

AGENDA

MEETING OF THE
HORSHAM RURAL CITY COUNCIL

To be held on
18 December 2023
At 5.30pm

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



COUNCILLORS are respectfully requested to attend the Council Meeting of the Horsham Rural City Council to be held on 18 December 2023 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, Jaadwa, Jadawadjali, Wergaia and Jupagulk 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 practicable.

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 27 November 2023 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

REPORTS FOR COUNCIL DECISION 6

9. OFFICERS REPORTS 6

9.1 FLOOD AMENDMENT – CONSIDERATION OF AMENDMENT C81HORS AND PANEL REPORT RECOMMENDATIONS6

9.2 COUNCIL MEETING DATES 2024..... 15

9.3 REQUEST FOR INCLUSION ON COUNCIL’S STREET NAME LIST - SCHWEDES18

9.4 COMMUNITY GRANTS POLICY REVIEW 21

9.5 COUNCIL RESOLUTIONS 25

9.6 DRAFT 2023 HORSHAM BICYCLE AND SHARED PATH INFRASTRUCTURE PLAN 27

REPORTS FOR INFORMATION 32

9.7 INVESTMENT ATTRACTION AND GROWTH DEPARTMENT REPORT..... 32

9.8 CHIEF EXECUTIVE OFFICER’S OPERATIONAL REPORT 41

10. COUNCILLOR REPORTS AND ACKNOWLEDGEMENTS 44

11. URGENT BUSINESS 46

12. PETITIONS AND JOINT LETTERS..... 47

13. PROCEDURAL BUSINESS 48

13.1 INFORMAL MEETINGS OF COUNCILLORS – RECORD OF MEETINGS..... 48

13.2 SEALING OF DOCUMENTS..... 48

13.3 INWARD CORRESPONDENCE 48

13.4 COUNCIL COMMITTEE MINUTES 48

14. NOTICE OF MOTION 49

15. CONFIDENTIAL MATTERS 49

15.1 CEO EMPLOYMENT AND REMUNERATION COMMITTEE REPORT: DECEMBER 2023
Defined as confidential information in accordance with Local Government Act 2020 - Section 3(1)(f) –Personal Information

15.2 INVESTMENT ATTRACTION INCENTIVE – HORSHAM GOLF CLUB MASTER PLANNING
Defined as confidential information in accordance with Local Government Act 2020 - Section 3(1)(g) – Private Commercial Information

15.3 DISABILITY ADVISORY COMMITTEE – RECOMMENDATIONS FOR MEMBERSHIP
Defined as confidential information in accordance with Local Government Act 2020 - Section 3(1)(f) –Personal Information

15.4 CONFIDENTIAL COUNCIL RESOLUTIONS.....
Defined as confidential information in accordance with Local Government Act 2020 - Section 3(1)(l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989

15.5 CONTRACT VP384656 SUPPLY AND DELIVERY OF ONE NEW 4x2 ROAD MAINTENANCE PATROL TRUCK WITH TRADE-IN .
.....
Defined as confidential information in accordance with Local Government Act 2020 - Section 3(1)(g) – Private Commercial Information

15.6 CONTRACT VP317860 SUPPLY AND DELIVERY OF ONE NEW HEAVY TIPPING TRUCK WITH TRI-AXLE TIPPING TRAILER WITH TRADE-IN
Defined as confidential information in accordance with Local Government Act 2020 - Section 3(1)(g) – Private Commercial Information

CLOSE



SUNIL BHALLA
 Chief Executive Officer

REPORTS FOR COUNCIL DECISION

9. OFFICERS REPORTS

9.1 FLOOD AMENDMENT – CONSIDERATION OF AMENDMENT C81HORS AND PANEL REPORT RECOMMENDATIONS

Author's Name:	Kirsten Miller	Director:	Kevin O'Brien
Author's Title:	Strategic Planner	Directorate:	Communities and Place
Department:	Investment Attraction and Growth	File Number:	F20/A06/000001

Officer Conflict of Interest

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

Yes No

Reason: Declared conflict of interest for Map 13 as officer (author of report) owns respective property within this location.

Status

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

Yes No

Reason: Nil

Appendix

Amendment package C81hors (**Appendix 9.1A**)

Amendment C81hors Panel Report (**Appendix 9.1B**)

Purpose

To seek adoption of Planning Scheme Amendment C81hors (the Amendment).

Summary

The Amendment received Authorisation from the Minister for Planning on 14 October 2022, to prepare and Exhibit (advertise) the Amendment. Public exhibition has taken place with an Independent Planning Panel (Panel) appointed to consider the submissions.

The Independent Panel Hearing was held on 5 and 6 October 2023 and the Panel report was received by Council on 27 October 2023.

The Panel report recommends that Council proceeds by adopting the Amendment including the 13 mapping changes as recommended by Council and with minor changes made to Clause 02.02-3 (Environmental risk and amenity) located within the Municipal Planning Strategy. This report recommends that Council proceeds by adopting the Amendment and submitting it to the Minister for Planning for approval.

Recommendation

That Council:

1. Adopt Amendment C81hors to the Horsham Planning Scheme.
2. Submit the adopted Amendment C81hors together with the prescribed information to the Minister for Planning requesting final approval.

REPORT

Background

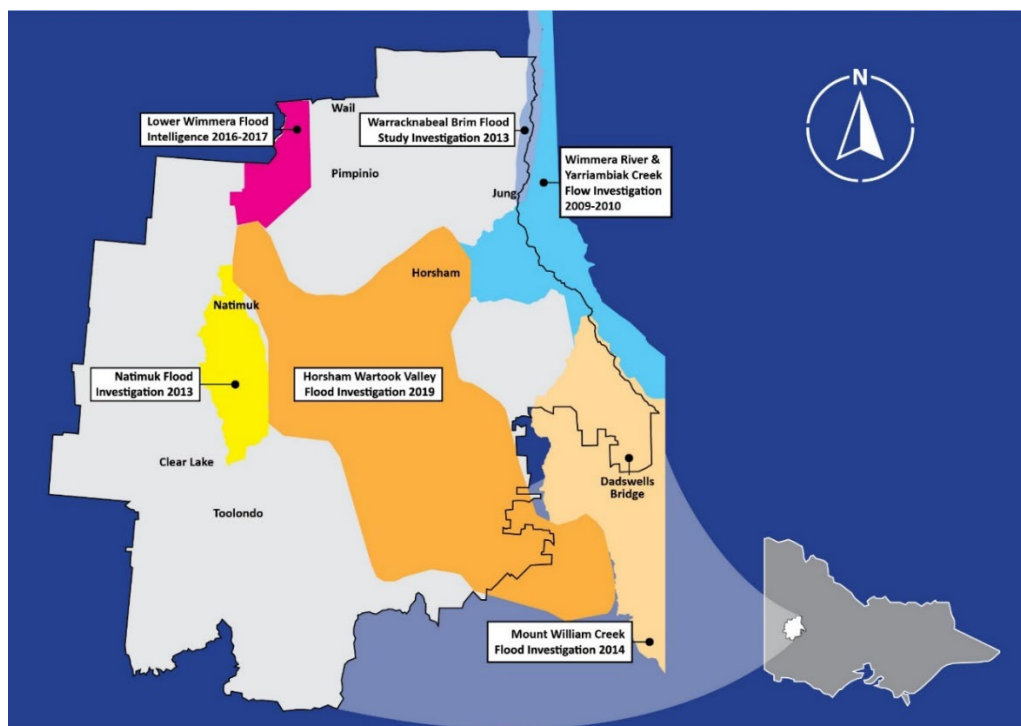
Amendment C81 to the Horsham Planning Scheme was undertaken to address flood risk and ensure appropriate development outcomes in flood affected areas. It was prepared by the Council and Planning Consultant, Transect Planning. The full Amendment package is provided as per **Appendix 9.1A**.

The Amendment affects 2,816 properties across the municipality. In summary, the Amendment:

- Revises the mapping extent of the Floodway Overlay (FO) and Land Subject to Inundation Overlay within the respective six flood study areas
- Replaces the Design and Development Overlay Schedule 9 (stormwater management area) (DDO9) with the Special Building Overlay Schedule 1 (SBO1)
- Amends and introduces new overlay schedules
- Deletes Schedule 4 to the Design and Development Overlay (flood fringe development) (DDO4)
- Rezones land from the Urban Floodway Zone (UFZ) to Public Park and Recreation Zone (PPRZ) and Low Density Residential Zone (LDRZ)

The Amendment proposes to implement six flood studies prepared by the Wimmera Catchment Management Authority (Wimmera CMA) through the Horsham Planning Scheme.

1. *Horsham & Wartook Valley Flood Investigation (Water Technology, 2019)*
2. *Mount William Creek Flood Investigation (BMT WBM, 2014)*
3. *Natimuk Flood Investigation (Water Technology, 2013)*
4. *Wimmera River & Yarriambiack Creek Flow Modelling Study Report (Water Technology, 2010)*
5. *Warracknabeal & Brim Flood Intelligence Report (Water Technology, 2016)*
6. *Lower Wimmera Flood Investigations (Water Technology, 2017)*



Six flood studies that cover Horsham

The six flood studies are proposed to be implemented as background documents into the Horsham Planning Scheme. The Amendment documents and maps have been prepared, including an updated version of the incorporated document. Delineation of the flood mapping has been completed with support from the Wimmera CMA to inform changes to zoning and overlays to be inserted into the planning scheme.

Discussion

The Planning Scheme Amendment process



The Planning Scheme Amendment process is prescribed in legislation. Council is required to follow the statutory process in the preparation of Planning Scheme Amendments and Council has met these requirements as follows:

Authorisation

Council resolved to seek Authorisation from the Minister for Planning to prepare and Exhibit the Amendment on 28 February 2022. Authorisation to prepare the amendment was granted under delegation from the Minister for Planning on 14 October 2022.

Exhibition of the Amendment

The Amendment was exhibited for one month from 17 November to 20 December using the following combination of statutory and non-statutory notifications:

- Direction notification (letters and pamphlets) to affected property owners and occupiers (approximately 4,508 letters), prescribed Ministers and authorities and key stakeholder agencies.
- Public notices in the Wimmera Mail Times on 18 November 2022 and 16 December 2022, The Horsham Times on 18 November 2022 and 16 December 2022, and the Government Gazette on 17 November 2022.
- The Amendment documents were made available for viewing and download (website/officers and DTP website).
- A FAQs pamphlet made available on Council's website.
- An interactive map showing the extent of the new overlays was also available on Council's website.
- A number of enquiries resulted in further information being provided in response to land owner queries, either by email or telephone.
- Drop-in sessions held in Horsham (1 December 2022), Dadswells Bridge (6 December 2022) and Natimuk (7 December 2022) attended by Council, the Wimmera CMA and Water Technology.

For the wider community, the Amendment was also advertised on Council's Have Your Say webpage advising that Council was taking submissions in relation to the Amendment. Council took over 50 public calls and met with approximately 20 community members who visited Council Offices to discuss in more detail the content of the letters received.

During the exhibition process, 46 submissions were received for the Amendment, with 8 submissions formally withdrawn and 2 received in support of the Amendment.

Council consideration of submissions

A report was presented to Council at its meeting held on 24 July 2023, where Council received all submissions to the Amendment and supported a request to be made to the Minister for Planning to appoint an Independent Planning Panel to consider all submissions.

Independent Planning Panel hearing and report

The Independent Panel hearing was held in Horsham on 5 and 6 October 2023. On the first day of the hearing, the Panel had the opportunity to consider Council's submission, accompanied by expert witness testimony from Water Technology consultant. On the second day, six submitters who had requested to present their submissions were given the platform to do so before the Panel.

The Wimmera CMA was also present at the hearing to answer questions.

It is important to note that the Panel considered all submissions that had not been withdrawn, whether or not the submitters appeared before the Panel.

The Panel Report was received on 27 October 2023 and recommends that the Amendment be adopted, to include the 13 mapping changes as recommended by Council and with minor changes made to Clause 02.02-3 (Environmental risk and amenity) located within the Municipal Planning Strategy. A copy of the Panel report is provided as per **Appendix 9.1B**.

Council provided all submitters with a copy of the Panel report on 3 November 2023 and advised the submitters that the report would be made available on Council's website within 10 business days of receipt. This action was undertaken in accordance with Section 26 of the Planning and Environment Act 1987.

The Panel report was made available on Council's website from 10 November 2023.

Panel report findings and recommendations

The Panel report dealt with the following issues:

- Strategic justification
- Threshold issues
- Site-specific submissions.

Strategic justification

The Panel concluded:

- There is clear policy support for the Amendment.
- The changes to Clause 02.02-3 (Environmental risk and amenity) are appropriate subject to the minor changes.
- The deletion of Clause 13.03-1L (Floodplain management – Horsham) is appropriate. The Amendment will deliver net community benefit and sustainable development as required by Clause 71.02-3.

The amended wording to Clause 02.02-3 the Panel recommended is as follows:

Flood studies undertaken by the Wimmera Catchment Management Authority have identified flood prone areas and form the basis for the application of the Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay.

Threshold issues

The Panel identified the following threshold issues:

- Validity and accuracy of the modelling
- Impacts from development within the floodplain
- Floodplain management
- Impact on property insurance and values, and the ability to develop

Validity and accuracy of the modelling:

The Panel concluded:

- The methodology of the flood modelling is appropriate and provides an appropriate basis for the FO mapping.
- The LiDAR data can be relied upon as an accurate measure of topography at the time the flood models were run.

Impacts from development within the floodplain

The Panel concluded:

- The Amendment provides an appropriate decision-making pathway for the assessment of flood risk including the impacts on flood storage and impact on existing properties.

Floodplain management

The Panel concluded:

- The fact that floodplain management actions or engineering works could change flood impacts is not a reason to remove overlays from land ahead of those works.

Whilst reaching this conclusion, the Panel observed that that there is confusion in the community about why some culverts are blocked off. Improved communication to the community about roles and responsibilities of culvert and weir management during flood events and coordination between Council and the Wimmera CMA on this issue may go some way to addressing these concerns.

Impact on property insurance and values, and the ability to develop

The Panel concluded:

- Impacts on property values or insurance premiums or the ability to develop land in a particular way are not reasons to remove the proposed overlays from a property.

Site specific submissions

As noted by the Panel, the Council adopted the following approach in response to submissions received to the Amendment:

- Council officer discussions with submitters (in some instances with Wimmera CMA in attendance), with follow up correspondence;
- in some instances, on-site inspections conducted by Council, Wimmera CMA and Water Technology and the modelling reviewed to account for a range of factors including localised topography and existing structures; and
- in some instances, Wimmera CMA providing written flood advice for the Market Lane area, flood level surveys to compare finished floor levels with 1% AEP levels.

Following these consultations, Council proposed thirteen mapping changes to the extent of the FO1 and LSIO1. These mapping changes were based on further assessment undertaken by Water Technology and in consultation with the Wimmera CMA. This resulted in the withdrawal of five submissions. The proposed mapping changes for the three submissions that were not withdrawn were supported by Mr Hughes and the Wimmera CMA.

The Panel also commented:

Council has been thorough and diligent in assessing submissions, including further assessment and review of flood modelling and mapping for specific sites with technical input from Water Technology, and in partnership with the Wimmera CMA. While the Panel accepts that some property owners do not want the overlays applied to their land, they have been applied in a methodical and rigorous fashion.

The Panel supported Council's proposed changes to the mapping extent to the following properties:

- 55 Baille Street, Horsham
- 1-9 Eastgate Drive, Horsham
- 12 Madden Street, Horsham
- 1-12 Market Lane, Horsham
- 1-12 Rushbrook Close, Horsham
- 5 Sloss Street, Horsham
- 14 Wotonga Drive, Horsham
- 503 Bridges Road, Lower Norton
- 3912 Henty Highway, McKenzie Creek
- Berry Lane, Natimuk
- 378 Lake Road, Natimuk
- 767 Three Chains Road, Natimuk
- 173 Hughes Road, Quantong.

Next steps

Subject to the Council's acceptance of the recommendations above, the next step in the Amendment process is to submit the Amendment to the Minister for approval.

Upon the Minister's approval of the Amendment, the Horsham Planning Scheme will be changed incorporating the changes to the Ordinance (which includes the policy change to Clause 02.03-3 and the new schedules to the Floodway, Land Subject to Inundation and Special Building Overlays) and the planning scheme maps which identify the changes to zoning and overlays.

Options to Consider

That Council:

1. Adopts the Amendment in accordance with the Panel's recommendations.
2. Adopt the Amendment with changes to the Panel's recommendations.
3. Abandon the Amendment.

Implications

Option 1 is recommended by this report. This is required so that the Amendment can be approved.

The Amendment is supported by Wimmera CMA, has panel support, and will lead to better development outcomes which supports more resilient, environmentally sustainable, and safer communities.

Option 2 is not recommended because this course of action would carry the significant risk of not being approved by the Minister for Planning, as it would lack the strategic justification and independent scrutiny demonstrated by the exhibited Amendment and Panel Report.

Option 3 is not recommended because this option would preclude the Amendment from progressing any further. There is no planning justification for this approach, and it would be contrary to the recommendations of the six flood studies. It would leave in place the provisions currently in the Horsham Planning Scheme that have been demonstrated to be inadequate in addressing flood risk across the municipality.

Sustainability Implications

The Amendment will assist with the management of environmental hazards posed by riverine and stormwater flooding.

The Amendment has positive economic and social benefits by identifying areas where planning permit assessment can reduce the risk of the harm from riverine and storm water flooding and damage due to a storm surge.

Community Engagement

As noted above, there has been extensive engagement with the community on the Amendment.

Innovation and Continuous Improvement

The Amendment helps to ensure that Council through its planning scheme is improving its response to a potential significant risk issue to life and property that may be caused by flooding. The expansion of exemptions from the need to obtain a permit within the FO and LSIO will ensure that landowners are not unnecessarily inconvenienced.

Collaboration

This project has involved important collaboration between Council, Wimmera CMA and DEECA (formerly DELWP).

Financial Implications

Funding of \$60,000 was provided by DEECA to assist in the implementation of the Amendment. Funding for this project has been budgeted in the following manner:

- A GIS consultant was previously engaged to compile and 'clean-up' the flood extent GIS files to ensure they were fit for the planning scheme Amendment.
- A planning consultant was engaged to lead the Amendment preparation and process up until the Amendment's approval / gazettal.
- Engagement of expert witness from Water Technology to explain to the Panel the flood study methodologies, modelling and changes made to mapping following consideration of submissions.

There is a budget allocation included in the 2023-2024 budget to prepare for and exhibit Planning Scheme Amendments. This budget was used for the balance amount of Planning Panel costs that exceed the grant funding.

It is not expected that this Planning Scheme Amendment will impose any unreasonable costs on Council.

Regional, State and National Plans and Policies

Clause 13.03-1S of the State section of the Planning Policy Framework includes a number of objectives and strategies on floodplain management. This clause refers to *Victorian Floodplain Management Strategy* (2016).

Council Plans, Strategies and Policies

2021-2025 Council Plan - Theme 3 - Sustainability

1. Achieve a sustainable and sound environmental future
3. A region where climate change impacts are addressed and remediated

Investment Attraction Strategy and Implementation Plan (2022)

Identifies Impact of Climate Change on Agriculture and the Natural Environment as a one of the key challenges for Horsham.

Clause 13.03-1L of the Local section of the PPF includes a section of flood management in Horsham. This policy was introduced following the completion of the Horsham Flood Study (Water Technology, February 2003).

In addition, the Municipal Emergency Management Planning Committee has prepared the following flood plans:

- Horsham Rural City Council Flood Response Plan
- East Horsham Flood Intelligence Report
- Natimuk Flood Intelligence Report Risk Implications

Risk Implications

There is a risk if Council as the Planning Authority does not act on the flood mapping it has available. It could be made liable if flooding occurs in the future and damages property developed subsequent to the flood studies. Council can reduce this risk by acting on the scientific based data it has available and applying the appropriate planning overlays as proposed by this Amendment. It is considered that Council has a duty of care to act and identify flooding and properly control development in flood prone areas.

The proposed overlays will help reduce risk of property damage as a result of riverine and stormwater flooding by requiring a planning permit for new dwellings and other buildings and works. In particular, it will enable both Council (as the Responsible Authority) and the Wimmera CMA (as the Floodplain Management Authority) to ensure building floor levels are set above the predicted flood levels and hence minimise economic and personal hardship if flooding is to occur.

The 2016 *Victorian Floodplain Management Strategy* stresses the importance of using planning controls to help avoid or minimise flood risks. Planning Authorities are required to use available planning controls to manage risks.

For these flood investigation studies to have statutory effect they are required to be included in the planning scheme as a Background document by way of a planning scheme amendment. This process is set out in the *Planning and Environment Act 1987*.

Conclusion

The Amendment proposes to introduce and update the application of flood controls across the municipality. The Amendment has been subject to extensive notification and consultation. The Panel supports the Amendment and recommends it be adopted by Council. The final step in the process is, subject to Council's resolution, to submit the Amendment to the Minister for approval.

9.2 COUNCIL MEETING DATES 2024

Author's Name:	Sarah McIvor	Director:	Kim Hargreaves
Author's Title:	Acting Governance Coordinator	Directorate:	Corporate Services
Department:	Governance and Information	File Number:	F19/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

Council Meeting Dates 2024 (Appendix 9.2A)

Purpose

To seek adoption of Council meeting dates for Horsham Rural City Council meetings for the 2024 calendar year.

Summary

Setting the Council Meeting Timetable 12 months in advance helps facilitate good planning.

Recommendation

That Council:

- Note that the Council meetings for 2024 for the Horsham Rural City Council will be held at 5.30pm at the Civic Centre Horsham, and livestreamed, on the following dates:
 - Monday, 29 January 2024
 - Monday, 26 February 2024
 - Monday, 25 March 2024
 - Monday, 22 April 2024
 - Monday, 27 May 2024
 - Monday, 24 June 2024
 - Monday, 22 July 2024
 - Monday, 26 August 2024
 - Monday, 23 September 2024
 - Monday, 21 October 2024 (note Local Government general elections are being held this month with the requirement for the meeting to consider the annual report being 'on a day not later than the day before election day')
 - Monday, 21 November 2024 – statutory meeting to elect the Mayor for the newly elected Councillor group
 - Monday, 25 November 2024
 - Monday, 16 December 2024
- Advertise the adopted 2024 Council meeting dates on the Horsham Rural City Council website and in the Public Notice pages in a local newspaper.

REPORT

Background

In accordance with the *Local Government Act 2020* (the Act) and Council's Governance Rules - *Division 1 – Notices of Meetings and Delivery of Agendas*, Council is required to give public notice of its meeting dates as follows:

Rule 10: Council must from time to time fix the date, time and place of all Council meetings.

Rule 11: Council may change the date, time and place of any Council meeting which has been fixed by it and must provide reasonable notice of the change to the public.

Rule 13.4: Reasonable notice of each Council meeting must be provided to the public. Council may do this:

13.4.1. or meetings which it has fixed by preparing a schedule of meetings annually, twice yearly or from time to time, and arranging publication of such schedule in a newspaper generally circulating in the municipal district either at various times throughout the year, or prior to each such Council meeting; and

13.4.2. for any meeting by giving notice on its website and:

(a) in each of its Customer Service Centres; and/or

(b) in at least one newspaper generally circulating in the municipal district

In accordance with section 26 of the Act, a Mayor is to be elected no later than one month after the date of a general election.

Discussion

Each year Council establishes the Council meeting dates for the following calendar year, with the majority of meeting dates scheduled on the fourth Monday of the month. The exception are the meeting in January which is scheduled later in the month and the December meeting which is scheduled earlier. Of note for the 2024 meeting dates is the inability to confirm the date of the Council meeting for October noting the Local Government election that will be taking place that month as well as the s100 requirement for Council to have a meeting to consider the annual report either on a day not later than the day before election day (s100(2)(a)).

This report sets out the Council meeting dates, including the statutory meeting to elect the Mayor. By setting these meeting dates in advance it allows the community, Councillors and officers to better plan for the year ahead.

Options to Consider

Council can opt to change the meeting dates proposed however there is a requirement under the Governance Rules that Council must provide reasonable notice of each Council meeting. This is often fixed by preparing a schedule of meetings annually and arranging publication of such schedule in a newspaper generally circulating in the municipal district either at various times throughout the year, or prior to each such Council meeting.

Sustainability Implications

Nil

Community Engagement

Not applicable

Innovation and Continuous Improvement

Not applicable

Collaboration

Not applicable

Financial Implications

There are no financial consequences or impacts from this meeting dates update.

Regional, State and National Plans and Policies

Local Government Act 2020

Council Plans, Strategies and Policies

2021-2025 Council Plan

Theme 5 – Leadership

Risk Implications

It is necessary to have a well-functioning meeting procedures and meeting dates planned in advance to support good governance and good democratic processes.

Conclusion

Council meeting dates have been proposed for 2024 in accordance with the requirements of the *Local Government Act 2020* and the agreed processes included in Council's Governance Rules 2023.

9.3 REQUEST FOR INCLUSION ON COUNCIL'S STREET NAME LIST - SCHWEDES

Author's Name:	Kayla Mallett	Director:	Kim Hargreaves
Author's Title:	Co-ordinator Rates	Directorate:	Corporate Services
Department:	Finance	File Number:	F27/A15/000001

Officer Direct or indirect Conflict of Interest

In accordance with *Local Government Act 2020* – Section 130:

Yes No

Reason: Nil

Status

Information classified confidential in accordance with *Local Government Act 2020* – Section 3(1):

Yes No

Reason: Nil

Appendix

Nil

Purpose

To seek approval to the inclusion of the name Schwedes on Council's Street Naming list.

Summary

- Richard Schwedes has requested that the name Schwedes be added to Council's Street Naming list to honour his late father, Paul Schwedes.

Recommendation

That Council endorse the inclusion of the name Schwedes on Council's Street Naming list.

REPORT

Background

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.

Discussion

A naming proposal request has been made by a member/s of the public, Richard Schwedes, to include the name Schwedes on Council's Street Naming list to commemorate his late father Paul Schwedes.

