number of proponents but directly adversely impacts a larger catchment where a broader review is required.		
7. Does not involve matters that are premature or would conflict with current or planned strategic projects or studies being carried out by the Council.		
8. Is not a matter that has recently undergone an assessment or formal planning process and where the proponent is requesting a similar proposal or review.		
9. Is not a minor correction that does not qualify as <i>prescribed amendment</i> under the Act as these will be combined into an omnibus amendment by Council from time to time.		

**Note:** Council staff are to complete the recommendation as a result of Stage 2 with the proponent or when a Planning Scheme Amendment is lodged with Council.

#### Recommendation:

The request is / is not recommended for inclusion on Council's Strategic Planning Work Program for the following reasons:

1.

Name (Council Officer):

Date:

**Note:** The Strategic Planning Work Program does not commit Council to actioning a project.

**John Martin**

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**Subject:** Petition to gravel Robins Road, Wail

**From:** Russell Barber <[REDACTED]>  
**Sent:** Wednesday, 21 September 2022 12:05 PM  
**To:** Council Support <[REDACTED]>  
**Cc:** [REDACTED]  
**Subject:** FW: etition to gravel Robins Road, Wail

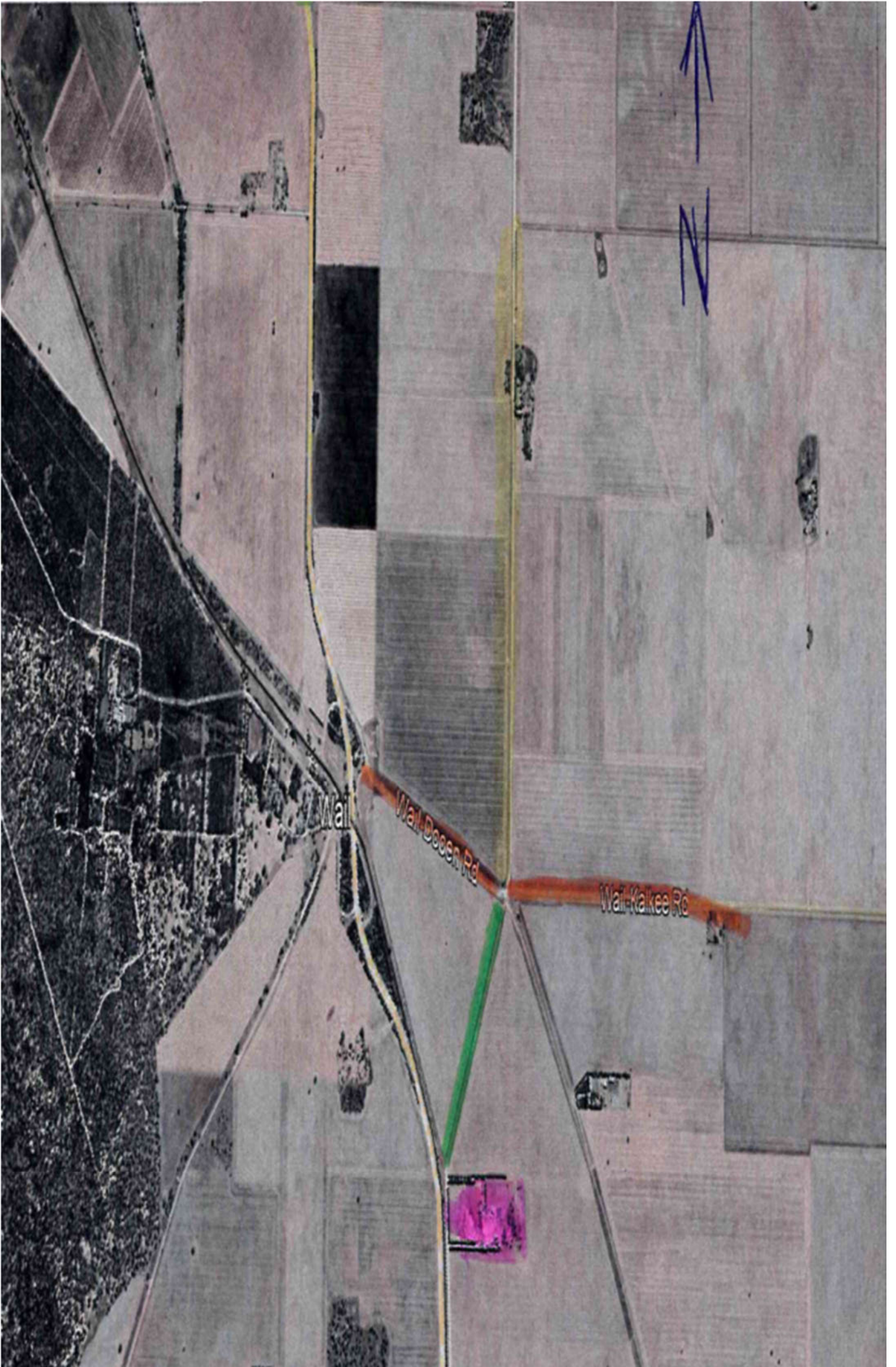
**EXTERNAL EMAIL:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

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Attn Horsham Rural City Councilors,

Please find attached a signed petition respectfully requesting Horsham Rural City Council extend the gravel to complete Robins Road, Wail to the intersection of the Wail-Kalkee Road, Wail-Dooen Road and the Wail- Katyil Road enabling all whether vehicle use.

Below is a map of the area, with key section proposed for gravelling highlighted in green:



Currently this section of road is dirt, whilst other sections of the road are graveled. Over recent years there has been a significant increase in the volume of heavy vehicle traffic using the section of road as a result of the large grain storage business operating on Robins road (highlighted pink on the map) necessitating it's gravelling. Additionally, the road is a critical route for oversize agricultural machinery moving north and south due to restrictions across the Wimmera River.

The current volume of traffic entering the storage site from the north is resulting in significant deterioration of the dirt road surface including potholes and poses a potential safety issue. When wet, any grain freight and oversize agricultural machinery heading north has to go around to the Wail Overpass on the highway and then turn right at the bottom of the overpass and head up the Wail-Dooen Road. Indeed, even the local council garbage truck has been bogged on this section of the road when collecting bins at the intersection. To increase safety for heavy vehicles and agricultural machinery, it is critical this section of the road is graveled.

In addition, gravelling the road would allow safer access to the Western Highway. Currently, when the road is wet, it is forcing traffic to turn right and go down to the Wail Overpass and merge on to the highway which is extremely dangerous in an area with such poor visibility.

As the over 100 signatures demonstrate, this is a critical issue for the farmers and heavy vehicle operators who require heavy vehicle and agricultural machinery access to the road, and I thank you for taking the time to consider the petition. Please contact me on [REDACTED] should you have any questions.

Yours sincerely,

Russell Barber

Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.  
<https://www.mailguard.com.au/mg>



Virus-free. [www.avq.com](http://www.avq.com)