Paul Schwedes born 1937, lived in Horsham from 1968 to 2019. He was an active community member, serving as both the Secretary and Treasurer of the Horsham Cricket Association from the late 1980s, to the early 2000s. During this time, he strongly encouraged many people to play cricket locally and at a representative level. He was also jointly responsible for the introduction of indoor cricket and additional turf wickets to the association.

Paul Schwedes also served in many other capacities with the Homers Cricket Club, Homers Football Club and the Horsham Cricket Association, such as coach and umpire. The Horsham Cricket Association one-day cup is named after Paul Schwedes and Dudley Cornell.

Paul received the Australian Sports Medal and was selected to carry the Olympic Torch for the 2000 relay and, was also the recipient of the Malcolm Roberts Service award, for his dedication to cricket in the Wimmera. Paul was also the owner of retail outlet The Soapbox in Horsham, for 15 years.

Options to Consider

Council can opt not to 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

Details of how the community can nominate a new name to the street naming list is available on Council's website along with the application form for doing so. This proposal has arisen from a member of the public completing that process.

Innovation and Continuous Improvement

Not applicable

Collaboration

Not applicable

Financial Implications

This proposal has no financial implications.

Regional, State and National Plans and Policies

Naming rules for places in Victoria – Statutory requirements for naming roads, features and localities - 2022

Council Plans, Strategies, Policies

2021-2025 Council Plan

Horsham Rural City Council Road, Feature and Locality 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 name Schwedes conforms to the relevant statutory requirements and Council's relevant policy. The request for the addition of name to the Street Naming list was submitted to and processed by Council's Rate Collector as required by that policy. The name is considered appropriate to be added to Council's Street Naming list.

9.4 COMMUNITY GRANTS POLICY REVIEW

Author's Name:	Susan Surrige	Director:	Kim Hargreaves
Author's Title:	Coordinator Community Relations and Advocacy	Directorate:	Corporate Services
Department:	Community Relations and Advocacy	File Number:	F20/A01/000016

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

Community Grants Policy (Draft) (**Appendix 9.4A**)

Purpose

To seek adoption of the amended Community Grants Policy.

Summary

- A review of the Community Grants Policy is undertaken annually
- A peer review of grant-making processes across other Victorian Councils was undertaken as part of the annual process this year
- Key changes have been recommended to create four grant funding streams which will improve Council's grant making processes for the community.

Recommendation

That Council adopt the amended Community Grants Policy (**Appendix 9.4A**).

REPORT

Background

The Community Grants Policy provides the framework for the delivery of Council's annual Community Grants Program. It outlines the funding priorities, eligibility, application process, assessment criteria and process, timelines and reporting. Guidelines and application forms are also produced to assist community groups in completing applications.

The Policy is subject to an annual review as part of the annual budget process.

Discussion

The annual review this year included a peer review of grant-making best practices across the local government sector. The purpose of this peer review was to look at the range of grants offered by other Councils and also consider relevant application documentation and processes.

The peer review included ten (10) Councils: three (3) regional, six (6) rural and one (1) metro.

The key recommendation for change to the Policy this year is to split the Community Grants program into four streams as follows:

1. Community Development grants
2. . Community Events grants
3. Youth grants
4. Quick response small grants

Each stream will have a nominated financial allocation as part of the overall community grants budget with no proposed increase in the total budget allocation (except for annual CPI increase).

The advantages of splitting the funding into specific streams are:

- Each stream will have guidelines and an on-line application form specific to the grant type
- The streams will have different opening, closing and assessment dates
- The streams will be assessed by a panel of staff with expertise and experience in the relevant service area.

Key details proposed for each stream are as follows:

1. *Community Development Grants stream*
 - No major changes noting community event funding separated into a separate stream.
 - Grants allocations approved by Council
2. *Community Events stream*
 - New guidelines and application process suited to events
 - Applications assessed by staff with events expertise
 - Program to have two rounds each year (while funding is available)
 - Maximum grant and funding priorities the same as for Community Development grants
 - Grants allocations approved by Council

3. *Youth stream*

- Maximum grant \$2,500
- Promoting mentoring of young people to develop application and deliver projects through a not-for-profit auspice
- Ongoing application process (until annual funding allocation of \$10,000 is exhausted)
- Applications assessed by the Youth team, with involvement of the Youth Council
- Grants allocations approved by Council.

4. *Quick Response Small Grants*

- Maximum grant \$1,000
- Funding allocated from annual contingency in the Community Grants Program
- Applicants must be unable to apply for a Community Development, Events or Youth grant due to timing considerations
- Simple application process and quick response
- Grant application assessed by the Community Grants Team
- Grants approved by the Chief Executive Officer

Additional changes recommended:

- Requirement for public liability insurance added in-line with industry best practice
- Mandatory on-line submissions to ensure better document control and record-keeping of grants process (with support from Council staff available as required)
- Additional internal assessment process for land-owner consent
- All applications to be signed by an organisation office-bearer

Guidelines and application forms will be developed in January 2024 to support the amended Policy.

Options to Consider

Council may choose to accept all, part, or none of the recommended changes.

Sustainability Implications

Nil

Community Engagement

Community education sessions will be provided to the community in February 2024 to coincide with the annual opening round of the Community Development Grants Stream. There will be communications across all available media platforms around the key changes to the grants programs.

Innovation and Continuous Improvement

The proposed changes to the Community Grants program are the most significant changes in the past ten years. The changes represent continuous improvement in practice based on peer review.

Collaboration

Not applicable

Financial Implications

There are no additional financial implications relating to the changes to the Community Grants Policy. The total allocation presented to Council in April 2024 for consideration in the 2024/2025 budget will be the same as the 2023/2024 allocation with a CPI increase added.

Regional, State and National Plans and Policies

Not applicable

Council Plans, Strategies and Policies

2021-2025 Council Plan (including the Health and Wellbeing Plan)

Community Inclusion Plan

Innovate Reconciliation Action Plan

Youth Strategy

Age-Friendly Communities Implementation Plan

Risk Implications

This is an established annual Council Grants Program. The proposed changes to the policy reduce Council's risk by including the requirement for groups to have their own public liability insurance, and also ensuring any issues relating to land use and associated land owner consent is addressed.

Conclusion

The annual review of the community grants policy is an opportunity for Council to improve the way this popular and important funding program is delivered to the community.

9.5 COUNCIL RESOLUTIONS

Author's Name:	Fiona Kelly	Director:	n/a
Author's Title:	EA to CEO & Councillors	Directorate:	CEO
Department:	CEO	File Number:	F19/A11/000001

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

Outstanding Council Resolutions Action List (**Appendix 9.5A**)

Completed Council Resolutions Action List – November 2022 to November 2023 (**Appendix 9.5B**)

Purpose

To present the Outstanding Council Resolutions Action List and the Completed Council Resolution Action List.

Summary

- Immediately following each Council meeting, all formal resolutions are placed on the Outstanding Council Resolutions Action List.
- The Council Report author is responsible for updating outstanding actions on the Outstanding Council Resolutions Action List in a timely manner.
- The Outstanding Council Resolutions Action List is reviewed by the Executive Management Team and provided to Councillors quarterly.
- The Outstanding Council Resolutions Action List (**Appendix 9.5A**) and Completed Council Resolutions Action List (**Appendix 9.5B**) are formally presented to Council annually.

Recommendation

That Council:

1. Receive and note the Outstanding Council Resolutions Action attached as **Appendix 9.5A**
2. Receive and note the Completed Council Resolutions Action List attached as **Appendix 9.5B**.

REPORT

Background

Horsham Rural City Council has a Council Resolutions procedure in place to ensure that all resolutions of Council are closely monitored and actioned within the required timeframe.

Discussion

Resolutions of Council are placed on an Outstanding Council Resolutions Action List and circulated to Directors and Responsible Officers immediately following each Council meeting. The author of the Council Report is responsible for ensuring that their actions are updated in a timely manner. The action list is reviewed quarterly by the Executive Management Team and circulated to Councillors. Completed actions are then transferred to the Completed Council Resolutions Action List.

The Outstanding Council Resolutions Action List (**Appendix 9.5A**) and Completed Council Resolutions Action Lists (**Appendix 9.5B**) are formally presented to Council annually.

Options to Consider

Not applicable

Sustainability Implications

Nil

Community Engagement

Not applicable

Innovation and Continuous Improvement

Not applicable

Collaboration

Not applicable

Financial Implications

Nil

Regional, State and National Plans and Policies

Not applicable

Council Plans, Strategies and Policies

2021-2025 Council Plan

Theme 5 Leadership

Procedure No P04/003 – Council Resolutions

Risk Implications

There may be significant risks to Council if formal Council resolutions are not monitored and actioned in a timely manner.

Conclusion

This report provides an update on outstanding and completed Council resolutions.

9.6 DRAFT 2023 HORSHAM BICYCLE AND SHARED PATH INFRASTRUCTURE PLAN

Author's Name:	Dale Schmid	Director:	Kevin O'Brien
Author's Title:	Recreation & Open Space Planning Officer	Directorate:	Communities & Place
Department:	Arts, Culture & Recreation	File Number:	F10/A01/000006

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

Draft 2023 Horsham Bicycle and Shared Path Infrastructure Plan (**Appendix 9.6A**)
Public Engagement Plan (**Appendix 9.6B**)

Purpose

To present the draft 2023 Horsham Bicycle and Shared Paths Infrastructure Plan and recommend that it be released for a period of public engagement.

Summary

- The Horsham Municipal Bicycle and Shared Path Plan 2012-2016 provided recommendations for the establishment of a cycling and shared path network across Horsham.
- Despite an annual budget and infrastructure investment, cycling participation rates have decreased since 2006.
- Safe System Solutions was engaged to assist with the development of the 2023 Horsham Bicycle and Shared Path Infrastructure Plan (the '2023 Plan').
- A Community Reference Group (CRG) provided input into the development of the 2023 Plan.
- Existing cycling and shared paths were assessed against AustRoads Safe System principles.
- The audit revealed opportunities to create a connected network reflecting the road hierarchy and opportunities to improve the provision of safe cycling options.
- The 2023 Plan embeds national safety expectations, provides a prioritised infrastructure plan and a prioritisation tool for the implementation of future works.

Recommendation

That Council:

1. Receive and note the draft 2023 Horsham Bicycle and Shared Paths Infrastructure Plan.
2. Release the draft 2023 Horsham Bicycle and Shared Paths Infrastructure Plan (**Appendix 9.6A**), for public engagement for the period Monday 22 January 2024 to Friday 16 February 2024.

REPORT

Background

The Horsham Municipal Bicycle and Shared Path Plan 2012-2016 (2012 Plan) is the current strategic document informing the implementation of cycling infrastructure across the municipality. The 2012 Plan provides a framework for improvements to the cycling and shared path network. Although the 2012 Plan contains a prioritisation tool. The list of actions within the document is extensive and will take many years to implement and does not reflect contemporary expectations regarding safety and an active transport network.

In December 2020, Council staff commenced an audit of existing cycle and shared paths, and began the development of a prioritisation tool that reflected the road hierarchy, Victorian Movement and Place concepts and the Austroads Safe System principles.

In November 2021, Safe System Solutions was engaged to lead the development of an updated municipal bicycle and shared paths infrastructure plan. Safe System Solutions has extensive experience in the development of bicycle and shared path plans in other regional contexts including: City of Greater Bendigo, Baw Baw Shire and Mildura Rural City Council. Safe System Solutions has also contributed to several technical publications for VicRoads.

Extensive consultation has occurred across the organisation throughout the development of the 2023 Plan with staff providing feedback and advice into the development of the draft Plan. A Community Reference Group (CRG) informed priorities and provided significant input regarding current cycle routes and future network options.

Discussion

Despite the development of the 2012 Municipal Bicycle and Shared Paths Plan and an annual budget allocation of approximately \$100,000 for cycling infrastructure, cycling activity in Horsham is low and declining. Australian Bureau of Statistics (ABS) Census data revealed that in 2006, 174 people cycled to work on Census day, with the number reducing in 2011 to 121 and further reducing in 2021 to 94.

There are many reasons why people choose not to walk or cycle to their destination. Investigation of the barriers and motivations was not the focus of this project; the focus was to audit existing cycle and shared paths against Austroads Safe System principles, develop a list of priority infrastructure projects and a prioritisation tool to assist with the allocation of future works.

The audit identified two significant findings:

1. Except in limited circumstances (such as the provision of off-road pathways), current cycle and shared path infrastructure throughout Horsham does not reflect Austroads principles developed to protect people from cars
2. There is no network of connected cycling infrastructure throughout the Horsham and Haven areas that complies with Safe System principles.

A network involves continuous routes – across intersections and along different levels of the road hierarchy. It is possible that a combination of both perceptions of risk, and variable infrastructure treatments across the urban area have contributed to low cycling numbers identified in consecutive Census results.

A Gender Impact Assessment (GIA) has been completed for this project. The GIA revealed that commuter cycling to school or work, is primarily undertaken by boys and men. The GIA revealed that the 2023 Plan will not significantly or directly increase cycling participation outcomes for girls and women. However, the introduction of a connected network of pathways separating bicycles from vehicles, with associated improvements to streetscapes (lighting, seating, shade) will provide essential prerequisites to increase cycling participation. Importantly, connected active transport networks and supporting infrastructure are also elements that encourage walking, an activity favoured by women and girls.

The 2023 Plan embeds Austroads Safe System principles recognising that people make mistakes and that wherever possible and unless traffic speeds are reduced to 30-40km/h vehicles, cyclists and pedestrians should be separated. Nationally endorsed Safe System principles are reflected in Vic Roads technical manuals and Transport Accident Commission (TAC) funding guidelines for planning and infrastructure improvements.

The 2023 Plan contains a list of priority projects. Priority projects reflect planning undertaken by Department of Transport and the identification of a road hierarchy. The road hierarchy influences the selection of safety treatments. High volume, high speed (50-60km/h) roads are associated with arterial and collector roads and require protected or separated cycling treatments. Access and Link roads throughout residential areas generally reflect reduced traffic volumes and speed. Traffic calming measures throughout residential areas are required.

Safe System principles have been embedded in the development of a localised prioritisation tool that can be used to assess emerging infrastructure priorities and guide annual infrastructure planning.

A network of cycle and shared pathways provides opportunities for increased active transport options for many people within our community. Active transport and physical activity are clearly aligned with improved health outcomes. To increase participation, clear messaging is required that safety is paramount. Messaging may be achieved via a variety of safety treatments: separating cyclists and cars, traffic calming measures, road colours, road surface treatments and signage. There can be no moments of indecision between cars and cyclists. Messaging can also occur through the provision of street furniture and improved street amenity: shade, seating, lighting.

The 2023 Horsham Bicycle and Shared Path Infrastructure Plan (the 2023 Plan) has been developed to guide the creation of a connected cycling and walking network providing safe active transport options for our community. The 2023 Plan embeds nationally endorsed Safe System principles. A prioritisation tool has been developed to identify the sequencing of works (subject to internal and external funding opportunities) and to assess and prioritise requests for new cycle and shared pathways.

Options to Consider

The following options are available:

- 1 Release the 2023 Plan for public engagement to test the draft network and connections that have been identified.
- 2 Note the 2023 Plan but continue to implement the works program as described in the 2012 Plan.

The 2012 Plan has not resulted in the development of a network of cycle paths that reflect nationally endorsed safety principles and cycling rates throughout Horsham have decreased since 2006.

It is recommended that the 2023 Plan be released for public feedback regarding the proposed draft network and that a more targeted approach to the provision of cycling infrastructure be pursued.

Sustainability Implications

Active transport (walking and cycling) is a climate friendly transport option. Providing more suitable and connected cycling and shared path infrastructure will enable more people to choose active transport options and may reduce dependence on motor vehicles.

Community Engagement

A CRG was established in 2021 to provide advice and feedback regarding the current bicycle and shared path network with Horsham and to identify priorities relating to the 2023 Horsham Bicycle and Shared Path Plan. The CRG met three times to provide input into the plan and review the draft plan.

During 24-29 June 2021, a Community Expo provided an initial opportunity to receive public feedback about the priorities of a cycling and walking network. Key areas of concern identified from the Expo included the need for connectivity, accessibility (including maintenance) and signage.

If approved for release, a period of community engagement will occur to receive feedback regarding the proposed cycling and shared path network.

A Public Engagement Plan is attached (**Appendix 9.6B**).

It is proposed that public engagement on the plan will commence Monday 22 January 2024 and conclude Friday 16 February 2024.

Innovation and Continuous Improvement

Implementation of the 2023 Plan will result in the consistent application of the Austroads Safe System principles. Application of the Safe System principles will create both the perception and the reality of a connected, continuous network of shared cycle and walking paths that link neighbourhoods to key destinations throughout the Horsham urban environment.

Collaboration

The City of Ballarat recently updated their Cycling Action Plan 2017-2025 and staff from the City of Ballarat were consulted through the initial stages of the development of the 2023 Plan to provide advice and learnings from the process they followed.

Financial Implications

The 2023 Plan will inform bicycle and shared path infrastructure works. The Plan includes estimated costs and a priority list of works designed to strategically develop a connected network of paths.

Funding for these works will be from a range of sources including Council's annual budget and Long Term Capex Plan, and from external grants.

Regional, State and National Plans and Policies

Active Victoria 2022-2026

Strategic Framework:

- Establishing thriving places and communities that are safe, fair and inclusive
- Invest in infrastructure that enables active recreation

Council Plans, Strategies and Policies

2021-2025 Council Plan

Theme 1: Community

An inclusive, accessible, connected and safe community

Theme 2: Liveability

1. A destination to live, work, explore and visit
4. Diverse and connected open spaces
5. Quality opportunities and facilities that meet the health and wellbeing needs and interests of all ages, abilities and backgrounds

Theme 4: Accessibility

Improved and connected transport services and networks in and around the region

2. An integrated, strategic and needs based approach to investing in our places and spaces

Council plans and strategies relevant to the development of the 2023 Plan include:

- Horsham Open Space Strategy 2019
- Horsham South Structure Plan 2020
- Horsham Urban Transport Plan 2020
- Horsham North Local Area Plan 2023
- Central Activity District (CAD) Revitalisation Plan 2023

Risk Implications

There are two areas of risk associated with the 2023 Plan.

1. That the Austroads Safe System principles are not consistently applied according to the road hierarchy. This would result in a patchwork of cycle and shared paths and a continuation of current practice,
2. That the prioritisation tool is not applied to guide the allocation of annual budgets (and the Long Term Capex Plan). There may be some requirement for flexibility as alternate, external funding options become available, but generally, the prioritisation tool should guide the implementation of works.

Conclusion

The draft 2023 Municipal Bicycle and Shared Path Plan has been developed with the support and input from an industry consultant, a CRG and Council Officers.

The 2023 Plan provides a framework for the staged implementation of a connected network of shared pathways that reflect Austroads Safe System principles and engineering design standards.

When implemented, a connected network of shared cycle and walking paths will enable residents and visitors to choose active transport to travel to and through the centre of Horsham and to key destinations within Horsham and the developing area of Haven.

REPORTS FOR INFORMATION

9.7 INVESTMENT ATTRACTION AND GROWTH DEPARTMENT REPORT

Author's Name:	Fiona Gormann	Director:	Kevin O'Brien
Author's Title:	Manager Investment Attraction and Growth	Directorate:	Communities and Place
Department:	Communities and Place	File Number:	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

Spendmapp Report October 2023 (*data is from bank card transactions and may not capture all Ag Industry*)
(Appendix 9.7A)

Purpose

To present the Investment Attraction and Growth Department Report for October 2023.

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 October 2023.

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 October 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.

Year 1 - 2022-2023

Year 2 - 2023-2024

Year 3 - 2024-2025

Year 4 - 2024-2025

Year 5+ 2025+

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
2.10 (ongoing)	Undertake regular meetings between Wimmera Southern Mallee Development and Investment Attraction Department to inform and discuss economic development opportunities	10 forums held per year	Meeting held in October between WSM Development and HRCC Investment & Business Development Team 3/10 meetings held at 13/10/23
(2 years)	Prepare and implement the recommendations from the Aerodrome Masterplan	Aerodrome Masterplan development	Stage one Feasibility Study and Business Case complete. Tender has been awarded for stage two Master Plan and Detailed Designs and work has commenced.
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	A marketing campaign has been undertaken with the Caravanning Australia Magazine summer edition as a place to Explore, Discover & Uncover our treasures

Officers Reports

Council Priorities	Action	Goal Measured by	Progress
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	A commercial business has put forward a proposal to operate the Pedal Boats on the Wimmera River. Negotiations are continuing.
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	An agreement has been undertaken with a TV production segment, that will take place in November in partnership with the Australian Fishing Network and will go to air on 7 Mate early in 2024. The segment aims to promote our local waterways. The visithorsham website has been update to now include a separate section relating to Fishing within the region.
3.1.3 (2 years)	Develop and implement the Natimuk Social and Economic Plan and Dadwell Bridge Community Action Plan	Plan Developed & Progress report to Council	The Natimuk PAC has been formed and first meeting was 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	4 industry workshops have been hosted	The Tourism & Business Development Officer. Met with the new Grampians Tourism marketing officer and visited our tourism operators during October. The next Grampians Tourism Forum is scheduled for November.
(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	The business newsletter was sent on the 27 October. It received 368 opens and 35 clicks.
3.4.2 (ongoing)	Work with local business to activate the Horsham city centre (CAD)	Investment Attraction and Growth monthly Council Report	Planning has commenced to once again activate the CAD over the Christmas period with the Roaming Advent Calendar initiative along with the Window display competition.
(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

BUSINESS DEVELOPMENT & TOURISM

Australian Fishing Network – Promotional Opportunity



Council’s Business Development Team will be undertaking an opportunity to work with the Australians Fishing Network, during the month of November.

The Business Development Team accepted a proposal from the Australian Fishing Network (AFN) to deliver a promotional television campaign showcasing our “Waterways and Fishing” within the region.

The Fishing Show produced by Australian Fishing Network delivers episodes to Australia wide audience through the 7 Mate Network. The show segment reaches an annual audience of 1 million viewers from across Australia.

The Fishing Show produced by Australian Fishing Network delivers episodes to Australia wide audience

Filming will take place early November 2023, featuring waterways such as Taylor’s Lake, Green Lake, Lake Toolondo, Wimmera River and possibly Lake Wartook, with the episode going to air in early 2024.

The Business Development Team will have access to footage shots of the episode featuring our municipality. Further to this AFN will edit the footage and provide council with a vignette for our social / digital marketing, which will feature on the <https://visithorsham.com.au/waterways-fishing/> website. There will also be a full page inclusion within the Freshwater Fishing magazine.

The Business Development Team is extremely pleased to also engage David Brennan from WMCA as our local talent person to feature in the episode and speak of our lakes and fishing opportunities. David has a wealth of knowledge in this field.

Business Visitations for the Month of October 2023

Month Visitation	Retail Services	Hospitality & Accommodation	Event contacts	Over all contacts for the month
February	13	8	15	36
March	35	6	12	53
April	20	13	10	43
May	15	8	4	27
June	28	4	5	37
July	71	17	15	103
August	62	33	7	102
September	34	15	9	58
October	19	16	10	45
Total	297	120	87	504

Occupied Businesses:

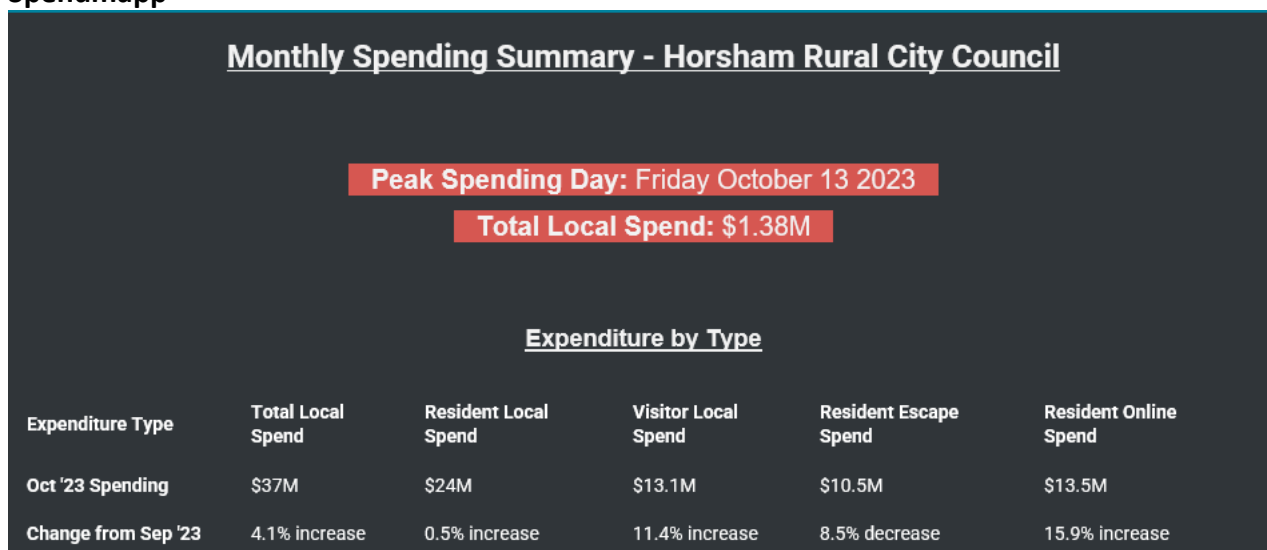
Street and Number of Businesses	September FY 22/23 Businesses Occupied	October FY 22/23 Businesses Occupied	October FY 22/23 Businesses Vacant	October FY 22/23 Percentage Businesses Occupied
Darlot St – 43 car wash and businesses operating from a house included	41	41	2	95%
Firebrace St - 99	91	90	9	90%
Hamilton St - 17	16	15	2	88%
Wilson St – 34	28	29	5	85%
Pynsent St – 28 Cinema included	25	25	3	89%
Roberts Ave – 27 Coles included	25	25	2	93%
McLachlan St – 24 CFA & GWM included	23	24	0	100%
Total 272 Post February 2022 there were 262 shops identified in the study area	249/272	249/272	23	91%

(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.

Caravanning Australia Magazine – Marketing Opportunity

Council’s Business Team has undertaken a two page marketing campaign with the Caravanning Australian Magazine. The article to be featured in the summer edition. This article speaks of and gives an overview of Horsham, Natimuk, Wartook and Dadswells Bridge with the call to action being www.visithorsham.com.au website.

Spendmapp



Spendmapp report for October 2023 (Appendix 9.7A)

*data is from bankcard transactions and may not capture all Ag Industry

Grampians Tourism News

Kerrie Mulholland has been appointed as Grampians Tourism Partnership Manager, Kerrie has more than 25 years experience in tourism and hospitality and is passionate about the industry with previous roles including Director of Sales and Marketing at the W Melbourne.

During the month of October, both Kerrie Mulholland and Gloria McRae visited a number of our tourism businesses to simply touch base and gauge how their business operations is progressing. Great feedback and a welcoming presence was received from our operators. Next visitation will be undertaken in the Wartook Valley region.

STATUTORY PLANNING AND STRATEGIC PLANNING

Strategic Planning

Council Priorities	Action	Goal Measured By	Progress
1.3.4	Develop an open space contribution rate(s) and a new local Public Open Space Contribution Policy.	Policy adopted by Council and Horsham Planning Scheme amended	A fee proposal is being considered for an external consultancy to deliver this work.
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	Letters have been sent to landowners whose properties have been identified by the study, to advise that their property is locally significant.
2.10.2 (2 to 3 years)	Develop and implement a Housing Affordability and Diversity Strategy and complete an amendment to the planning scheme	Strategy developed and implemented through a planning scheme amendment	SGS Economics and Planning have been appointed and have commenced technical work on this project.
2.10.3 (2 years)	Prepare and implement the Horsham South Structure Plan (Stage 2)	Plan adopted by Council	The Future Urban Structure is being finalised for public consultation.
(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	The Planning Scheme Review report is under internal review.

Statutory Planning

C82 Corrections Amendment

The C82 Correction Amendment has been approved by the Minister for Planning. It corrects mapping errors and anomalies within the Horsham Planning Scheme, including rezoning to reflect public and private land ownership and resolving land in two zones, and realignment of heritage overlays to match statements of significance.

Planning Applications Determined

Below are the number of Planning Permits issued for the month of October 2023 and a comparison with the same period last year.

Type	OCTOBER 2023		OCTOBER 2022	
	No.	*Value \$	No.	*Value \$
Miscellaneous Domestic	6	1,976,790	7	3,070,464
Industrial/Commercial	2	30,000	5	288,000
Subdivisions	4 (8 lots)	-	9 (41 lots)	2,000
Other	-	-	-	-
Total	12	2,006,790	21	3,360,464

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

Total number of planning permits issued in the Horsham Rural City Council area from 1 July 2023 to 31 October 2023 is 25 compared to 58 in the same period in 2022-2023.

Planning permits issued for subdivision have permitted 46 new lots from 1 July 2023 to 31 October 2023 compared to 123 in the same period in 2022-2023.

Building Services

Below are the number of building permits issued for the month of **October 2023** and a comparison with the same period last year.

Permits issued by Horsham Rural City Council for this Municipality

Type	2023		2022	
	No.	Value \$	No.	Value \$
Dwellings	1	47,696	1	723,000
Alterations to Dwellings	-	-	-	-
Dwelling resittings	-	-	-	-
Misc Domestic (Carports, Garages etc)	2	36,179	3	153,099
Removal/Demolish	1	9,680	1	64,680
Industrial/Commercial	-	-	-	-
Signs	-	-	-	-
Total	4	93,555	5	940,779

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

Type	2023		2022	
	No.	Value \$	No.	Value \$
Dwellings	3	1,613,627	6	2,962,360
Alterations to Dwellings	6	596,508	3	207,184
Dwelling resitings	-	-	-	-
Misc Domestic (Carports, Garages etc)	6	609,177	5	166,479
Removal/Demolish	-	-	4	79,810
Industrial/Commercial	3	3,408,565	1	750,000
Signs	-	-	-	-
Sub Total	18	6,227,877	19	4,165,833

A total of **15** Building Permits have been issued by the Horsham Rural City Council at a total value of **\$2,948,653** from **1 July 2023 to 31 October 2023** compared to **35** Building Permits at a total value of **\$1,802,447** for the same period in 2022-2023.

Private Building Surveyors have issued **71** Building Permits at a total value of **\$28,977,435** from **1 July 2023 to 31 October 2023** compared to **80** at a total value of **\$23,154,432** for the same period in 2022-2023.

Options to Consider

Not applicable – no decision required

Sustainability Implications

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

Community Engagement

Report has been prepared in consultation with range of agencies and will be made publicly available to Wimmera Southern Mallee Development (WSM), 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 Three - 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.

9.8 CHIEF EXECUTIVE OFFICER'S OPERATIONAL REPORT

Author's Name:	Sunil Bhalla	Director:	Not applicable
Author's Title:	Chief Executive Officer	Directorate:	Not applicable
Department:	Chief Executive Office	File Number:	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 present the Chief Executive Officer's Operational Report for December 2023.

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 Chief Executive Officer's Operational Report for December 2023.

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

RCCC Board Meeting: The RCCC Board met (virtually) on Thursday 14 December 2023 via Teams.

RCV General Meeting: The CEO attended (virtually) the RCV General Meeting on Thursday 30 November 2023. Housing Australia provided an update on Federal Programs, specifically the National Housing Infrastructure Facility Critical Infrastructure loans and grants program.

Funding Opportunities:

Expression of Interest lodged for the Growing Regions Fund for the new City Oval Community Facility has been approved to proceed to full application – due 15 January 2024.

B. Community Engagement

Nil

C. Projects and Events

Christmas Extravaganza: The Christmas Extravaganza kicked off on Friday 1 December with the Roaming Advent Calendar initiative which involves 24 local businesses promoting shopping on a particular day to go into the draw to win a \$200 gift card.

The Christmas Window Display competition also began at the end of November with the winner to receive a \$2500 advertising package from ACE Radio. The winner of the competition was Plant Haven and we announced this at our family Christmas event at the riverfront on Friday 8 December.

This event included a play performance from Horsham Little Theatre along with children's activities, food trucks, market stalls and the official tree lighting ceremony. Luckily the weather didn't deter many people as there was a great turnout and lot's of fun had by all.

D. Staff Matters

Orange Muffins: A lunch time information session was held on 5 December 2023 to raise awareness for the 16 Days of Activism against gender-based violence.

International Day of People with a Disability (IDOPWD): A short film viewing was held for the staff during lunch time on 6 December 2023. IDOPWD is on 3 December each year.

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

That Council receive and note the Chief Executive Officer's Operational Report for December 2023.

10. COUNCILLOR REPORTS AND ACKNOWLEDGEMENTS

Cr Robyn Gulline, Mayor

Committee Representation	
28/11/23	Wimmera Southern Mallee Development Board Meeting
4/12/23	Chaired the Aboriginal Community Roundtable
7/12/23	Audit and Risk Committee
14/12/23	Regional Cities Victoria (RCV) meeting in Bendigo
Other Council Activities	
28/11/23	ABC Wimmera radio interview
29/11/23	Met with Grampians Health Chair and CEO and attended the AGM
29/11/23	Horsham East Rotary Club's District Governor visit
1/12/23	Triple H radio interview with Di Trotter
7/12/23	Wimmera Truck Centre Official Opening
7/12/23	HRAG "Wimmera by Greg Mallyon" official opening
7/12/23	Aceradio – End of Year event
8/12/23	Turned on Christmas Tree lights at the Horsham Christmas Extravaganza
9/12/23	Filipino Masquerade Ball
10/12/23	Horsham's Carols by Candlelight
11/12/23	Wesley Fundraising committee meeting
12/12/23	WSM Regional Participation Action Plan – Community Visioning Workshop
12/12/23	Horsham Little Theatre Company performance
14/12/23	Council Depot – End of Year event
14/12/23	Container Deposit Scheme opening at AXIS Worx

Cr David Bowe

Committee Representation	
Date	Description
6/12/23	CEO Employment and Remuneration Committee – online
Other Council Activities	
7/12/23	Levelling the playing field: enhancing local social cohesion through intercultural sport -Intercultural Cities Australian National Network – online webinar.
7/12/23	Horsham Regional Art Gallery - Opening of Wimmera - Greg Mallyon
9/12/23	70th Horsham Basketball Association Anniversary

11/12/23	Council Briefing – Council Chambers
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Cr Bob Redden

Committee Representation	
Date	Description
3/11/23	Rail Freight Alliance committee meeting, online
Other Council Activities	
8/11/23	Council briefing
11/11/23	Remembrance Day Ceremony ANZAC Cenotaph
13/11/23	Council Briefing
16/11/23	Election of Mayor
17/11/23	Town Hall Art Gallery, 'Infinite possibilities'
20/11/23	Council community meeting at Haven
22/11/23	Public consultation Rail Corridor Plan, Kalkee Road Hub

Cr Claudia Haenel

Committee Representation	
Date	Description
6/12/23	CEO Employment and Remuneration Committee meeting
15/12/23	Western Highway Action Committee meeting - Melton
Other Council Activities	
29/11/23	Coffee with Cr. Claudia
30/11/23	ALGWA Vic Zoom
3/12/23	Women's Electoral Lobby AGM Zoom
6/12/23	Coffee with Cr. Claudia Christmas breakup
7/12/23	Grampians Tourism meeting, Pomonal Estate
7/12/23	WIMMERA by Greg Mallyon – Opening Horsham Regional Art Gallery
8/12/23	Renewable Energy Zone Priority Areas - VicGrid consultation zoom
13/12/23	MAV Free From Violence Local Government Forum - guest speaker Grace Tame
14/12/23	ALGWA Vic members feedback - Zoom
14/12/23	MAV meeting
14/12/23	The Future of Firefighting in Victoria - Zoom
18/12/23	Council Meeting

11. URGENT BUSINESS

12. PETITIONS AND JOINT LETTERS

13. PROCEDURAL BUSINESS

13.1 INFORMAL MEETINGS OF COUNCILLORS – RECORD OF MEETINGS

- Council Briefing Meeting held on Monday 11 December 2023 at 5:00pm

Refer to **Appendix 13.1A**

13.2 SEALING OF DOCUMENTS

Nil

13.3 INWARD CORRESPONDENCE

Nil

13.4 COUNCIL COMMITTEE MINUTES

- Wimmer Intermodal Freight Terminal Advisory Committee held on 7 September 2023
- Horsham Regional Livestock Exchange Board Meeting held on 23 November 2023

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

Planning and Environment Act 1987

HORSHAM PLANNING SCHEME

AMENDMENT C81HORS

EXPLANATORY REPORT

Who is the planning authority?

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

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

Land affected by the Amendment

The land affected by the amendment is within the settlements of Brimpaen, Bungalally, Clear Lake, Dadswells Bridge, Dahlen, Dooen, Douglas, Drung Drung, Duchembegarra, Grass Flat, Heathvale, Jallumba, Jilpanger, Jung, Kalkee, Kanagulk, Kewell, Laharum, Longerenong, Lower Norton, McKenzie Creek, Mockinya, Mitre, Natimuk, Noradjuha, Nurrabel, Pimpinio, Quantong, Riverside, St Helens Plains, Telangatuk East, Tooan, Toolondo, Vectis, Wail, Wartook and Wonwondah.

The amendment updates flood controls based on detailed hydrologic and hydraulic modelling from six flood studies prepared on the behalf of the Wimmera Catchment Management Authority (WCMA). The amendment affects large areas of flood prone land throughout the municipality, as generally identified below.

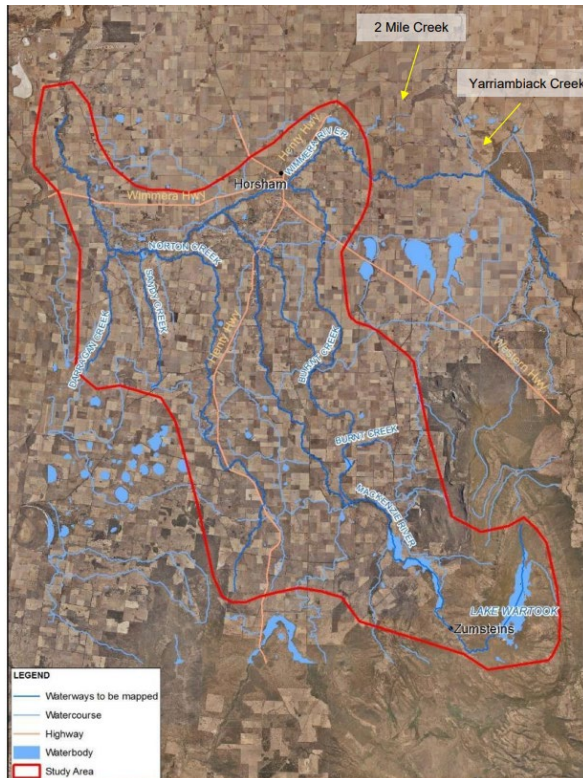
Flood Study	Land affected
Horsham and Wartook Valley Flood Investigation (2019)	The study area covered rural land and the township of Horsham including the Wimmera River, Mackenzie River, Burnt Creek, Bungalally Creek, Darragan Creek and Sandy Creek. See Figure 1.
Natimuk Flood Investigation (2013)	The study area included the Natimuk township and entire upstream catchment including Natimuk Creek and Little Natimuk Creek.
Warracknabeal Brim Flood Study Investigation (2016)	The study area covered Yarriambiack Creek from Jung to Galaquil East Road north of Brim.
Mount William Creek Flood Investigation (2014)	The study area covered a large catchment including several waterways, namely, Mount William Creek, Salt Creek, Fyans Creek, Pleasant Creek, Sheepwash Creek and Golton Creek along with their tributaries. See Figure 1.
Wimmera River and Yarriambiack Creek Flow Investigation (2009/10)	The study area covered the Wimmera River and Yarriambiack Creek between Glenorchy, Horsham and Warracknabeal.
Lower Wimmera Flood Investigation (2016-17).	The study area covered the Lower Wimmera River between Quantong and Lake Hindmarsh.

Other land affected outside of the six flood studies, includes all land within the current extent of the Land Subject to Inundation Overlay (LSIO).

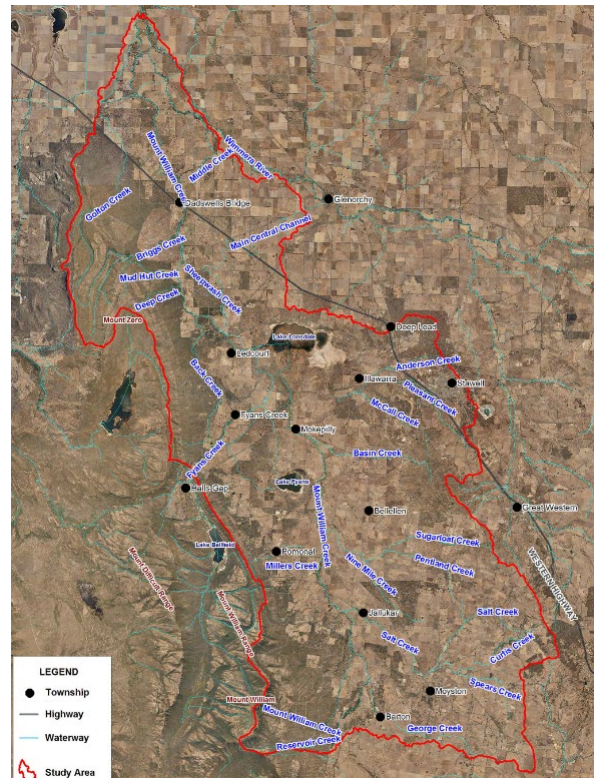
The amendment also technically affects nine privately owned properties located on the south side of Barnes Boulevard, Horsham together with an adjoining reserve. These properties have a dual zoning, the amendment will rezone privately owned land to Low Density Residential Zone (LDRZ), whilst the Public Park and Recreation Zone (PPRZ) will be applied to public land.

Figure 1 Horsham and Wartook Valley and Mt William Creek Flood Study Areas

Horsham and Wartook Valley Flood Investigation Area



Mt William Creek Flood Study Area



What the amendment does

The amendment applies the Floodway Overlay (FO), Land Subject to Inundation Overlay (LSIO) and Special Building Overlay (SBO) on land which is subject to a 1% annual exceedance probability (AEP) flood event.

Schedule 1 to the SBO replaces Schedule 9 to the Design and Development Overlay (Stormwater Management Area) (DDO9). The use of a DDO for a flood control is not a proper use of the Victoria Planning Provisions (VPP).

Schedule 4 to the Design and Development Overlay (Flood Fringe Development) (DDO4) is deleted on the basis that it is redundant.

Schedule 1 to the LSIO will apply to land outside of the flood investigation study areas that are already within the current extent of the Land Subject to Inundation Overlay.

The amendment updates Clause 02.03-3 (Environmental risks and amenity) and deletes Clause 13.03-1L (Floodplain management) and includes the flood studies as Reference Documents within the Horsham Planning Scheme.

Specifically, the Amendment seeks to:

- Amend Planning Scheme Map Nos. 1LSIO-FO, 2LSIO-FO, 4LSIO-FO, 5LSIO-FO, 6LSIO-FO, 7LSIO-FO, 8LSIO-FO, 10LSIO-FO, 11LSIO-FO, 12LSIO-FO, 13LSIO-FO, 14LSIO-FO, 15LSIO-FO, 16LSIO-FO, 17LSIO-FO, 18LSIO-FO, 19LSIO-FO, 21LSIO-FO, 22LSIO-FO, 23LSIO-FO, 24LSIO-FO, 25LSIO-FO, 26LSIO-FO, 27LSIO-FO, 28LSIO-FO, 29LSIO-FO,

- 30LSIO-FO and 31LSIO-FO to apply the LSIO1 and FO1 to include identified flood prone land and delete reference to either the FO or LSIO.
- Insert Planning Scheme Map No. 20LSIO-FO to apply the LSIO1 and FO1 to identified flood prone land.
 - Insert Planning Scheme Map Nos. 9SBO, 10SBO, and 13SBO to apply the SBO1 to identified flood prone land.
 - Amend Planning Scheme Map Nos 9DDO, 10DDO, 12DDO and 13DDO to delete the DDO9 as a result of its replacement by the SBO.
 - Amend the Planning Scheme Map Nos. 11DDO and 14DDO to delete the DDO4.
 - Amend the Planning Scheme Map Nos. 11DDO and 14DDO to delete the DDO4.
 - Amend Planning Scheme Map No. 12 to apply the Public Park and Recreation Zone (PPRZ) and Low Density Residential Zone (LDRZ) to replace the Urban Flood Zone (UFZ).
 - Remove Clause 37.03 (Urban Flood Zone) and the Schedule from the scheme.
 - Delete Schedule 4 to Clause 43.03 (Design and Development Overlay) (Flood Fringe Development).
 - Delete Schedule 9 to Clause 43.03 (Design and Development Overlay) (Stormwater Management Area).
 - Amend Schedule 1 to Clause 44.03 (Flood Overlay) to meet the requirements of the *Ministerial Direction - the Form and Content of Planning Schemes*, clarify exemptions and remove duplication in the scheme.
 - Replace the Schedule to Clause 44.04 (Land Subject to Inundation Overlay) with a new Schedule 1 to meet the requirements of the *Ministerial Direction - the Form and Content of Planning Schemes*, clarify exemptions and remove duplication in the scheme.
 - Insert Clause 44.05 (Special Building Overlay) into the scheme.
 - Insert Schedule 1 to Clause 44.05 (Special Building Overlay) to replace DDO9.
 - Amend Clause 02.03-3 (Environmental risks and amenity) by making specific reference to the six flood studies undertaken by the WCMA and the application of the flood-related overlays.
 - Delete Clause 13.03-1L (Floodplain management) on the basis that the provisions are effectively replaced by the schedules to the overlays.
 - Amend the Schedule to Clause 72.03 (What does this planning scheme consist of?).
 - Amend the Schedule to Clause 72.08 (Background Document) to include the flood studies as Background Documents.
 - Amend the Schedule to Clause 74.01 (Application of zones, overlays and provisions).
 - Amend the Schedule to Clause 74.02 (Further strategic work).

Strategic assessment of the Amendment

Why is the Amendment required?

In response to significant flood events, the WCMA, with the support of the Victorian State Government and the Horsham Rural City Council, commissioned a series of flood investigations in order to understand, and respond to, flood risk throughout the Shire. Each of the studies is identified above and was undertaken by Water Technology on behalf of the WCMA other than the Mount William Creek Flood Investigation, which was undertaken by BMT WBM.

Each flood study provides recommendations for mitigation works, emergency warning and response systems and, critically, the establishment and enforcement of appropriate planning scheme controls in areas identified as at risk of flooding.

While engineering mitigation works and emergency response plans play a very important role in alleviating the impacts of flooding, in the long term one of the most effective means of flood mitigation is the establishment of appropriate planning scheme controls in areas identified at risk of flooding. A suite of planning controls are used within Victoria to ensure appropriate development in areas affected by flooding. Planning controls are effective over time as buildings are renewed they can be located in areas outside the floodplain, or if in an area of low flood risk, can be built above the declared flood level.

A key implementation task from the flood studies is to introduce flood controls in the Horsham Planning Scheme.

It is proposed to apply a combination of FO and LSIO. The application of these planning controls allows some development to occur within floodwaters which are deemed low risk but restricts development in high risk areas.

It is also proposed to delete DDO-9 and replace it with the SBO. As a result of stormwater modelling by Water Technology as part of the Horsham and Wartook Flood Investigation (2019), there is a reduction of to the area affected by stormwater flooding.

The SBO is a more appropriate mechanism to address flooding by stormwater or overland flows from rainfall run-off rather than the Design and Development Overlay and makes proper use of the VPP.

Further, it is proposed to delete DDO4 on the basis of advice received from the WCMA that this is redundant. In other words, this area is no longer subject to flooding that requires the application of flood protection controls. This was confirmed in writing by the WCMA on 2 December 2021. Deleting DDO4 will ensure the burden of unnecessary controls are removed from the planning scheme and ensure unnecessary referrals to the WCMA.

The application of these overlays will ensure that areas at risk of flooding are shown on planning scheme maps, and will enable Council to be able to make informed planning decisions based on the most accurate flood extent mapping available. Inclusion of flood extent mapping in the planning scheme will also enable landowners, developers and purchasers to have access to critical information in the early stages of the development approval process, thereby ensuring that new development is designed with flood risk in mind.

Finally, it is proposed to delete the UFZ) and replace it with the PPRZ and LDRZ on Planning Scheme Map No. 12. Both the FO and LSIO already apply to this land and the UFZ duplicates the existing overlays. The land to be rezoned PPRZ is public land and the land to be rezoned LDRZ is private land.

How does the Amendment implement the objectives of planning in Victoria?

Section 4 of the *Planning and Environment Act 1987* (the Act) sets out for planning in Victoria, including the following:

- To provide for the fair, orderly, economic and sustainable use, and development of land;
- To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
- To balance the present and future interests of all Victorians.

Section 6 of the Act identifies what planning schemes can provide for, including (among other things) the ability to:

- Regulate or prohibit any use or development in areas or in areas which are likely to become hazardous areas.

The amendment responds to these objectives and responsibilities by identifying flood related hazards within the municipality, and putting in place a decision making framework to manage use and development to ensure all people are provided with a safe environment, assets are appropriately designed and located, and future development does not compromise natural systems.

The amendment will assist landowners in understanding potential hazards and guiding development on their land and will assist Council and the Wimmera Catchment Management Authority in making more informed and effective decisions on development of land affected by flooding.

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

The amendment is expected to have positive economic and social benefits for the municipality. Flooding carries significant costs for the community, individual landowners and the state. Flood damage can disrupt communities and in extreme cases, cause extensive and costly damage to public and private assets, cause agricultural losses, personal hardship and loss of life. By careful planning of new development and earthworks having regard to environmental risks, future financial and community impacts of flooding can be reduced.

The amendment should have a positive effect on the environment. Flooding has environmental benefits as flood-prone areas may provide valuable habitats for plants and animals and serve as neutral water storage areas. Areas of environmental significance such as swamps, billabongs and wetlands have an important role to play in supporting biodiversity, recycling nutrients and maintaining water quality. By accurately identifying flood-prone areas, these areas can be protected from inappropriate development that may pose a threat to water quality and flora and fauna communities. The identification of flood-prone areas will ensure that development is compatible with local environmental conditions including flood hazards and drainage conditions.

The amendment seeks to protect new development from the effects of flooding and minimise the effect of development on flood processes.

Does the Amendment address relevant bushfire risk?

The amendment complies with the VPP provisions for bushfire, particularly Clause 13.02 Bushfire Planning. The amendment will not increase the risk to life, property, community infrastructure and the natural environment from bushfire.

Land to be rezoned to Low Density Residential on the south side of Barnes Boulevard, Horsham is located outside of a Bushfire Management Overlay (BMO). Lots are unlikely to be intensified as they have already been developed with dwellings and are partly encumbered by a Floodway Overlay.

Much of the land affected by this amendment is rural and therefore unlikely to be intensified for urban purposes without subsequent planning approval, and further consideration and assessment against the purpose and decision guidelines of the BMO.

Does the Amendment comply with the requirements of any Minister's Direction applicable to the Amendment?

The amendment complies with the requirements of the *Ministerial Direction on the Form and Context of Planning Schemes* (section 7(5) of the Act) by drafting the schedule provisions of the overlays, the use of the Local Planning Policy Framework and the mapping.

The amendment has also been prepared and complies with *Ministerial Direction 11 (Strategic Assessment of Amendments)*.

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

Clause 71.02-1 of the Planning Scheme sets the purpose of the Planning Policy Framework as it - 'seeks to ensure that the objectives of planning in Victoria (as set out in section 4 of the Act) are fostered through appropriate land use and development policies and practices that integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development'. The amendment provides clear policy direction to ensure that development within areas identified as flood prone from catchment and riverine sources are regulated in order to avoid hazard to human life and property and impacts on floodplain behaviour.

Clause 11 'Settlement' identifies that planning for settlements must have regard to health and safety. The amendment supports this principle by documenting the extent of flooding and the degree of risk from its impacts by using the FO for areas that are at risk of faster flood flows and depths and the LSIO for overflow areas. The SBO applies to land in urban areas liable to inundation by overland flows from the urban drainage system.

The amendment is consistent with the objectives of the Act and Clause 13 (Environmental Risk and Amenity). Clause 13.03-1S Floodplain Management- provides the framework of the inclusion of flood provisions in planning schemes. The objective is to assist the protection of:

- Life, property and community infrastructure from flood hazard.
- The natural flood carrying capacity of rivers, streams and floodways.
- The flood storage function of floodplains and waterways.
- Floodplain areas of environmental significance or of importance to river health.

The policy states that flood risk must be considered in the preparation of planning schemes and planning decisions to avoid intensifying the impacts of flooding through inappropriately located uses and developments such as hospitals and police stations or activities that require the storage of dangerous materials and to avoid the presentation of floodwater movement or affecting the flood carrying and flood storage functions of the floodplain. Councils are encouraged to continuously improve their schemes and the amendment updates the planning scheme with the best available information of this environmental risk.

The amendment complies with State Planning Policy objectives and will provide an improved basis for minimising flood damage and protecting the natural flood-carrying functions of waterways and floodplains.

How does the amendment support or implement the Municipal Planning Strategy?

The Amendment will support the Municipal Planning Strategic Statement of the Horsham Planning Scheme as follows:

Clause 02.02 (Vision) seeks to make the Horsham Rural City is a great place to live – vibrant, inclusive and welcoming. Council seeks to manage land use and development in a manner that:

- Protects and promotes the municipality as a safe place to live
- Respects and protects our natural environment
- Consider the impact of climate change

Clause 02.03-3 (Environmental risks and amenity) states that Council's strategic directions for environmental risks and amenity include:

- Minimise flood risk and maintain the capacity of the floodplain.

Clause 13.03-1L (Floodplain management – Horsham) applies to all land within FO, LSIO and DDO9 and contains strategies and policy guidelines. The Amendment proposes to this policy on the basis the policy guidelines can be included as policy objectives or decision guidelines in the schedules.

Does the Amendment make proper use of the Victoria Planning Provisions?

The amendment proposes to apply the most appropriate VPP tools and flood specific controls to identify and manage flood risk to life and property.

The FO is applied to areas which flood frequently, at high depth and/or speed and for which the consequences (or hazard) of flooding are moderate to high, in urban areas where development is anticipated.

The LSIO is applied to areas subject to overland flows, of lesser depth and velocity in both rural and urban areas, or where development is anticipated. It has also applied to rural zoned land which are subject to higher flood frequency, depth and velocity but where less development is planned.

The SBO is applied to land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority. One of its purposes is "To ensure that development maintains the free passage and temporary storage of

floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.”

The planning permit exemptions set out in the Schedules to each of the Overlays are also commensurate with the level of risk of flooding.

Some of the flood investigations overlap geographically. Where two or more investigation areas overlap, the following approach to selecting the Overlay has been applied:

a) Floodway Overlay:

i) If an area is classified as FO in all overlapping investigations, it is classified as FO.

ii) If an area is classified as FO in at least one investigations but not in all overlapping investigations, it is classified as LSIO.

b) Land Subject to Inundation Overlay

i) If an area is classified as LSIO in all overlapping investigations, it is classified as LSIO.

How does the Amendment address the views of any relevant agency?

The amendment has been prepared in consultation with the WCMA, which is the floodplain manager within the shire and recommending referral authority under Clause 66.03 of the Planning Scheme. The extent of the overlays, the configuration of the mapping and content of the Overlay Schedules proposed under this amendment have been prepared in consultation with WCMA.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The amendment will not impact upon the transport system objectives and decision making principles as set out in the *Transport Integration Act 2010*.

Resource and administrative costs

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

The amendment will impose some additional impact on the resources of the responsible authority as it will create some additional planning permit triggers. Although there is a large geographic area, much of the land affected by the amendment is within areas where there is limited development. The Overlay Schedules have been prepared to reduce as many unnecessary permit triggers as possible, without compromising the purpose or impact of the proposed overlays.

Where you may inspect this Amendment

The amendment can be inspected free of charge at the Horsham Rural City Council website at <http://www.hrcc.vic.gov.au/>; or

The amendment is available for public inspection, free of charge, during office hours at the following Horsham Rural City Council Customer Service Centres:

- Civic Centre, 18 Roberts Avenue HORSHAM VIC 3402
- Natimuk Office, 62 Main Street NATIMUK VIC 3409.

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the amendment documentation.

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by **20 December 2022**.

A submission must be sent to:

Strategic Planning Team
Submission to Amendment C81hors
Horsham Rural City Council
PO Box 511
Horsham VIC 3400

Or submitted by email to: strategic.planning@hrcc.vic.gov.au

Or submitted using the online submission form available on Council's website:
www.hrcc.vic.gov.au/c81-Flood-Amendment

*Planning and Environment Act 1987***HORSHAM PLANNING SCHEME****AMENDMENT C81hors****INSTRUCTION SHEET**

The planning authority for this amendment is the Horsham City Rural Council

The Horsham Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 39 attached map sheets.

Zoning Maps

1. Amend Planning Scheme Map No.12 in the manner shown on 1 attached map marked 'Horsham Planning Scheme, Amendment C81hors'.

Overlay Maps

2. Amend Planning Scheme Map Nos.1LSIO-FO, 2LSIO-FO, 4LSIO-FO, 5LSIO-FO, 6LSIO-FO, 7LSIO-FO, 8LSIO-FO, 10LSIO-FO, 11LSIO-FO, 12LSIO-FO, 13LSIO-FO, 14LSIO-FO, 15LSIO-FO, 16LSIO-FO, 17LSIO-FO, 18LSIO-FO, 19LSIO-FO, 21LSIO-FO, 22LSIO-FO, 23LSIO-FO, 24LSIO-FO, 25LSIO-FO, 26LSIO-FO, 27LSIO-FO, 28LSIO-FO, 29LSIO-FO, 30LSIO-FO, 31LSIO-FO and 32LSIO-FO in the manner shown on the 29 attached maps marked "Horsham Planning Scheme, Amendment C81hors".
3. Insert Planning Scheme Map No. 20LSIO-FO in the manner shown on the 1 attached map marked "Horsham Planning Scheme, Amendment C81hors".
4. Insert Planning Scheme Maps Nos. 9SBO, 10SBO and 13SBO in the manner shown on the 3 attached maps marked "Horsham Planning Scheme, AmendmentC81hors".
5. Amend Planning Scheme Maps 9DDO, 10DDO, 11DDO, 12DDO, 13DDO and 14DDO in the manner shown on the 6 attached maps marked "Horsham Planning Scheme, AmendmentC81hors".

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

6. In **Purpose and Vision** – amend Clause 02.03-3 Environmental risks and amenity in the form of the attached document.
7. In **Planning Policy Framework**- delete Clause 13.03-1L Floodplain management
8. In **Zones** – delete Clause 37.03
9. In **Overlays** – delete Schedule 4 to Clause 43.03.
10. In **Overlays** – delete Schedule 9 to Clause 43.03

11. In **Overlays** – Clause 44.03, replace Schedule 1 with a Schedule 1 in the form of the attached document.
12. In **Overlays** – Clause 44.04, replace the Schedule with a new Schedule 1 in the form of the attached document.
13. In **Overlays** – insert Clause 44.05 in the form of the attached document.
14. In **Overlays** – Clause 44.05, insert a new Schedule 1 in the form of the attached document.
15. In **Overlays** – Clause 45.05, insert a new Schedule 1 in the form of the attached document.
16. In **Operational Provisions** – Clause 72.03, replace the Schedule with a new Schedule in the form of the attached document.
17. In **Operational Provisions** – Clause 72.08, replace the Schedule with a new Schedule in the form of the attached document.
18. In **Operational Provisions** – Clause 74.01, replace the Schedule with a new Schedule in the form of the attached document.
19. In **Operational Provisions** – Clause 74.02, replace the Schedule with a new Schedule in the form of the attached document.

End of document

02.03-3

C81hors

Environmental risks and amenity

Climate change projections for the municipality predict:

- Increased temperatures, particularly in summer.
- Drier conditions with greater decreases in rainfall expected in spring.
- Increases in the intensity of rainfall but a decrease in the number of rainy days.
- Increased risk of bushfire and a longer fire season.

With increased temperatures and less rainfall, water will be a key issue in the future for the community, council, primary producers and businesses.

Bushfire threat across the municipality varies based on vegetation type, topography and seasonal influences. A forest fire risk exists around the Grampians National Park, Black Range State Park and other State Parks. A grassfire risk exists through much of the remainder of the municipality, with the potential for grassfires to impact on Horsham and smaller townships and settlements.

Some land in the municipality is subject to flooding. Areas of major risk are along the Wimmera River and other major and minor waterways and affect both urban and rural areas, including the Horsham township. Flood studies undertaken by the Wimmera Catchment Management Authority have identified flood prone areas and form the basis for the application of the Floodway Overlay, Land Subject to Inundation Overlay and Special Building Overlay.

Council's strategic directions for environmental risks and amenity are to:

- Adapt to the impacts of climate change to withstand hotter, drier conditions and severe weather events.
- Design development to respond to bushfire risk.
- Ensure development does not expose the community to increased risk from bushfires.
- Minimise flood risk and maintain the capacity of the floodplain.

C81hors

SCHEDULE 4 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

This schedule and schedule sections will be deleted.

C81hors

SCHEDULE 9 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

This schedule and schedule sections will be deleted.

System Note: The following ordinance will be deleted from Clause:43 HERITAGE AND BUILT FORM OVERLAYS, Sub-Clause:43.02 DESIGN AND DEVELOPMENT OVERLAY

C81hors

SCHEDULE 1 TO CLAUSE 44.03 FLOODWAY OVERLAY

Shown on the planning scheme map as FO1.

HORSHAM, WARTOOK, MT WILLIAM CREEK, NATIMUK, WIMMERA RIVER FLOOD RISK AREAS

System Note: The following ordinance will be modified in Sub-Clause:44.03 FLOODWAY OVERLAY, Schedule:SCHEDULE 1 TO CLAUSE 44.03 FLOODWAY OVERLAY

1.0

C81hors

Floodway objectives to be achieved

None specified.

System Note: The following ordinance will be modified in Sub-Clause:44.03 FLOODWAY OVERLAY, Schedule:SCHEDULE 1 TO CLAUSE 44.03 FLOODWAY OVERLAY

2.0

C81hors

Statement of risk

None specified.

System Note: The following ordinance will be modified in Sub-Clause:44.03 FLOODWAY OVERLAY, Schedule:SCHEDULE 1 TO CLAUSE 44.03 FLOODWAY OVERLAY

3.0

C81hors

Permit requirement

A permit is not required to construct a building or construct or carry out works as follows:

On land subject to an existing planning permit, restriction or agreement

- If land has been developed in accordance with a planning permit, restriction or section 173 agreement requiring its ground level to be finished at 300 millimetres above the 100-year ARI (average recurrence level) flood level; and
- Survey plans confirm that the ground level has been constructed in accordance with the requirements of a planning permit, restriction or subdivision; and
- Any buildings and works do not lower the ground level or result in a finished floor level for a dwelling that is below 300 millimetres above the 100-year ARI flood level.

General buildings and works

- Road works or works to any other accessway (public or private), including construction of driveways, vehicle crossovers, footpaths or bicycle paths if there is no change to existing surface levels or if the relevant floodplain management authority has advised in writing that it supports the proposed works.

Extensions and alterations to buildings

- An upper storey extension to an existing building provided the extension is within the existing building footprint.
- An open sided pergola, deck, ramp, carport or verandah with a finished floor level not more than 150 millimetres above ground level.
- A pergola, deck, ramp, carport or verandah with unenclosed foundations with a finished floor level not less than 300 millimetres above the 100-year ARI flood level.

Other buildings and works

- An outdoor recreation facility excluding any buildings or structures (including fencing) that alter water movement across the floodplain and/or impact flood storage capacity, and works that alter the topography of the land.
- An open sided pergola, deck, ramp, carport or verandah with a finished floor level not more than 150 millimetres above ground level.
- An in-ground swimming pool or spa, and associated mechanical and safety equipment and open-style security fencing where:
 - The excavated spoil does not raise the ground level topography by more than 150 millimetres; and
 - The perimeter edging of the pool is finished at no more than 150 millimetres above natural ground level.
- A domestic rainwater tank provided:
 - The rainwater tank has a capacity less than 25,000 litres; and
 - The rainwater tank is on a stand more than 300 millimetres above the 1 per cent AEP flood level which allows the free passage of floodwater.
- A maximum of four rainwater tanks, with a combined capacity not greater than 25,000 litres, and which are sited at least 1 metre apart.
- Repairs and routine maintenance that do not affect the height, length or location of a levee, embankment or road.

Rural (land located within the Farming Zone)

- A shed used for the storage of farm machinery, farm vehicles and workshop associated with a rural use in the Farming Zone with a floor area not more than 200 square metres, and the relevant floodplain management authority has advised in writing that there is no impact to flood damage.
- A pump shed with a footprint no larger than 10 square metres.

System Note: The following ordinance will be modified in Sub-Clause:44.03 FLOODWAY OVERLAY, Schedule:SCHEDULE 1 TO CLAUSE 44.03 FLOODWAY OVERLAY

4.0

C81hors

Application requirements

The following application requirements apply to an application for a permit under Clause 44.03, in addition to those specified in Clause 44.03 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site description, which may use a site plan (drawn to scale), photographs or any other relevant technique, that accurately describes:
 - The boundaries, dimensions, shape, size, orientation, slope and elevation of the site.
 - Relevant existing and proposed ground levels of the site, to Australian Height Datum, and the difference in levels between the site and surrounding properties.
 - Location, layout, size and use of existing and proposed buildings and works on the site and on surrounding properties.
 - Floor levels of any any existing or proposed buildings, to Australian Height Datum.
 - The use of surrounding properties and buildings.
 - Location of significant environmental values flora, fauna and wetlands on the site and surrounding properties.

- Adjoining roads, internal driveways and access tracks
- Any other notable features or characteristics of the site.
- Plans, including elevations, of all proposed buildings, drawn to scale.
- Construction details of all proposed buildings, fences, works and driveways.

System Note: The following ordinance will be modified in Sub-Clause:44.03 FLOODWAY OVERLAY, Schedule:SCHEDULE 1 TO CLAUSE 44.03 FLOODWAY OVERLAY

5.0

C81hors

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 44.04, in addition to those specified in Clause 44.04 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- *Guidelines for Development in Flood-Affected Areas* (Department of Environment, Land, Water and Planning, 2019)

System Note: The following ordinance will be modified in Clause:44 LAND MANAGEMENT OVERLAYS, Sub-Clause:44.04 LAND SUBJECT TO INUNDATION OVERLAY

C81hors

SCHEDULE 1 TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as **LSIO1**.

HORSHAM, WARTOOK, MT WILLIAM CREEK, NATIMUK, WIMMERA RIVER FLOOD STORAGE OR FLOOD FRINGE AREAS

System Note: The following ordinance will be included after SCHEDULE TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

System Note: The following ordinance will be modified in Sub-Clause:44.04 LAND SUBJECT TO INUNDATION OVERLAY, Schedule:SCHEDULE TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

1.0

C81hors

Land subject to inundation objectives to be achieved

None specified.

System Note: The following ordinance will be modified in Sub-Clause:44.04 LAND SUBJECT TO INUNDATION OVERLAY, Schedule:SCHEDULE TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

2.0

C81hors

Statement of risk

None specified.

System Note: The following ordinance will be modified in Sub-Clause:44.04 LAND SUBJECT TO INUNDATION OVERLAY, Schedule:SCHEDULE TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

3.0

C81hors

Permit requirement

A permit is not required to construct a building or construct or carry out works as follows:

On land subject to an existing planning permit, restriction or agreement

- If land has been developed in accordance with a planning permit, restriction or section 173 agreement requiring its ground level to be finished at least 300 millimetres above the 100-year ARI (average recurrence interval) flood level; and
- Survey plans confirm that the ground level has been constructed in accordance with the requirements of a planning permit, restriction or subdivision; and
- Any buildings and works do not lower the ground level or result in a finished floor level for a dwelling that is below 300 millimetres above the 100-year ARI flood level.

General buildings and works

- Road works or works to any other accessway (public or private), including construction of driveways, vehicle crossovers, footpaths or bicycle paths if there is no change to existing surface levels or if the relevant floodplain management authority has advised in writing that it supports the proposed works.

Buildings

- A dependent person's unit with the written consent of the relevant floodplain management authority.
- A non-habitable building (including a shed), including replacement of an existing non-habitable building provided:
 - The floor area is less than 20 square metres; and
 - The floor level is at least 150 millimetres above the 1% AEP flood level.
- Any buildings or works on land that has been filled in accordance with the requirements of a planning permit.

Extensions and alterations to buildings

- An extension to an existing dwelling provided the floor level of the proposed extension is not lower than the existing floor level and the gross floor area of the building is less than 20 square metres

Other buildings and works

- An outdoor advertising sign or business sign that is attached to the wall of a building or orientated parallel to the direction of floodwater flow.
- An open sided pergola, carport or verandah with a finished floor level not more than 150 millimetres above ground level.
- An open sided agricultural shed with a floor area not more than 200 square metres, provided the shed is located on land in a rural zone.
- An in-ground swimming pool or spa, and associated mechanical and safety equipment and open-style security fencing where:
 - The excavated spoil does not raise ground level topography by more than 150 millimeters; and
 - The perimeter edging of the pool is finished at no more than 150 millimetres above natural ground level.
- A domestic water tank provided:
 - The rainwater tank has a capacity less than 25,000 litres; and
 - The rainwater tank is on a stand more than 300 millimetres above the 1% AEP flood level which allows the free passage of floodwater.
- A maximum of four rainwater tanks, with a combined capacity not greater than 25,000 litres, and which are sited at least 1 metre apart.
- Repairs and routine maintenance that do not affect the height, length or location of a levee, embankment or road.

Rural (land located within the Farming Zone)

- A shed used for the storage of farm machinery, farm vehicles and workshop associated with a rural use in the Farming Zone with a floor area not more than 200m², and the relevant floodplain management authority has advised in writing that there is no impact to flood damage.
- A pump shed with a footprint no larger than 10m square metres.

System Note: The following ordinance will be modified in Sub-Clause:44.04 LAND SUBJECT TO INUNDATION OVERLAY, Schedule:SCHEDULE 1 TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

4.0

C81hors

Application requirements

The following application requirements apply to an application for a permit under Clause 44.04, in addition to those specified in Clause 44.04 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority: A flood risk report prepared by a suitably qualified person that addresses the following matters:

- A flood risk report prepared by a suitably qualified person that addresses the following matters:
 - Details of the proposed development, site conditions, and site context plan.
 - The flood extent, flood levels and flow directions relevant to the site.
 - The frequency, duration, depth and velocity of flooding and flood warning time applicable to the development site and access way.
 - The susceptibility of the development to flood damage.
 - The potential flood risk to life health and safety.
 - The effect of the development on reducing flood storage and on redirecting or obstructing floodwater, stormwater or drainage water.

- The effect of the development on environmental values, for example flora, fauna and wetlands.
- Whether the proposed development could be located on flood-free land or land with a lesser flood hazard.
- A site description, which may use a site plan (drawn to scale), photographs or any other relevant technique, that accurately describes:
 - The boundaries, dimensions, shape, size, orientation and elevation of the site.
 - Relevant existing and proposed ground levels of the site, to Australian Height Datum taken by or under the direct supervision of a licensed land surveyor, and the difference in levels between the site and surrounding properties.
 - Location, layout, size and use of existing and proposed buildings and works on the site and on surrounding properties.
 - Floor levels of any existing and proposed buildings, to Australian Height Datum, taken by or under the direct supervision of a licensed surveyor.
 - The use of surrounding properties and buildings.
 - Location of significant environmental values including flora, fauna and wetlands on the site and surrounding properties.
 - Adjoining roads, internal driveways, and access tracks.
 - Any other notable features or characteristics of the site.
- Elevations of all proposed buildings, drawn to scale.
- Construction details of all buildings, fences, works and driveways.
- In the case of fences, a report that demonstrates that the fence does not significantly obstruct flood flows.

This information may not be required for:

- A single dwelling on a lot.
- Minor earthworks.

System Note: The following ordinance will be modified in Sub-Clause:44.04 LAND SUBJECT TO INUNDATION OVERLAY, Schedule:SCHEDULE TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

5.0

C81hors

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 44.04, in addition to those specified in Clause 44.04 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority

- *Guidelines for Development in Flood-Affected Areas* (Department of Environment, Land, Water and Planning, 2019)

44.05

C81hors

SPECIAL BUILDING OVERLAY

This sub-clause and sub-clause sections will be included.

System Note: The following schedule will be inserted after 44.05 SPECIAL BUILDING OVERLAY

C81hors

SCHEDULE 1 TO CLAUSE 44.05 SPECIAL BUILDING OVERLAY

Shown on the planning scheme map as **SBO1**

HORSHAM FLOOD RISK AREA**1.0**

C81hors

Flooding management objectives to be achieved

None specified.

2.0

C81hors

Statement of risk

None specified.

3.0

C81hors

Permit requirement

A permit is not required to construct a building or construct or carry out works as follows:

On land subject to an existing planning permit, restriction or agreement

- If land has been developed in accordance with a planning permit, restriction or section 173 agreement requiring its ground level to be finished at least 300 millimetres above the 100-year ARI (average recurrence interval) flood level; and
- Survey plans confirm that the ground level has been constructed in accordance with the requirements of a planning permit, restriction or subdivision; and
- Any buildings and works do not lower the ground level or result in a finished floor level for a dwelling that is below 300 millimetres above the 100-year ARI flood level.

General buildings and works

- A dependent person's unit with the written consent of the relevant floodplain management authority.
- All fencing in an established urban area.
- An upper storey extension to an existing building provided the extension is within the existing building footprint.
- An open sided pergola, deck, ramp, carport or verandah with a finished floor level not more than 150 millimetres above ground level.
- An open building or structure with no walls.
- Carrying out of works if the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.

4.0

C81hors

Application requirements

The following application requirements apply to an application for a permit under Clause 44.05, in addition to those specified in Clause 44.05 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A flood risk report prepared by a suitably qualified person that addresses the following matters:
 - Details of the proposed development, site conditions, and site context plan.
 - The flood extent, flood levels and flow directions relevant to the site.
 - The frequency, duration, depth and velocity of flooding and flood warning time applicable to the development site and access way.
 - The susceptibility of the development to flood damage.
 - The potential flood risk to life health and safety.

- The effect of the development on reducing flood storage and on redirecting or obstructing floodwater, stormwater or drainage water.
- The effect of the development on environmental values, for example flora, fauna and wetlands.
- Whether the proposed development could be located on flood-free land or land with a lesser flood hazard.
- A site description, which may use a site plan (drawn to scale), photographs or any other relevant technique, that accurately describes:
 - The boundaries, dimensions, shape, size, orientation, slope and elevation of the site.
 - Relevant existing and proposed ground levels of the site, to Australian Height Datum taken by or under the direct supervision of a licensed land surveyor, and the difference in levels between the site and surrounding properties.
 - Where application requirements are specified insert “The following application requirements apply to an application for a permit under Clause 44.05, in addition to those specified in Clause 44.05 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:
 - Location, layout, size and use of existing and proposed buildings and works on the site and on surrounding properties.
 - Floor levels of any existing and proposed buildings, to Australian Height Datum, taken by or under the direct supervision of a licensed surveyor.
 - The use of surrounding properties and buildings.
 - Location of significant environmental values including flora, fauna and wetlands on the site and surrounding properties.
 - Adjoining roads, internal driveways, and access tracks.
 - Any other notable features or characteristics of the site.
- Elevations of all proposed buildings, drawn to scale.
- Elevations of all proposed buildings, drawn to scale.
- In the case of fences, a report that demonstrates that the fence does not significantly obstruct flood flows.

This information may not be required for:

- A single dwelling on a lot.
- Minor Earth Works

5.0

C81hors

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 44.05, in addition to those specified in Clause 44.05, and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- *Guidelines for Development in Flood-Affected Areas* (Department of Environment, Land, Water and Planning, 2019)

C81hors

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

System Note: The following ordinance will be modified in Sub-Clause:72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?, Schedule:SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

1.0

C81hors

Maps comprising part of this planning scheme:

- 1, 1ESO2, 1LSIO-FO, 1BMO
- 2, 2DDO, 2LSIO-FO, 2BMO
- 3, 3PAO
- 4, 4LSIO-FO, 4BMO
- 5, 5ESO2, 5LSIO-FO, 5BMO
- 6, 6DPO, 6ESO2, 6ESO3, 6LSIO-FO, 6SLO, 6BMO
- 7, 7ESO3, 7HO, 7LSIO-FO
- 8, 8DDO, 8DPO, 8ESO3, 8ESO6, 8IPO, 8LSIO-FO, 8BMO
- 9, 9DPO, 9SBO
- 10, 10DPO, 10ESO3, 10EAO, 10HO, 10LSIO-FO, 10SBO, 10RXO
- 11, 11DPO, 11ESO3, 11LSIO-FO
- 12, 12DPO, 12EAO, 12ESO3, 12HO, 12LSIO-FO
- 13, 13DPO, 13EAO, 13ESO3, 13LSIO-FO, 13PAO, 13SBO, 13RXO
- 14, 14DPO, 14ESO3, 14LSIO-FO
- 15, 15DDO, 15DPO, 15ESO3, 15ESO5, 15ESO7, 15HO, 15LSIO-FO, 15PAO, 15RXO, 15BMO
- 16, 16LSIO-FO
- 17, 17ESO3, 17ESO5, 17LSIO-FO, 17BMO
- 18, 18ESO2, 18LSIO-FO, 18SLO, 18BMO
- 19, 19ESO2, 19ESO3, 19ESO4, 19ESO5, 19LSIO-FO, 19BMO
- 20, 20DPO, 20LSIO-FO
- 21, 21ESO3, 21ESO4, 21ESO5, 21LSIO-FO, 21BMO
- 22, 22ESO3, 22LSIO-FO
- 23, 23DPO, 23ESO3, 23ESO4, 23ESO5, 23SLO, 23LSIO-FO, 23BMO
- 24, 24ESO3, 24ESO4, 24ESO5, 24LSIO-FO, 24SLO, 24BMO
- 25, 25LSIO-FO, 25BMO
- 26, 26ESO2, 26LSIO-FO, 26BMO
- 27, 27ESO2, 27LSIO-FO
- 28, 28ESO4, 28ESO5, 28HO, 28LSIO-FO, 28SLO, 28BMO
- 29, 29ESO4, 29ESO5, 29LSIO-FO, 29SLO, 29BMO
- 30, 30ESO1, 30ESO4, 30ESO5, 30LSIO-FO, 30SLO, 30BMO
- 31, 31HO, 31LSIO-FO, 31SLO, 31BMO

- 32, 32ESO5, 32LSIO-FO, 32SLO, 32BMO
- 33, 33BMO

**System Note: The following ordinance will be modified in Clause:72
ADMINISTRATION AND ENFORCEMENT OF THIS PLANNING SCHEME,
Sub-Clause:72.08 BACKGROUND DOCUMENTS**

C81hors

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

System Note: The following ordinance will be modified in Sub-Clause:72.08 BACKGROUND DOCUMENTS, Schedule:SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0

C81hors

Background documents

Name of background document	Amendment number - clause reference
<i>East Horsham Flood Plan - Drainage Recommendations Report</i> (Water Technology, January 2013)	C75
<i>East Horsham Flood Plan - Flood Intelligence Report</i> (Water Technology, January 2013)	C75
<i>Environment Sustainability Strategy</i> (Horsham Rural City Council, March 2010)	C75
<i>Horsham & District Early Years Plan</i> (Horsham Rural City Council, November 2014)	C75
<i>Horsham & Wartook Valley Flood Investigation</i> (Water Technology, 2019)	C81hors
<i>Horsham Central Activity District Strategy</i> (Essential Economics, October 2013)	C75
<i>Horsham Flood Study</i> (Water Technology, February 2003)	C22
<i>Horsham Framework for Managing Growth</i> (Meinhardt, October 2013)	C75
<i>Horsham Heritage Study</i> (Stage 2) (Grieve Gillet, August 2014)	C75
<i>Horsham Municipal Bicycle & Shared Path Plan 2012-2016</i> (Driscoll Engineering Services, September 2012)	C75
<i>Horsham North Urban Design Framework</i> (SJB Urban, April 2013)	C75
<i>Infrastructure Design Manual</i> (Local Government Infrastructure Design Association, 2020)	C75
<i>Lower Wimmera - Hydrology (RO2)</i> (Water Technology, January 2017)	C81hors
<i>Mount William Creek Flood Investigation</i> (BMT WBM, December 2014)	C75&C81hors
<i>Natimuk Flood Investigation</i> (Water Technology, January 2013)	C75&C81hors
<i>Regional Bushfire Planning Assessment – Grampians Region</i> (Department of Planning and Community Development, April 2012)	C75
<i>South West Victoria Landscape Assessment Study</i> (Planisphere, June 2013)	C75
<i>Wartook Valley Strategy</i> (Meinhardt, September 2017)	C75
<i>Warracknabeal Brim Flood Study Investigation</i> (Water Technology, 2016)	C81hors
<i>Wimmera Floodplain Management Strategy</i> (Wimmera Catchment Management Authority, November 2017)	C75

Name of background document	Amendment number - clause reference
<i>Wimmera Intermodal Freight Terminal Structure Plan</i> (AECOM, December 2012)	C64
<i>Wimmera Regional Catchment Strategy 2013-2019</i> (Wimmera Catchment Management Authority, 2013)	C75
<i>Wimmera River – Yarriambiack Creek Flow Modelling Study Report</i> (Water Technology, June 2009)	C75&C81hors

System Note: The following ordinance will be modified in Sub-Clause:74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS, Schedule:SCHEDULE TO CLAUSE 74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

1.0

C81hors

Application of zones, overlays and provisions

This planning scheme applies the following zones, overlays and provisions to implement the Municipal Planning Strategy and the objectives and strategies in Clauses 11 to 19:

- **Low Density Residential Zone** to residential areas that may not be serviced by reticulated sewerage systems including land generally at the outskirts of Horsham regional city.
- **Mixed Use Zone** to areas with a mixed use character including land at the north of Dudley Cornell Reserve in Horsham North.
- **Township Zone** to provide for residential development and a range of commercial, industrial and other uses in a small rural town context including Wail, Pimpinio, Natimuk, Dooen, Jung, Mitre, Nurrabel, Noradjuha, Wonwondah North and Clear Lake.
- **General Residential Zone** to new or established residential areas where there are minimal constraints to residential development in Horsham regional city.
- **Industrial 1 Zone** to areas comprising a range of industrial and non-industrial uses including core industrial areas in Horsham regional city.
- **Industrial 3 Zone** to land providing a buffer between industrial and residential areas including:
 - Fringe industrial areas in Horsham regional city.
 - Land surrounding the Horsham Airport suitable for aviation related industries.
- **Commercial 1 Zone** to the Horsham CAD for retail, office, business, residential, entertainment and community uses.
- **Commercial 2 Zone** to land for use as offices and associated business and commercial services together with manufacturing, industry and bulky goods retailing including:
 - A number of highway locations in Horsham regional city to allow bulky goods and manufacturing industries where such activities are already established.
 - Land to the north west (along Dimboola Road) and the south east of the Horsham CAD to encourage a mix of light industrial and office activity.
- **Rural Living Zone** to areas with predominantly residential uses in a rural setting in Natimuk, outer Horsham, Noradjuha, Laharum, Dadswells Bridge and Toolondo.
- **Farming Zone** to productive agricultural land.
- **Public Use Zone** to land used for a public purpose, including public land used for utility or community service provision such as Horsham Base Hospital and other council facilities.
- **Public Park and Recreation Zone** to public open space and public recreation areas.
- **Public Conservation and Resource Zone** to conserve and protect the natural environment or resources including but not limited to:
 - Wimmera River.
 - Little Desert National Park.
 - Lake Wyn Wyn, Lake Duchembegarra.
 - MacKenzie River.
 - Darlot Swamp, Dock Lake.

- Mount Arapiles-Tooan Park, Mitre Lake, St Marys Lake, Heard Lake, Boundary Swamp.
- Norton Creek.
- **Transport Zone** to land used for a transport purpose including:
 - Horsham rail corridor
 - Horsham – Noradjuha Road.
 - Horsham – Kalkee Road.
 - Horsham – Drung South Road.
 - Western Highway.
 - Henty Highway.
 - Horsham – Minyip Road.
 - Wimmera Highway.
 - Natimuk – Hamilton Road.
 - Natimuk – Frances Road.
- **Special Use Zone** to provide for the use of land for specific purposes, with detailed requirements prescribed for particular sites including:
 - Horsham golf course (SUZ1).
 - Land required for the Horsham Airport (SUZ2).
 - Dooen freight hub (SUZ3).
 - Horsham showgrounds (SUZ4).
 - Wimmera events centre (SUZ5).
 - Areas identified as being suitable for extractive industry (SUZ6).
 - Horsham artist in residence (SUZ8).
 - The Wimmera Intermodal Freight Terminal (WIFT) Precinct in Dooen to provide for the separation of incompatible industrial and warehousing uses within the precinct (SUZ9).
- **Environmental Significance Overlay** to areas where the development of land may be affected by environmental constraints, and areas where vegetation protection is part of a wider objective to protect the environmental significance of the area including:
 - Areas of ecological, significance such as areas identified as Red-tailed Black Cockatoo habitat (ESO2 Natimuk Douglas wetlands).
 - Waterways and their catchments and water resources (ESO3 Water course protection, ESO4 Water catchment protection, ESO5 Channel and reservoir protection, and ESO6 Horsham South wastewater treatment plant buffer area).
 - Land adjacent to the Wimmera Intermodal Freight Terminal Precinct in Dooen to protect the precinct from incompatible sensitive uses and provide a buffer to uses with adverse amenity potential in the precinct (ESO7 WIFT Precinct buffer area).
 - Wartook Tourist Area adjacent to the Grampians National Park (ESO1).
- **Significant Landscape Overlay** to identify, conserve and enhance the character of significant landscapes (SLO1 Grampians National Park, SLO2 Mount Arapiles-Tooan State Park and SLO3 Grampians and Black Range environs).

- **Heritage Overlay** to conserve and enhance heritage places of natural and cultural significance and ensure that development does not adversely affect the significance of heritage places.
- **Design and Development Overlay** to implement requirements to control built form and the built environment including:
 - Around the Horsham rifle range and sewerage treatment plant to minimise land use conflict in the vicinity of these facilities (DDO1).
 - Around the Horsham Airport to restrict development within the identified airspace (DDO2 and DDO3).
 - Urban Conservation Precincts within Horsham CAD and residential areas (DDO5 and DDO6).
 - Areas where specific design solutions are required (DDO8 City gardens and DDO10 Stawell Road/Western Highway entrance corridor).
 - The Wimmera Intermodal Freight Terminal (WIFT) Precinct in Dooen to ensure a high quality urban design and built form in the precinct (DDO11).
- **Incorporated Plan Overlay** to specify requirements over the development of an area and the plan is incorporated into the planning scheme including:
 - 2214 Western Highway, Haven (IPO1).
- **Development Plan Overlay** to specify requirements over the development of an area including:
 - Undeveloped Low Density Residential areas (DPO1).
 - Undeveloped Rural Living areas (DPO2).
 - Land on the south side of the Wimmera River (DPO3 and DPO6).
 - Mining Policy Area No. 1 [Drung South] (DPO4).
 - Mining Policy Area No. 2 [mineral sands] (DPO5).
 - Wimmera Events Centre development plan (DPO7).
 - Horsham artists in residence site (DPO8).
 - The Wimmera Intermodal Freight Terminal (WIFT) Precinct in Dooen (DPO9).
- **Floodway Overlay** to urban and rural land identified as part of an active floodway, or to a high hazard area with high flow velocities, where impediment of flood water can cause significant changes in flood flows and adversely affect other areas.
- **Land Subject to Inundation Overlay** to land in either rural or urban areas that is subject to inundation from mainstream flooding during a 1 in 100 year flood event, but is not part of the primary floodway.
Special Building Overlay to land in urban areas that is subject to inundation from mainstream flooding during a 1 in 100 year flood event, but is not part of the primary floodway.
- **Bushfire Management Overlay** to areas identified as having a high bushfire hazard.
- **Public Acquisition Overlay** to land that is proposed to be acquired for a public purpose including:
 - Sites to be acquired by council for use as locally managed roads, to improve accessibility within Horsham CAD (PAO1).
 - Land to be acquired by GWM Water for use as a pumping station and water storage sites for the Wimmera Mallee Pipeline System (PAO2).

- **Environmental Audit Overlay** to land identified, known or reasonably suspected of being contaminated including former industrial sites located within Horsham regional city.
- **Road Closure Overlay** to roads to be closed including:
 - Former roads located within Horsham CAD.
 - Former roads located within the Wimmera Intermodal Freight Terminal Precinct.

System Note: The following ordinance will be deleted from Clause:13 ENVIRONMENTAL RISKS AND AMENITY, Sub-Clause:13.03 FLOODPLAINS

13.03-1L
C81hors

Floodplain management – Horsham

This sub-clause section will be deleted.

System Note: The following ordinance will be deleted from Clause:43 HERITAGE AND BUILT FORM OVERLAYS, Sub-Clause:43.02 DESIGN AND DEVELOPMENT OVERLAY

System Note: The following ordinance will be modified in Sub-Clause:72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?, Schedule:SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

1.0

C81hors

Maps comprising part of this planning scheme:

- 1, 1ESO2, 1LSIO-FO, 1BMO
- 2, 2DDO, 2LSIO-FO, 2BMO
- 3, 3PAO
- 4, 4LSIO-FO, 4BMO
- 5, 5ESO2, 5LSIO-FO, 5BMO
- 6, 6DPO, 6ESO2, 6ESO3, 6LSIO-FO, 6SLO, 6BMO
- 7, 7ESO3, 7HO, 7LSIO-FO
- 8, 8DDO, 8DPO, 8ESO3, 8ESO6, 8IPO, 8LSIO-FO, 8BMO
- 9, 9DPO, 9SBO
- 10, 10DPO, 10ESO3, 10EAO, 10HO, 10LSIO-FO, 10SBO, 10RXO
- 11, 11DPO, 11ESO3, 11LSIO-FO
- 12, 12DPO, 12EAO, 12ESO3, 12HO, 12LSIO-FO
- 13, 13DPO, 13EAO, 13ESO3, 13LSIO-FO, 13PAO, 13SBO, 13RXO
- 14, 14DPO, 14ESO3, 14LSIO-FO
- 15, 15DDO, 15DPO, 15ESO3, 15ESO5, 15ESO7, 15HO, 15LSIO-FO, 15PAO, 15RXO, 15BMO
- 16, 16LSIO-FO
- 17, 17ESO3, 17ESO5, 17LSIO-FO, 17BMO
- 18, 18ESO2, 18LSIO-FO, 18SLO, 18BMO
- 19, 19ESO2, 19ESO3, 19ESO4, 19ESO5, 19LSIO-FO, 19BMO
- 20, 20DPO, 20LSIO-FO
- 21, 21ESO3, 21ESO4, 21ESO5, 21LSIO-FO, 21BMO
- 22, 22ESO3, 22LSIO-FO
- 23, 23DPO, 23ESO3, 23ESO4, 23ESO5, 23SLO, 23LSIO-FO, 23BMO
- 24, 24ESO3, 24ESO4, 24ESO5, 24LSIO-FO, 24SLO, 24BMO
- 25, 25LSIO-FO, 25BMO
- 26, 26ESO2, 26LSIO-FO, 26BMO
- 27, 27ESO2, 27LSIO-FO
- 28, 28ESO4, 28ESO5, 28HO, 28LSIO-FO, 28SLO, 28BMO
- 29, 29ESO4, 29ESO5, 29LSIO-FO, 29SLO, 29BMO
- 30, 30ESO1, 30ESO4, 30ESO5, 30LSIO-FO, 30SLO, 30BMO
- 31, 31HO, 31LSIO-FO, 31SLO, 31BMO
- 32, 32ESO5, 32LSIO-FO, 32SLO, 32BMO
- 33, 33BMO

**System Note: The following ordinance will be modified in Sub-Clause:72.08
BACKGROUND DOCUMENTS, Schedule:SCHEDULE TO CLAUSE 72.08
BACKGROUND DOCUMENTS**

1.0

C81hors

Background documents

Name of background document	Amendment number - clause reference
<i>East Horsham Flood Plan - Drainage Recommendations Report</i> (Water Technology, January 2013)	C75
<i>East Horsham Flood Plan - Flood Intelligence Report</i> (Water Technology, January 2013)	C75
<i>Environment Sustainability Strategy</i> (Horsham Rural City Council, March 2010)	C75
<i>Horsham & District Early Years Plan</i> (Horsham Rural City Council, November 2014)	C75
<i>Horsham & Wartook Valley Flood Investigation</i> (Water Technology, 2019)	C81hors
<i>Horsham Central Activity District Strategy</i> (Essential Economics, October 2013)	C75
<i>Horsham Flood Study</i> (Water Technology, February 2003)	C22
<i>Horsham Framework for Managing Growth</i> (Meinhardt, October 2013)	C75
<i>Horsham Heritage Study</i> (Stage 2) (Grieve Gillet, August 2014)	C75
<i>Horsham Municipal Bicycle & Shared Path Plan 2012-2016</i> (Driscoll Engineering Services, September 2012)	C75
<i>Horsham North Urban Design Framework</i> (SJB Urban, April 2013)	C75
<i>Infrastructure Design Manual</i> (Local Government Infrastructure Design Association, 2020)	C75
<i>Lower Wimmera - Hydrology (RO2)</i> (Water Technology, January 2017)	C81hors
<i>Mount William Creek Flood Investigation</i> (BMT WBM, December 2014)	C75&C81hors
<i>Natimuk Flood Investigation</i> (Water Technology, January 2013)	C75&C81hors
<i>Regional Bushfire Planning Assessment – Grampians Region</i> (Department of Planning and Community Development, April 2012)	C75
<i>South West Victoria Landscape Assessment Study</i> (Planisphere, June 2013)	C75
<i>Wartook Valley Strategy</i> (Meinhardt, September 2017)	C75
<i>Warracknabeal Brim Flood Study Investigation</i> (Water Technology, 2016)	C81hors
<i>Wimmera Floodplain Management Strategy</i> (Wimmera Catchment Management Authority, November 2017)	C75
<i>Wimmera Intermodal Freight Terminal Structure Plan</i> (AECOM, December 2012)	C64

Name of background document	Amendment number - clause reference
<i>Wimmera Regional Catchment Strategy 2013-2019</i> (Wimmera Catchment Management Authority, 2013)	C75
<i>Wimmera River – Yarriambiack Creek Flow Modelling Study Report</i> (Water Technology, June 2009)	C75&C81hors

System Note: The following ordinance will be modified in Sub-Clause:74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS, Schedule:SCHEDULE TO CLAUSE 74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

1.0

C81hors

Application of zones, overlays and provisions

This planning scheme applies the following zones, overlays and provisions to implement the Municipal Planning Strategy and the objectives and strategies in Clauses 11 to 19:

- **Low Density Residential Zone** to residential areas that may not be serviced by reticulated sewerage systems including land generally at the outskirts of Horsham regional city.
- **Mixed Use Zone** to areas with a mixed use character including land at the north of Dudley Cornell Reserve in Horsham North.
- **Township Zone** to provide for residential development and a range of commercial, industrial and other uses in a small rural town context including Wail, Pimpinio, Natimuk, Dooen, Jung, Mitre, Nurrabel, Noradjuha, Wonwondah North and Clear Lake.
- **General Residential Zone** to new or established residential areas where there are minimal constraints to residential development in Horsham regional city.
- **Industrial 1 Zone** to areas comprising a range of industrial and non-industrial uses including core industrial areas in Horsham regional city.
- **Industrial 3 Zone** to land providing a buffer between industrial and residential areas including:
 - Fringe industrial areas in Horsham regional city.
 - Land surrounding the Horsham Airport suitable for aviation related industries.
- **Commercial 1 Zone** to the Horsham CAD for retail, office, business, residential, entertainment and community uses.
- **Commercial 2 Zone** to land for use as offices and associated business and commercial services together with manufacturing, industry and bulky goods retailing including:
 - A number of highway locations in Horsham regional city to allow bulky goods and manufacturing industries where such activities are already established.
 - Land to the north west (along Dimboola Road) and the south east of the Horsham CAD to encourage a mix of light industrial and office activity.
- **Rural Living Zone** to areas with predominantly residential uses in a rural setting in Natimuk, outer Horsham, Noradjuha, Laharum, Dadswells Bridge and Toolondo.
- **Farming Zone** to productive agricultural land.
- **Public Use Zone** to land used for a public purpose, including public land used for utility or community service provision such as Horsham Base Hospital and other council facilities.
- **Public Park and Recreation Zone** to public open space and public recreation areas.
- **Public Conservation and Resource Zone** to conserve and protect the natural environment or resources including but not limited to:
 - Wimmera River.
 - Little Desert National Park.
 - Lake Wyn Wyn, Lake Duchembegarra.
 - MacKenzie River.
 - Darlot Swamp, Dock Lake.

- Mount Arapiles-Tooan Park, Mitre Lake, St Marys Lake, Heard Lake, Boundary Swamp.
- Norton Creek.
- **Transport Zone** to land used for a transport purpose including:
 - Horsham rail corridor
 - Horsham – Noradjuha Road.
 - Horsham – Kalkee Road.
 - Horsham – Drung South Road.
 - Western Highway.
 - Henty Highway.
 - Horsham – Minyip Road.
 - Wimmera Highway.
 - Natimuk – Hamilton Road.
 - Natimuk – Frances Road.
- **Special Use Zone** to provide for the use of land for specific purposes, with detailed requirements prescribed for particular sites including:
 - Horsham golf course (SUZ1).
 - Land required for the Horsham Airport (SUZ2).
 - Dooen freight hub (SUZ3).
 - Horsham showgrounds (SUZ4).
 - Wimmera events centre (SUZ5).
 - Areas identified as being suitable for extractive industry (SUZ6).
 - Horsham artist in residence (SUZ8).
 - The Wimmera Intermodal Freight Terminal (WIFT) Precinct in Dooen to provide for the separation of incompatible industrial and warehousing uses within the precinct (SUZ9).
- **Environmental Significance Overlay** to areas where the development of land may be affected by environmental constraints, and areas where vegetation protection is part of a wider objective to protect the environmental significance of the area including:
 - Areas of ecological, significance such as areas identified as Red-tailed Black Cockatoo habitat (ESO2 Natimuk Douglas wetlands).
 - Waterways and their catchments and water resources (ESO3 Water course protection, ESO4 Water catchment protection, ESO5 Channel and reservoir protection, and ESO6 Horsham South wastewater treatment plant buffer area).
 - Land adjacent to the Wimmera Intermodal Freight Terminal Precinct in Dooen to protect the precinct from incompatible sensitive uses and provide a buffer to uses with adverse amenity potential in the precinct (ESO7 WIFT Precinct buffer area).
 - Wartook Tourist Area adjacent to the Grampians National Park (ESO1).
- **Significant Landscape Overlay** to identify, conserve and enhance the character of significant landscapes (SLO1 Grampians National Park, SLO2 Mount Arapiles-Tooan State Park and SLO3 Grampians and Black Range environs).

- **Heritage Overlay** to conserve and enhance heritage places of natural and cultural significance and ensure that development does not adversely affect the significance of heritage places.
- **Design and Development Overlay** to implement requirements to control built form and the built environment including:
 - Around the Horsham rifle range and sewerage treatment plant to minimise land use conflict in the vicinity of these facilities (DDO1).
 - Around the Horsham Airport to restrict development within the identified airspace (DDO2 and DDO3).
 - Urban Conservation Precincts within Horsham CAD and residential areas (DDO5 and DDO6).
 - Areas where specific design solutions are required (DDO8 City gardens and DDO10 Stawell Road/Western Highway entrance corridor).
 - The Wimmera Intermodal Freight Terminal (WIFT) Precinct in Dooen to ensure a high quality urban design and built form in the precinct (DDO11).
- **Incorporated Plan Overlay** to specify requirements over the development of an area and the plan is incorporated into the planning scheme including:
 - 2214 Western Highway, Haven (IPO1).
- **Development Plan Overlay** to specify requirements over the development of an area including:
 - Undeveloped Low Density Residential areas (DPO1).
 - Undeveloped Rural Living areas (DPO2).
 - Land on the south side of the Wimmera River (DPO3 and DPO6).
 - Mining Policy Area No. 1 [Drung South] (DPO4).
 - Mining Policy Area No. 2 [mineral sands] (DPO5).
 - Wimmera Events Centre development plan (DPO7).
 - Horsham artists in residence site (DPO8).
 - The Wimmera Intermodal Freight Terminal (WIFT) Precinct in Dooen (DPO9).
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- **Land Subject to Inundation Overlay** to land in either rural or urban areas that is subject to inundation from mainstream flooding during a 1 in 100 year flood event, but is not part of the primary floodway.
- **Special Building Overlay** to land in urban areas that is subject to inundation from mainstream flooding during a 1 in 100 year flood event, but is not part of the primary floodway.
- **Bushfire Management Overlay** to areas identified as having a high bushfire hazard.
- **Public Acquisition Overlay** to land that is proposed to be acquired for a public purpose including:
 - Sites to be acquired by council for use as locally managed roads, to improve accessibility within Horsham CAD (PAO1).
 - Land to be acquired by GWM Water for use as a pumping station and water storage sites for the Wimmera Mallee Pipeline System (PAO2).

- **Environmental Audit Overlay** to land identified, known or reasonably suspected of being contaminated including former industrial sites located within Horsham regional city.
- **Road Closure Overlay** to roads to be closed including:
 - Former roads located within Horsham CAD.
 - Former roads located within the Wimmera Intermodal Freight Terminal Precinct.

System Note: The following ordinance will be modified in Sub-Clause:74.02 FURTHER STRATEGIC WORK, Schedule:SCHEDULE TO CLAUSE 74.02 FURTHER STRATEGIC WORK

1.0

C81hors

Further strategic work

Prepare detailed plans to guide redevelopment of strategic infill sites.

Prepare a structure plan for Horsham South and Haven.

Enhance the showgrounds as an additional community recreation area along the river.

Revise controls affecting land within and adjacent to the Horsham CAD and:

- Relocate light industrial activity presently located adjacent to the Horsam CAD and redevelop area for medium density housing.
- Prepare an urban design framework for the Horsham CAD.

Support redevelopment of Horsham North:

- Review and implement the *Horsham North Urban Design Framework* (SJB Urban, 2013).
- Rezone land identified for residential development.

Support redevelopment of Horsham Rail Corridor:

- Prepare a master plan.
- Apply the Environmental Audit Overlay to land with a known history of potentially contaminating activities.

Prepare framework plans for small towns and settlements.

Undertake further investigation of the Wimmera River floodplain in Quantong to provide direction to future development.

Support protection of biodiversity and water catchments through the development of environment and land management provisions.

Complete flood investigations and develop provisions to protect areas from flood hazards and support floodplain function as recommended in:

- *East Horsham Drainage Recommendation Report* (2013).

Lead the preparation of future flood and drainage investigations and develop provisions to protect areas from flood hazards.

Identify the full extent of areas where overland flooding and stormwater management issues occur to inform application of the Special Building Overlay.

Prepare a Rural Strategy for the municipality.

Develop an Open Space Strategy for the municipality that provides for passive and active sports and recreation opportunities.

Implement recommendations from the *Horsham Heritage Study Stage 2* (Brieve Gillet, 2014).

Develop a Housing Strategy for the municipality that considers housing diversity, affordability and accessibility.

Prepare an Industrial Strategy for the municipality which considers infrastructure requirements and resolves interface issues with residential areas.

Implement the recommendations from the Wartook Valley Strategy.

Prepare a transport plan that identifies priorities for development of transport corridors compatible with new developments, and ensure appropriate links between relevant areas of the municipality.



Amendment C81hors (Flood Amendment)

Deletion of Design and Development Overlay
(D-DDO4 & D-DDO9)

Map Sheets Combined

HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs



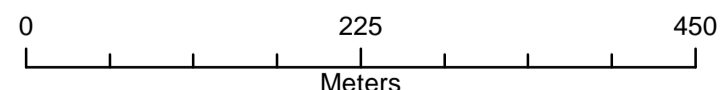
LEGEND

D-DDO - Area to be deleted from a Design and Development Overlay

Municipal Boundary

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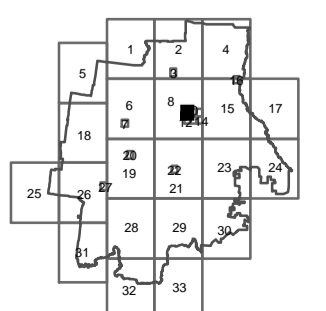
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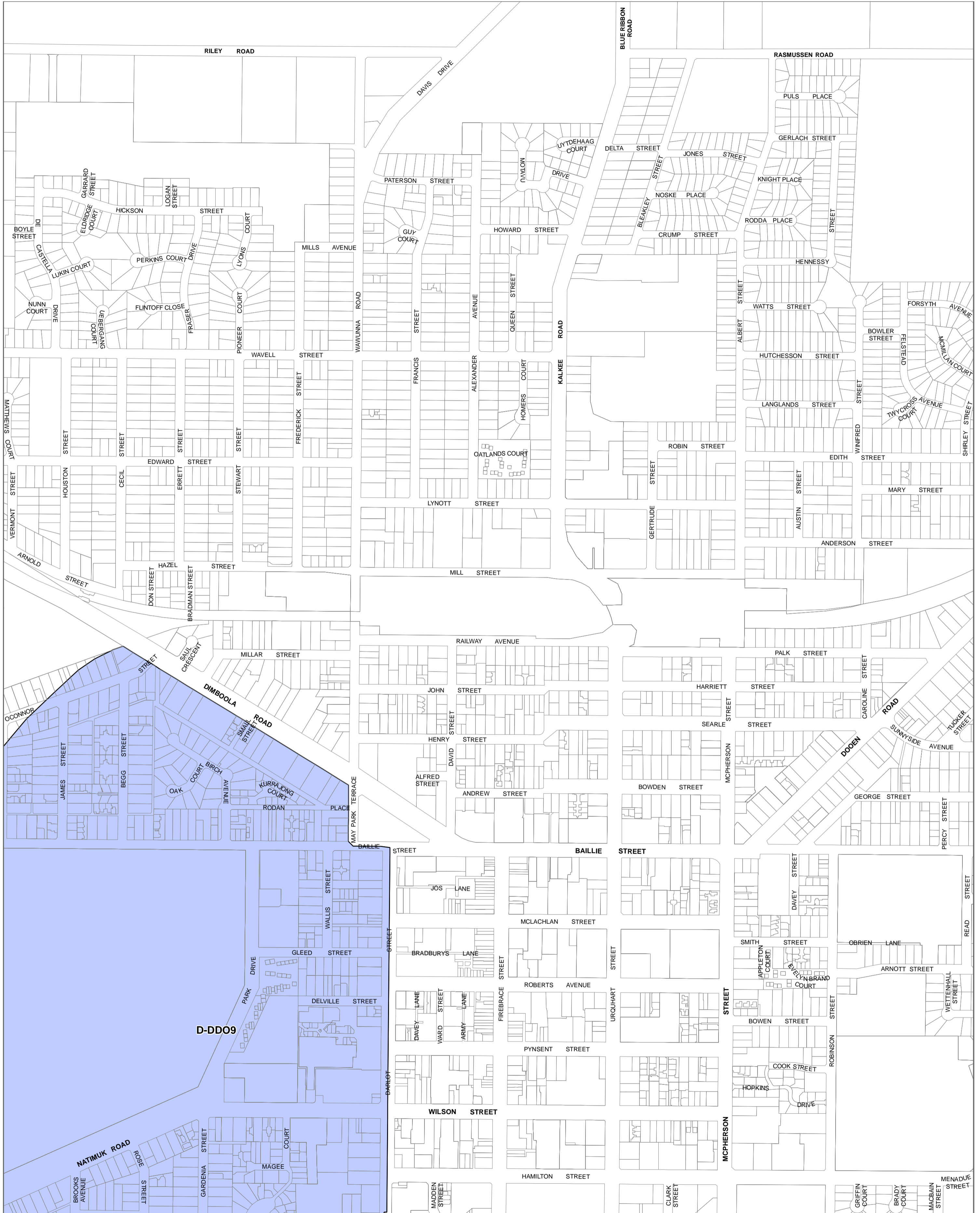


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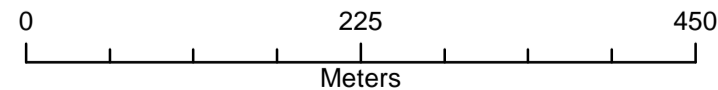


HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs



LEGEND
 D-DDO - Area to be deleted from a Design and Development Overlay
 Municipal Boundary

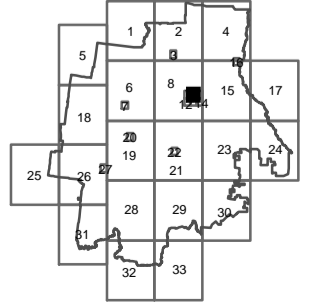
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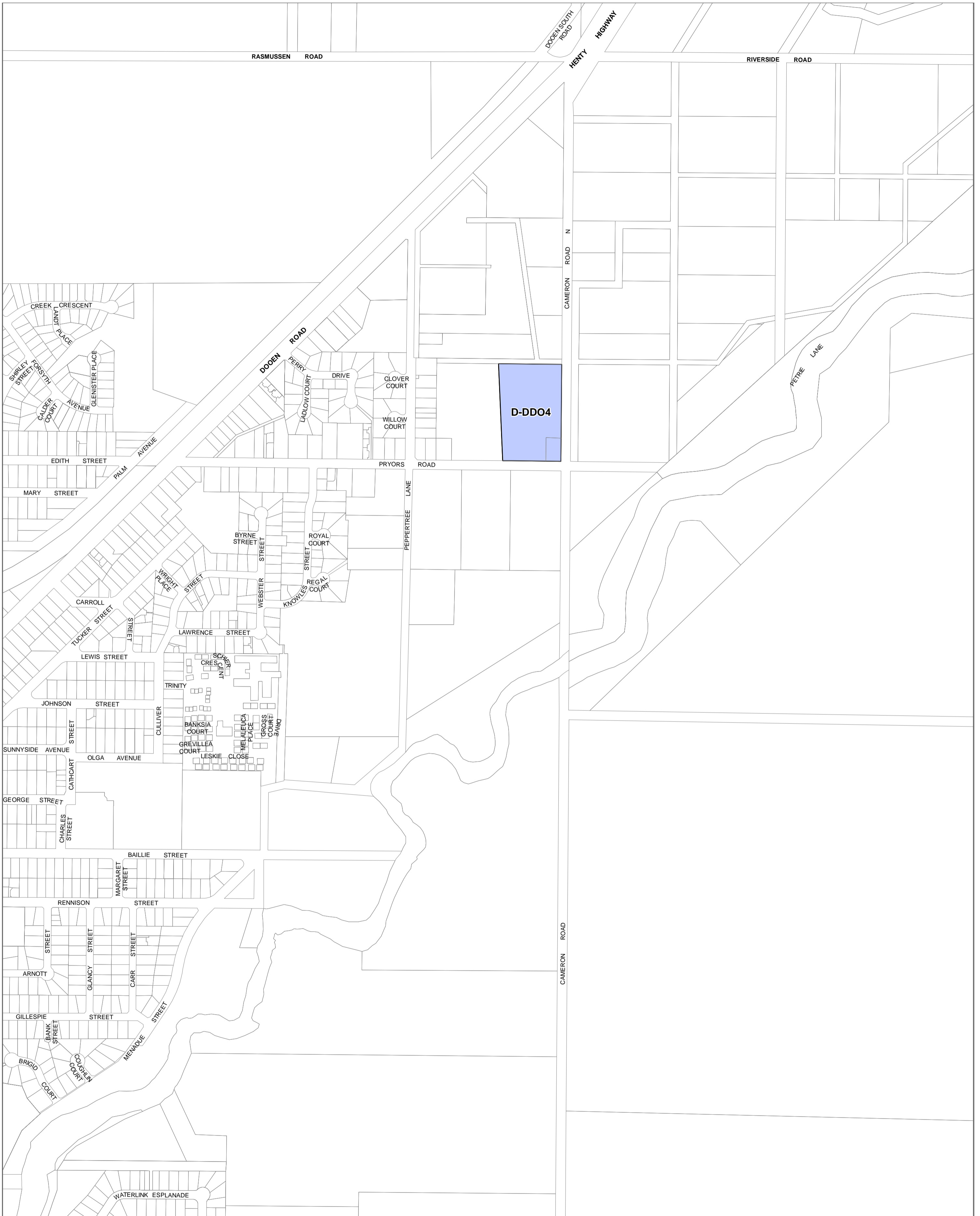
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INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs



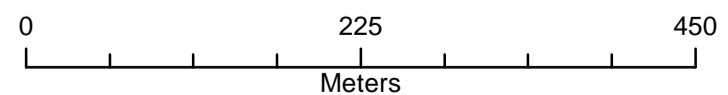
LEGEND

D-DDO - Area to be deleted from a Design and Development Overlay

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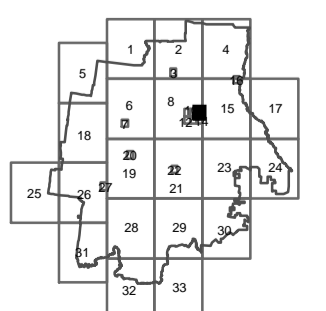


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INDEX TO ADJOINING SCHEME MAPS



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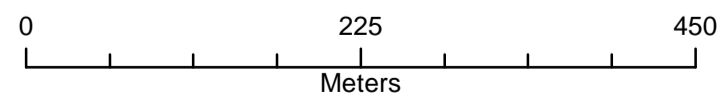
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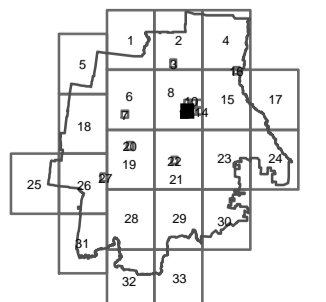


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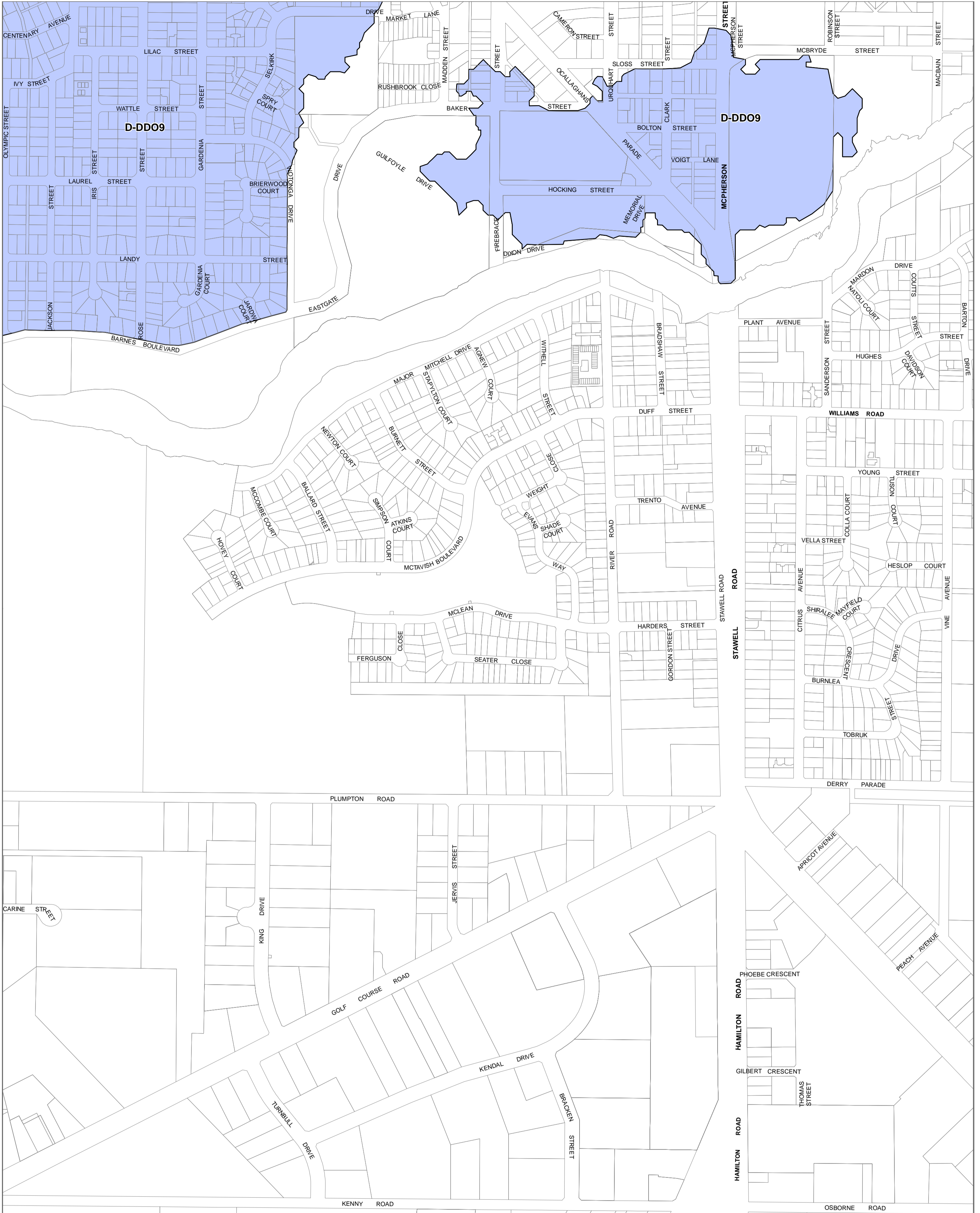


Environment,
Land, Water
and Planning

INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs



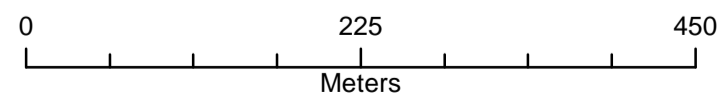
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D-DDO - Area to be deleted from a Design and Development Overlay

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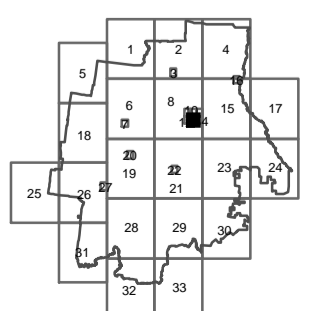


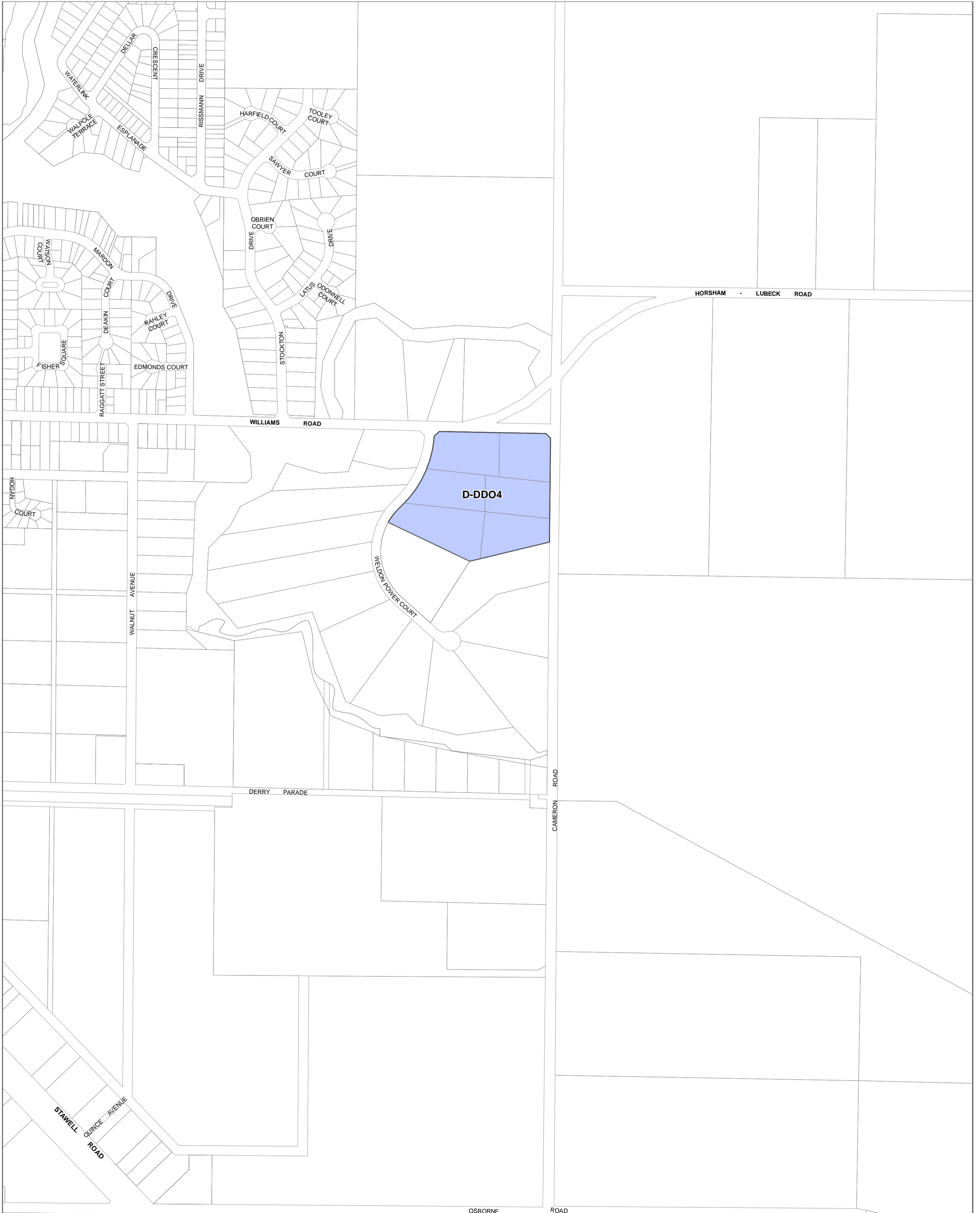
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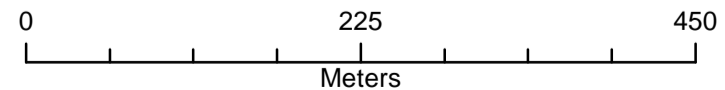
INDEX TO ADJOINING SCHEME MAPS



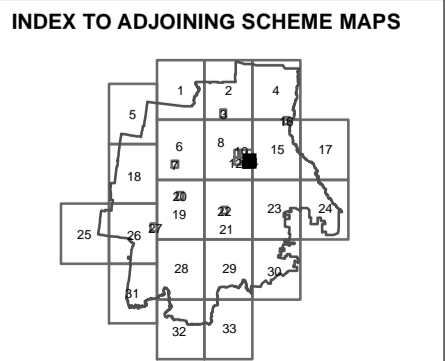


LEGEND
 D-DDO - Area to be deleted from a Design and Development Overlay
 Municipal Boundary

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Amendment C81hors (Flood Amendment)

Deletion of Floodway Overlay & Land
Subject to Inundation Overlay

(D-FO & D-LSIO)

Map Sheets Combined

**HINDMARSH
 SHIRE**



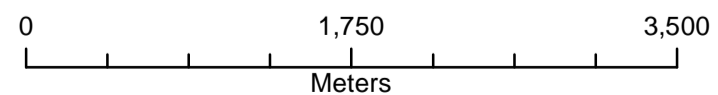
LEGEND

- D-FO - Area to be deleted from a Floodway Overlay
- D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

Municipal Boundary

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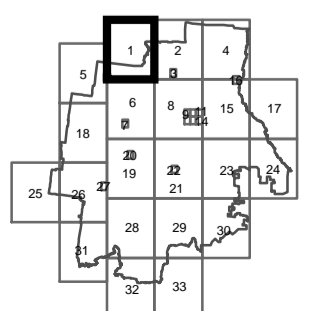


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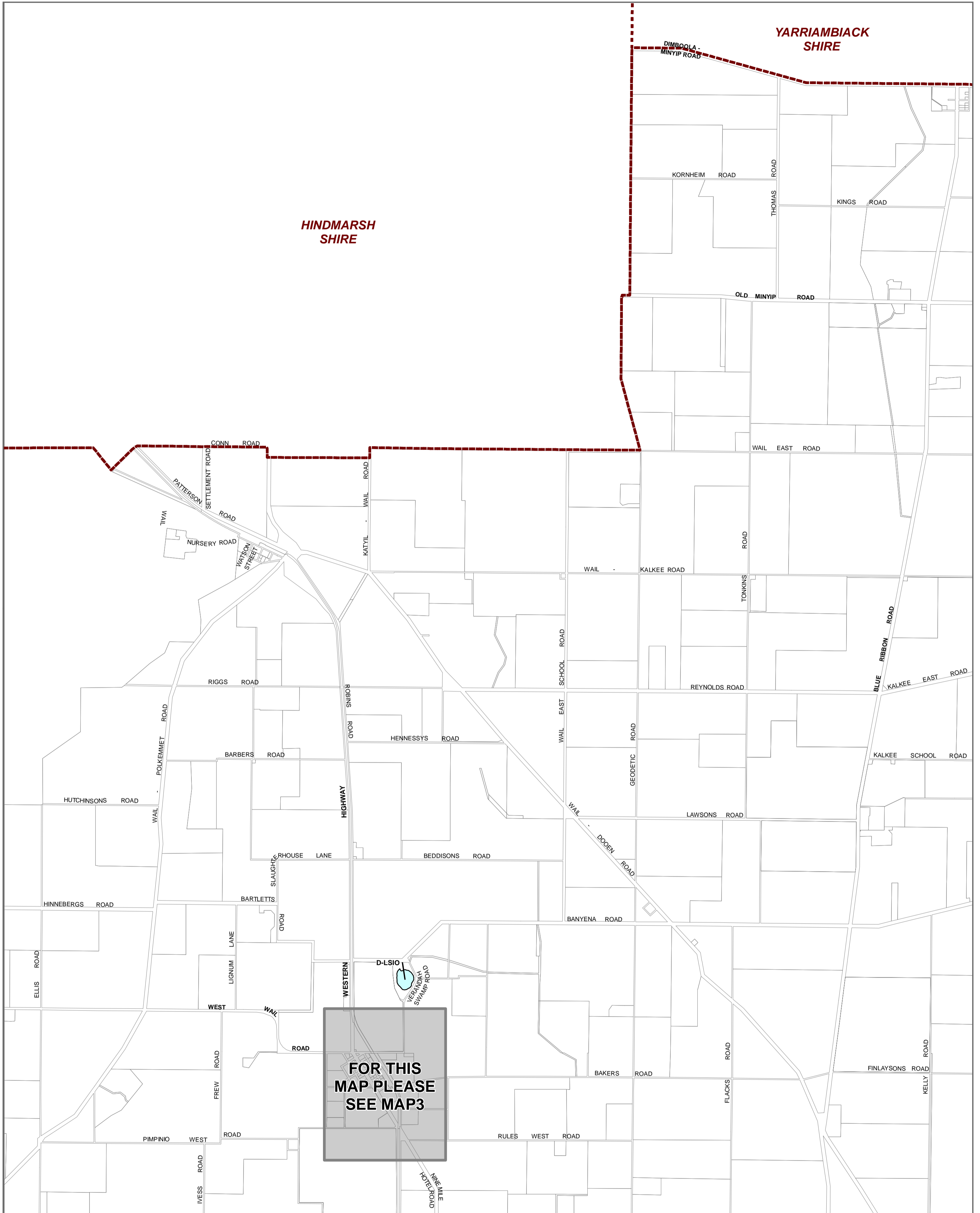


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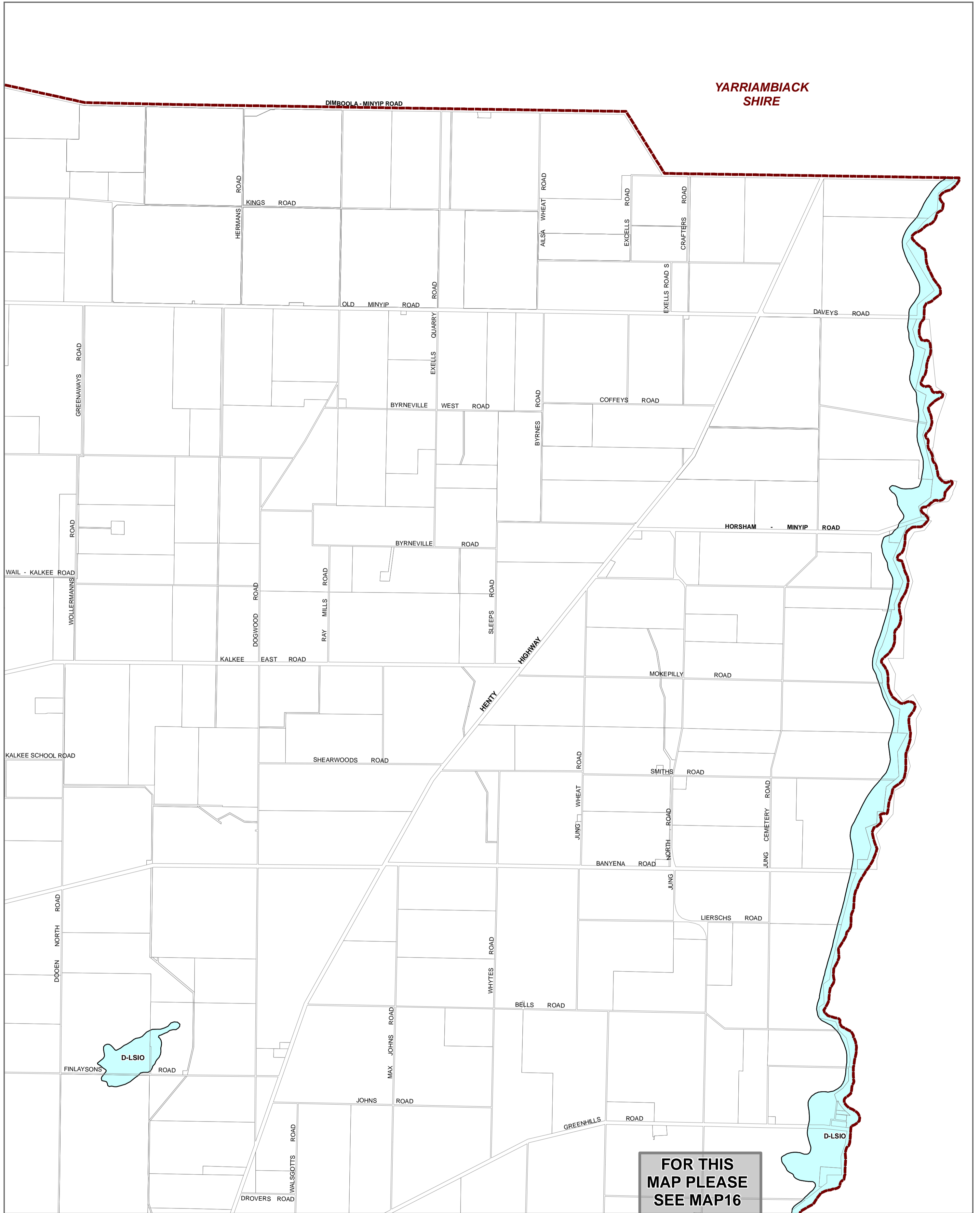
INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs

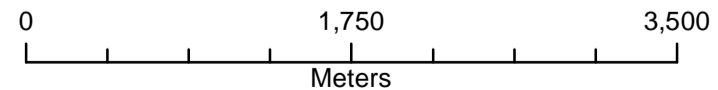


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LEGEND
 D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay
 Municipal Boundary

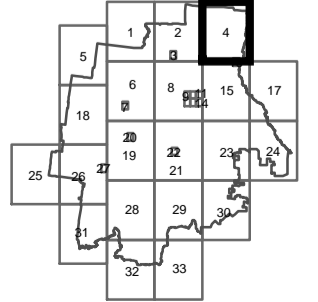
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 Amendment Version: 4

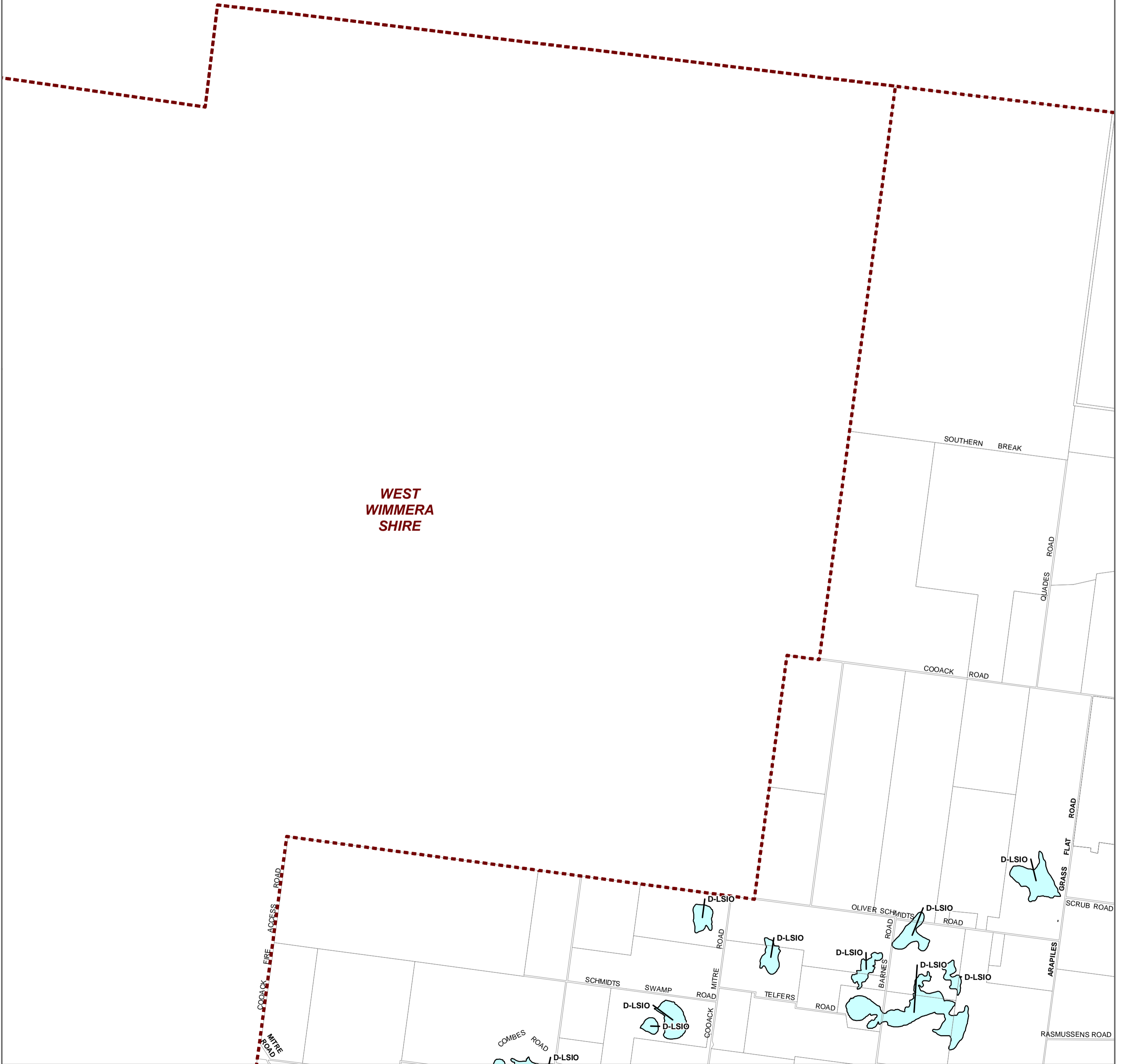


INDEX TO ADJOINING SCHEME MAPS



**HINDMARSH
 SHIRE**

**WEST
 WIMMERA
 SHIRE**

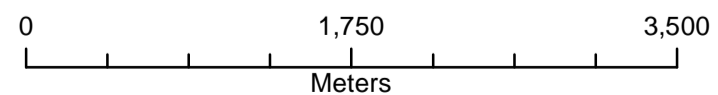


LEGEND

- D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay
- Municipal Boundary

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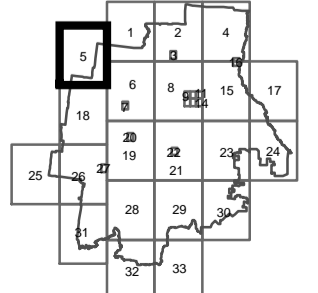


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 Printed: 16/11/2022
 Amendment Version: 4

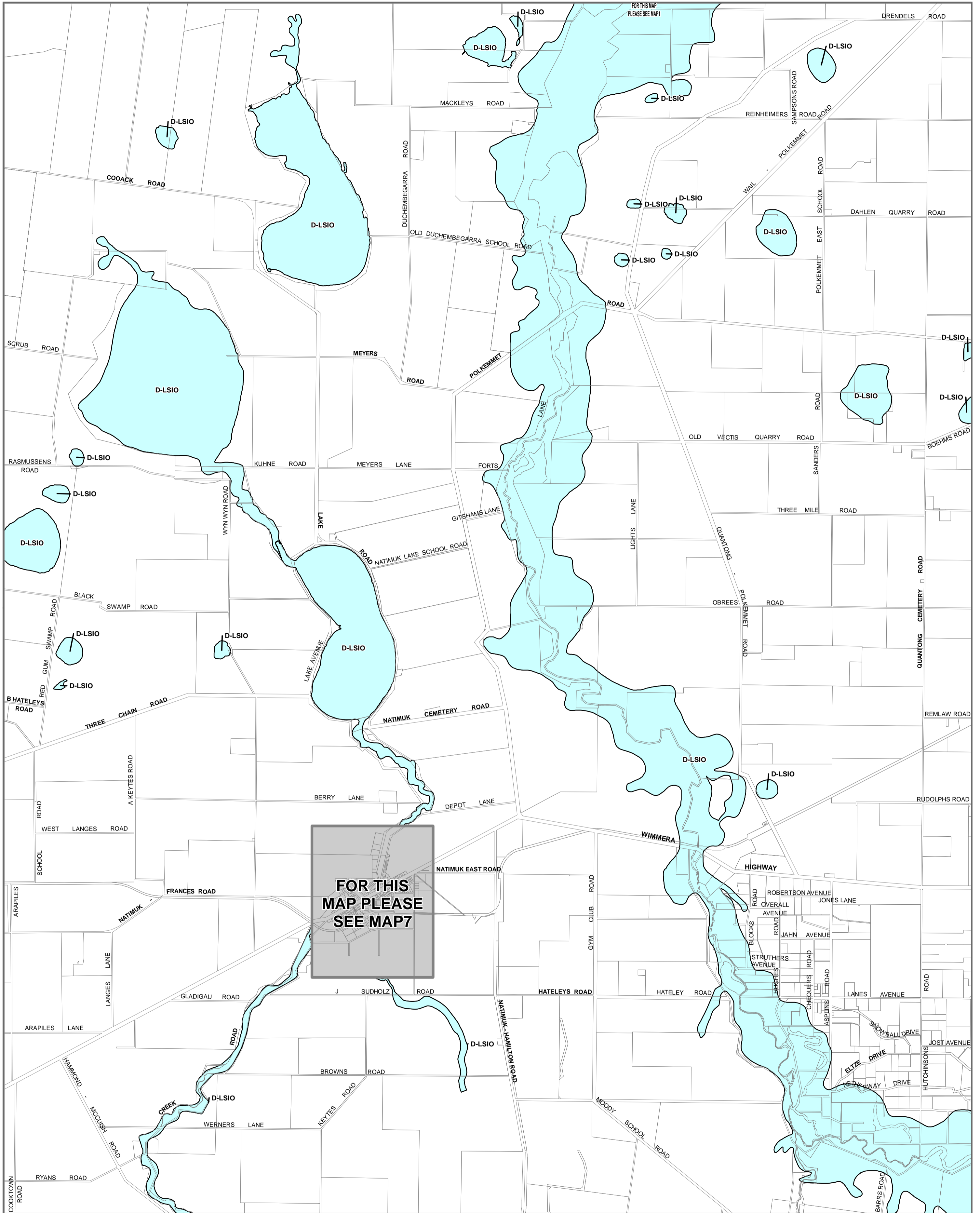


Environment,
 Land, Water
 and Planning

INDEX TO ADJOINING SCHEME MAPS

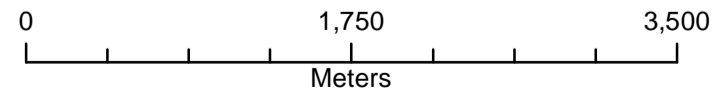


HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs



LEGEND
 D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay
 Municipal Boundary

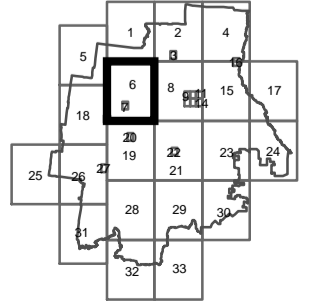
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Planning Group
 Printed: 16/11/2022
 Amendment Version: 4



INDEX TO ADJOINING SCHEME MAPS



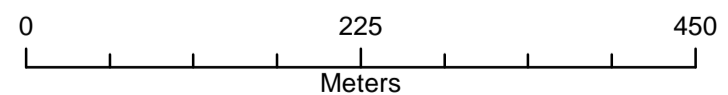


LEGEND

- D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay
- Municipal Boundary

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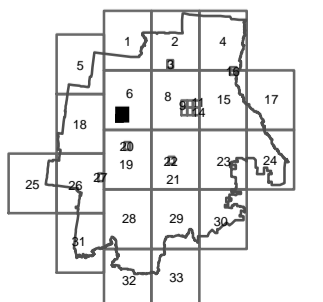
Australian Map Grid Zone 54



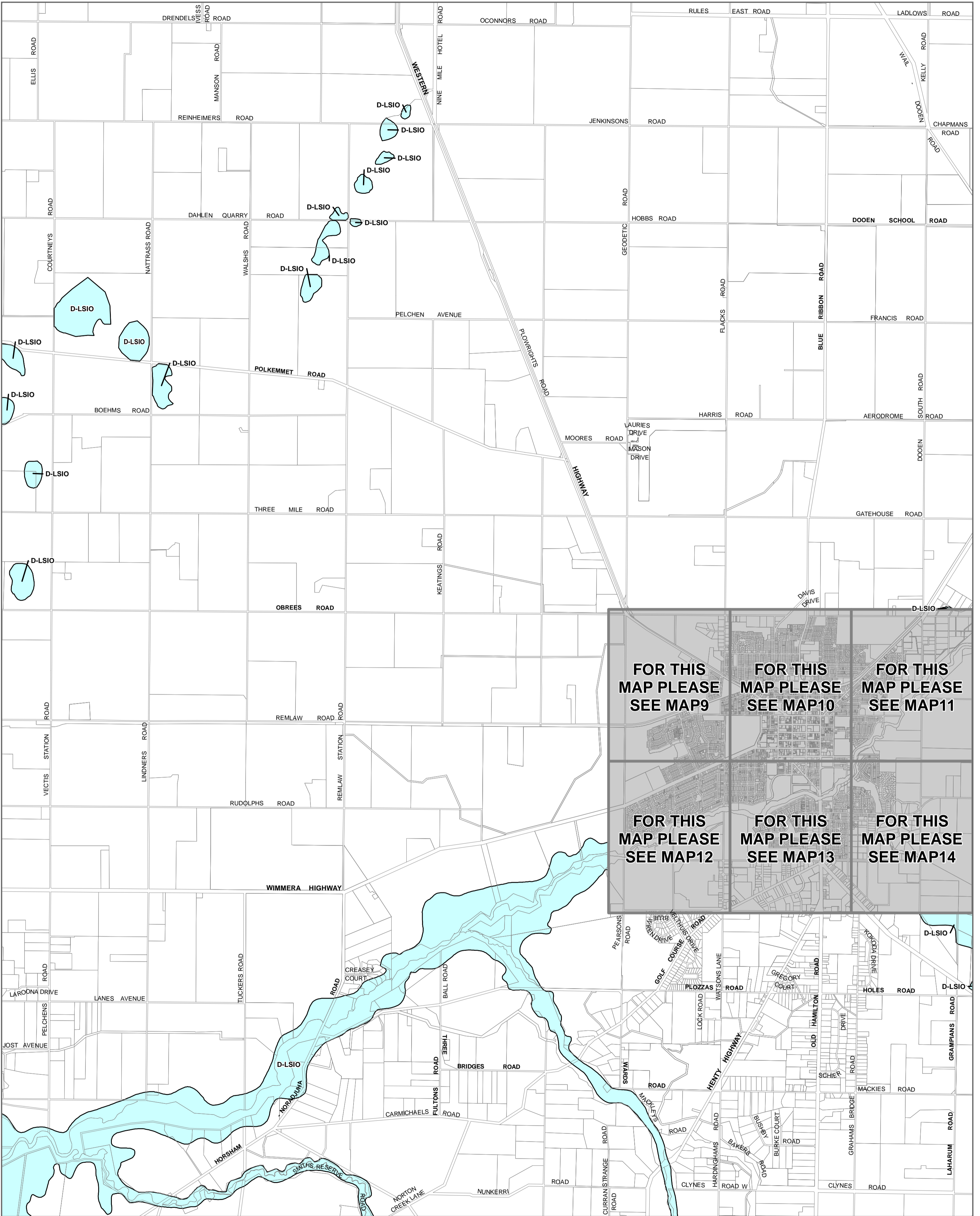
Planning Group
 Printed: 16/11/2022
 Amendment Version: 4



INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs



<p>LEGEND</p> <p> D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay</p> <p> Municipal Boundary</p>	<p><small>Disclaimer</small> This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.</p> <p><small>© The State of Victoria Department of Environment, Land, Water and Planning 2022</small></p>	<p>0 1,750 3,500</p> <p>Meters</p> <p>Australian Map Grid Zone 54</p> <p>NORTH</p> <p>Planning Group Printed: 16/11/2022 Amendment Version: 4</p>	<p>INDEX TO ADJOINING SCHEME MAPS</p>
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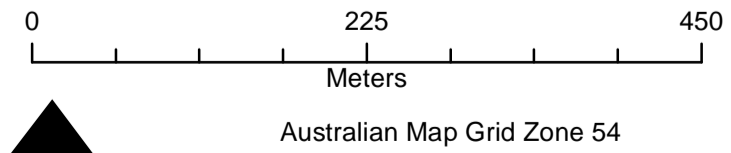
HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs



- LEGEND**
- D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay
 - Municipal Boundary

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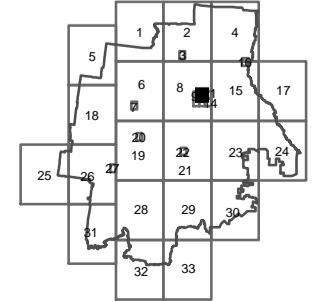
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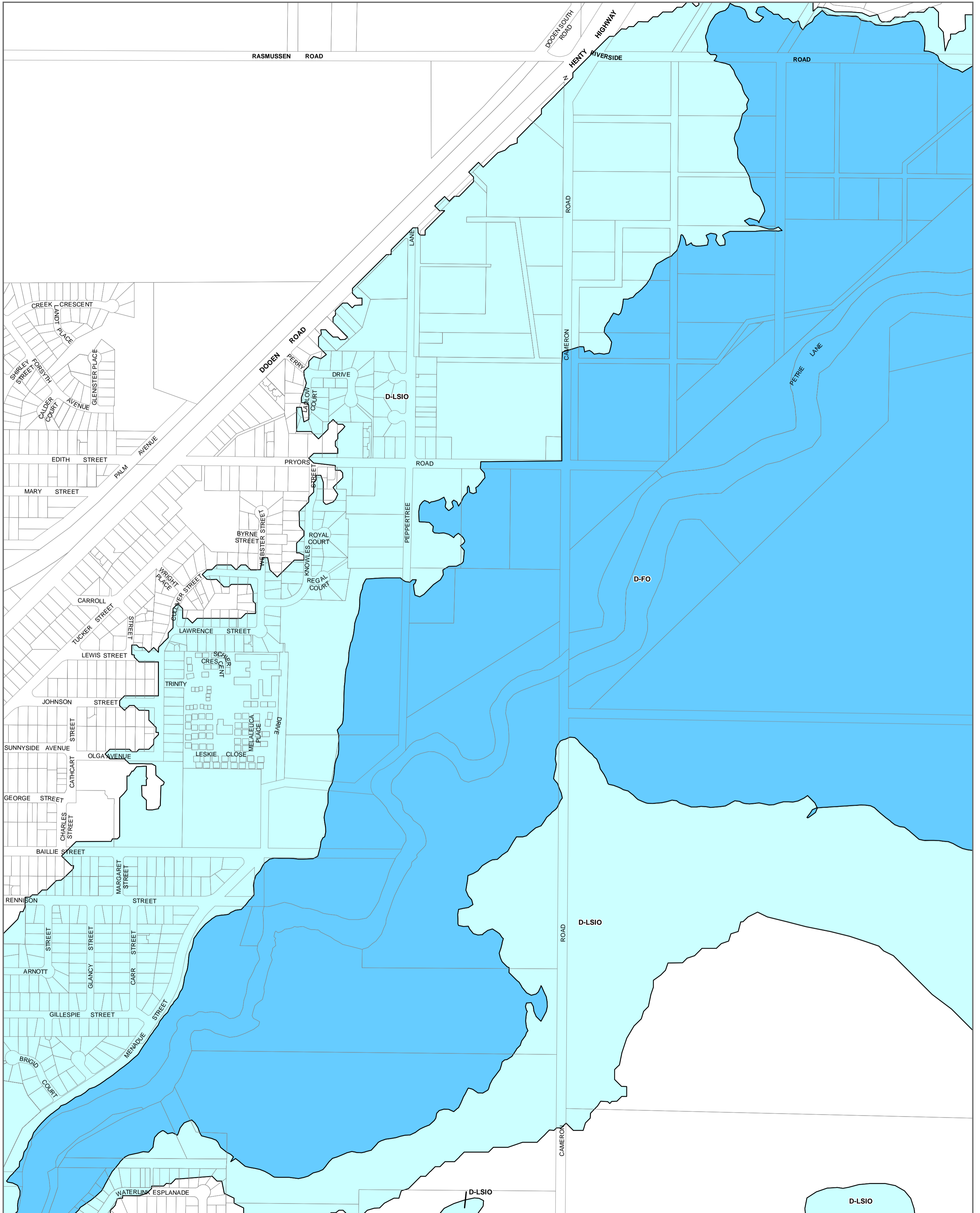
Planning Group
 Printed: 16/11/2022
 Amendment Version: 4



INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hors

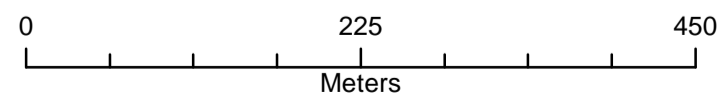


- LEGEND**
- D-FO - Area to be deleted from a Floodway Overlay
 - D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

Municipal Boundary

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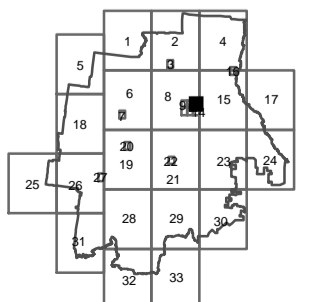


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Printed: 16/11/2022
Amendment Version: 4

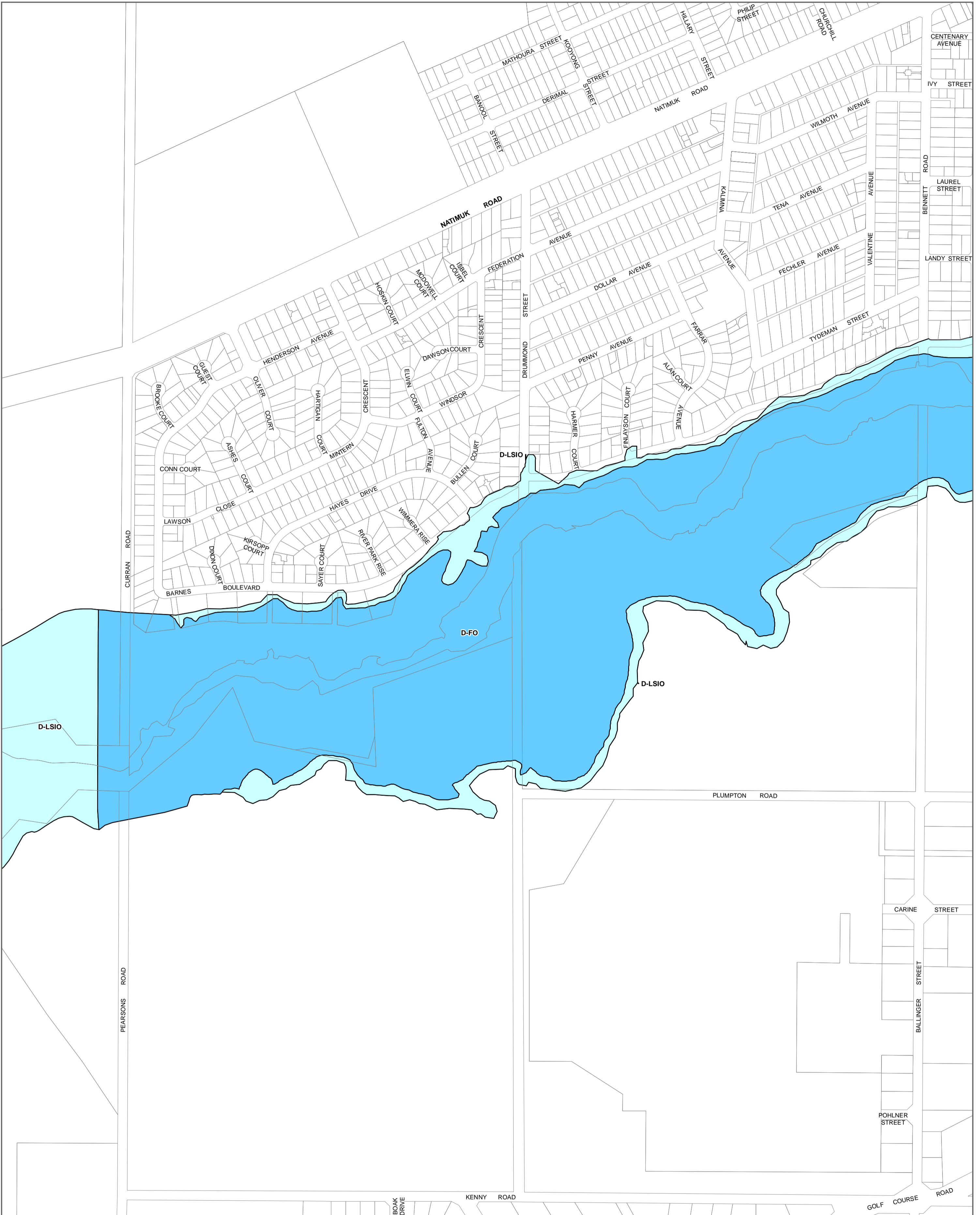


Environment,
Land, Water
and Planning

INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs

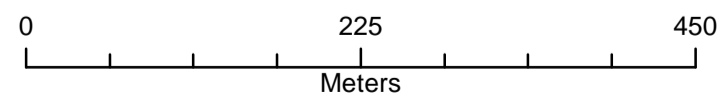


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- D-FO - Area to be deleted from a Floodway Overlay
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Municipal Boundary

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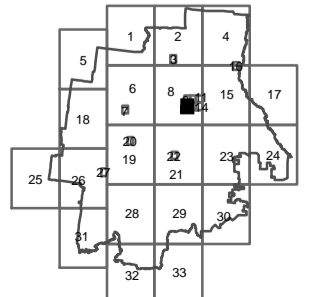


Planning Group
Printed: 16/11/2022
Amendment Version: 4



Environment,
Land, Water
and Planning

INDEX TO ADJOINING SCHEME MAPS



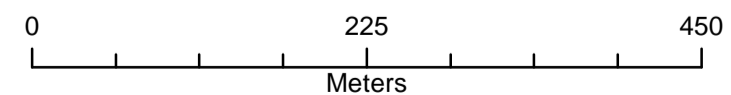
HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs



- LEGEND**
- D-FO - Area to be deleted from a Floodway Overlay
 - D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay
 - Municipal Boundary

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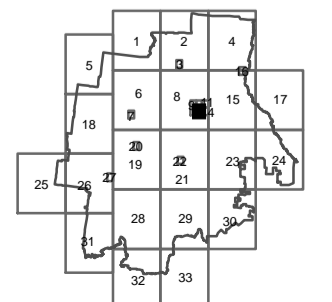


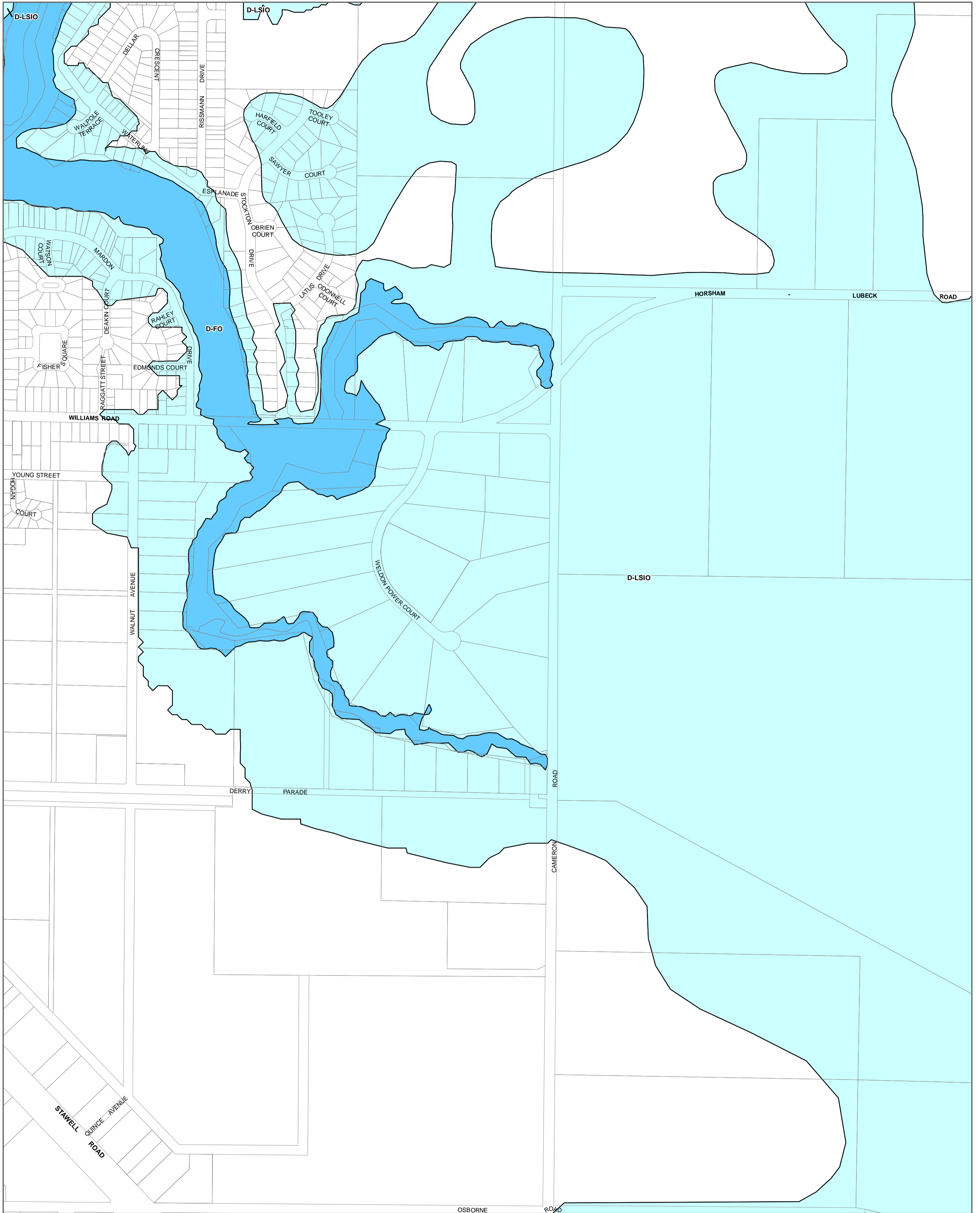
Planning Group
Printed: 16/11/2022
Amendment Version: 4



Environment,
Land, Water
and Planning

INDEX TO ADJOINING SCHEME MAPS

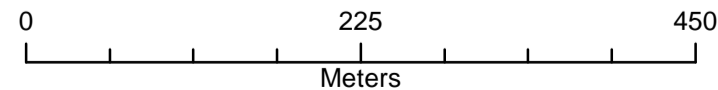




LEGEND
 D-FO - Area to be deleted from a Floodway Overlay
 D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

Municipal Boundary

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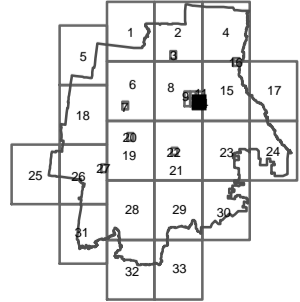
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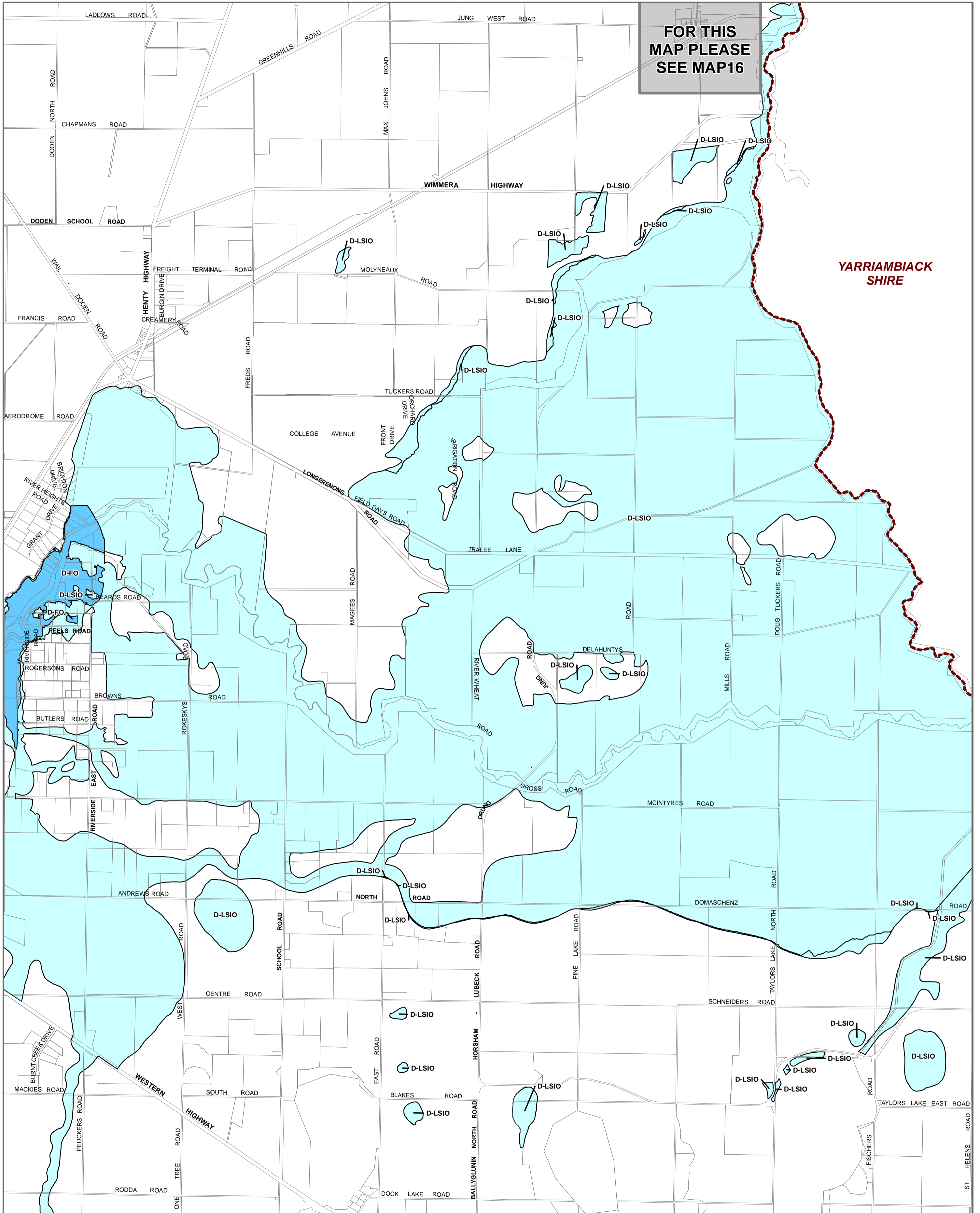
Planning Group
 Printed: 16/11/2022
 Amendment Version: 4



INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs



FOR THIS MAP PLEASE SEE MAP16

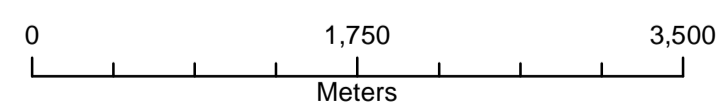
YARRIAMBICK SHIRE

- LEGEND**
- D-FO - Area to be deleted from a Floodway Overlay
 - D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

Municipal Boundary

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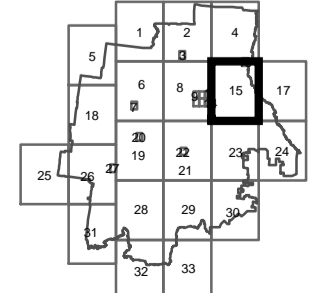
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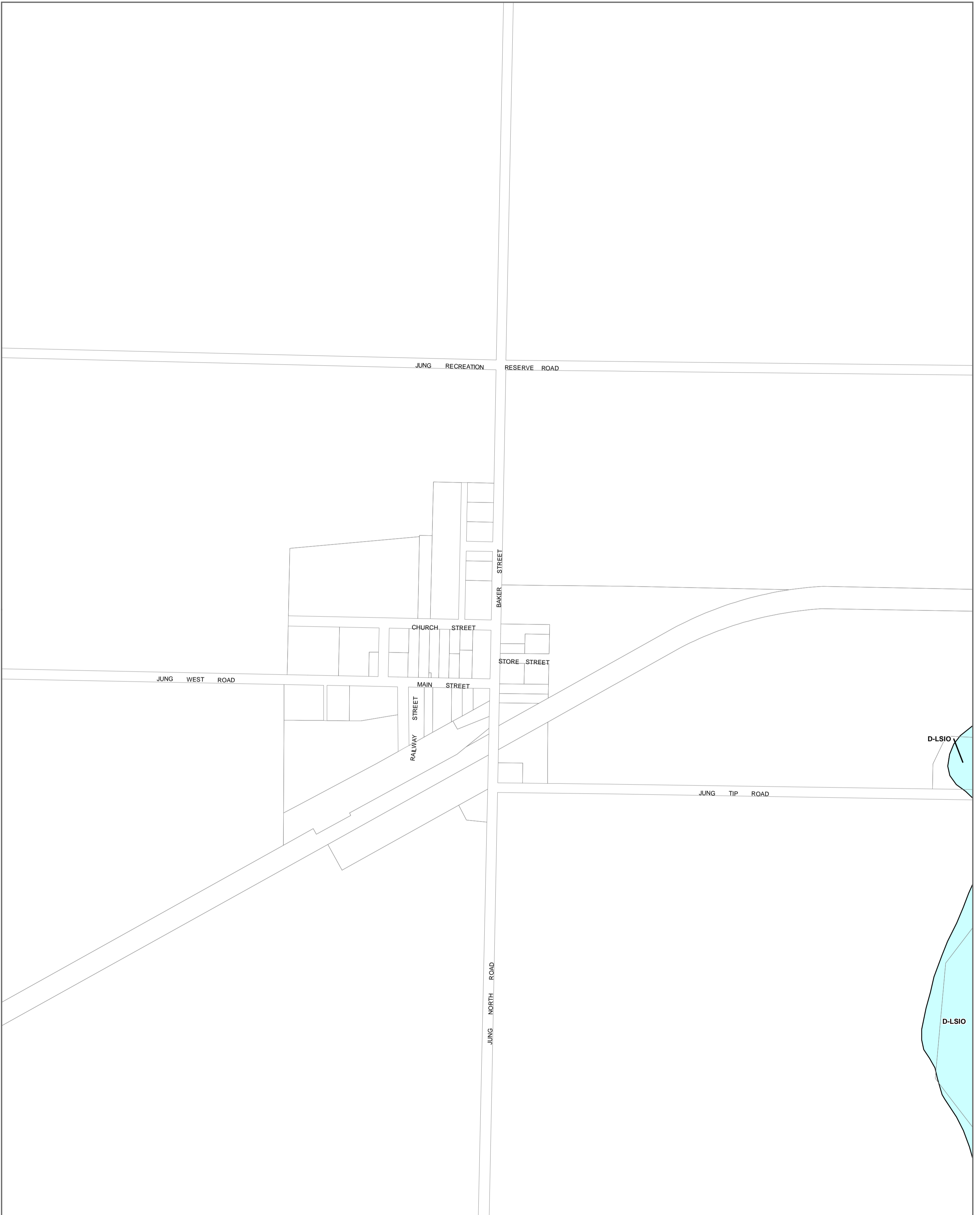


Planning Group
 Printed: 16/11/2022
 Amendment Version: 4



INDEX TO ADJOINING SCHEME MAPS





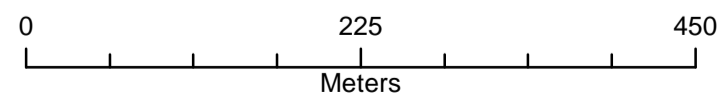
LEGEND

D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

Municipal Boundary

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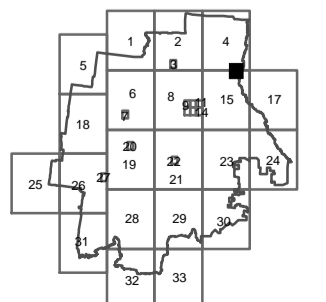


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 Amendment Version: 4



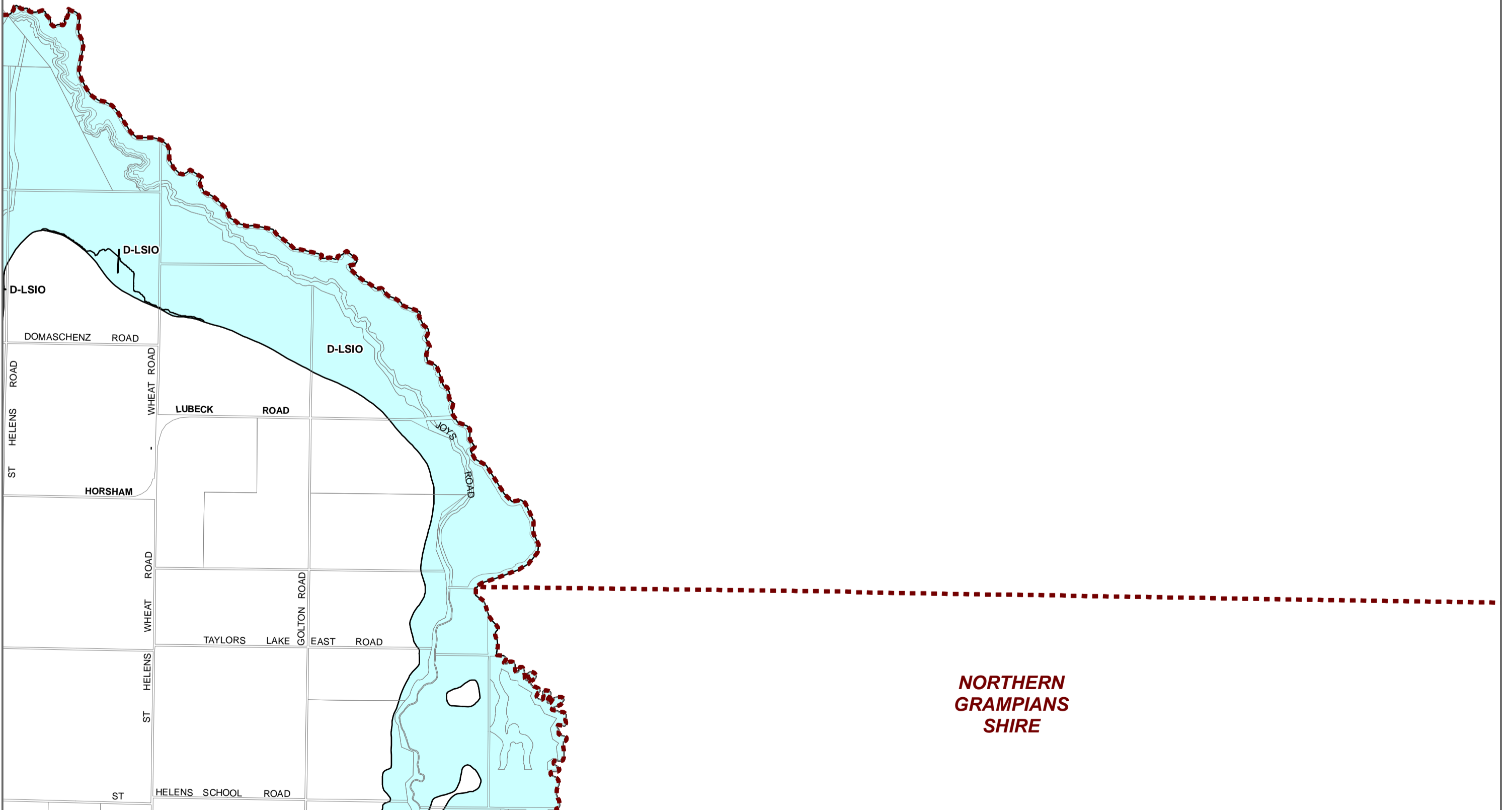
Environment,
 Land, Water
 and Planning

INDEX TO ADJOINING SCHEME MAPS



**YARRIAMBIACK
 SHIRE**

**NORTHERN
 GRAMPIANS
 SHIRE**

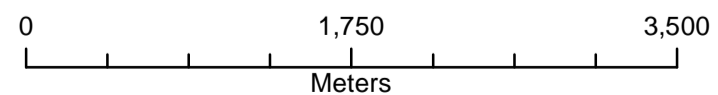


LEGEND

- D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay
- Municipal Boundary

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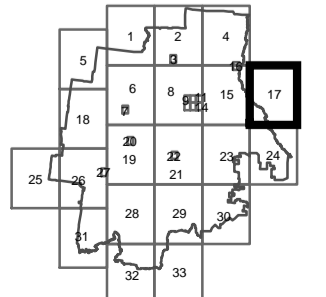
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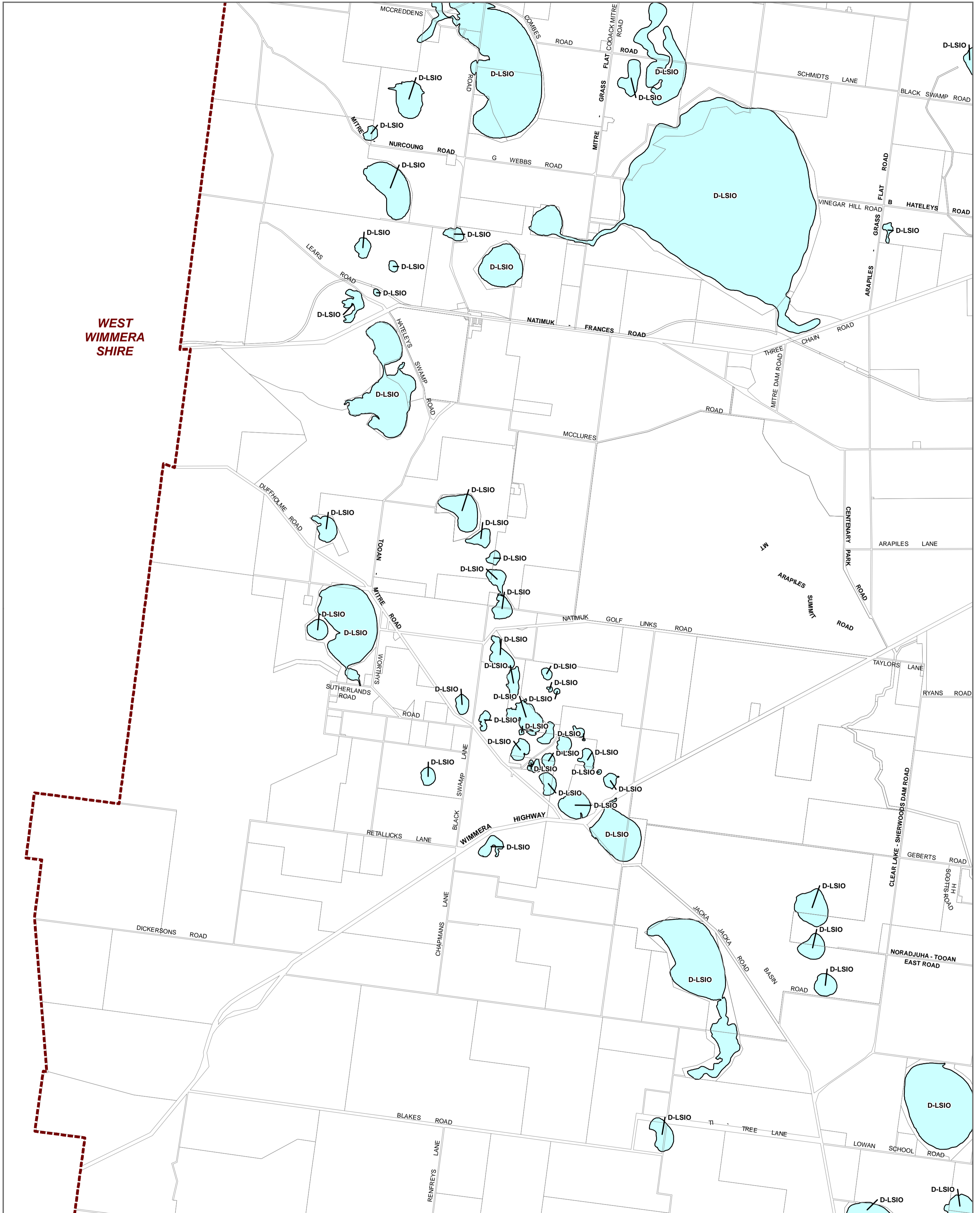
Planning Group
 Printed: 16/11/2022
 Amendment Version: 4



INDEX TO ADJOINING SCHEME MAPS

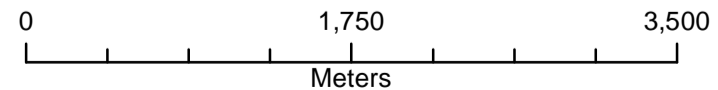


HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs



LEGEND
 D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay
 Municipal Boundary

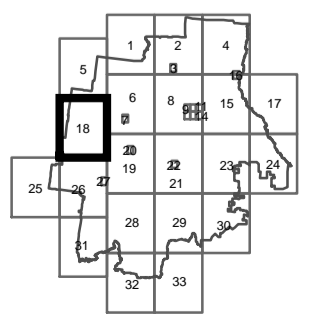
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Planning Group
 Printed: 16/11/2022
 Amendment Version: 4



INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs

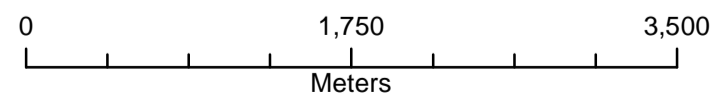


LEGEND

- D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay
- Municipal Boundary

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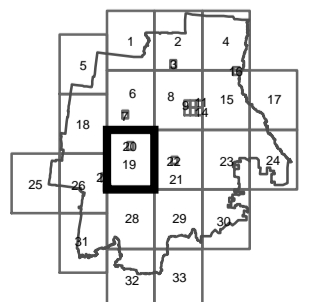


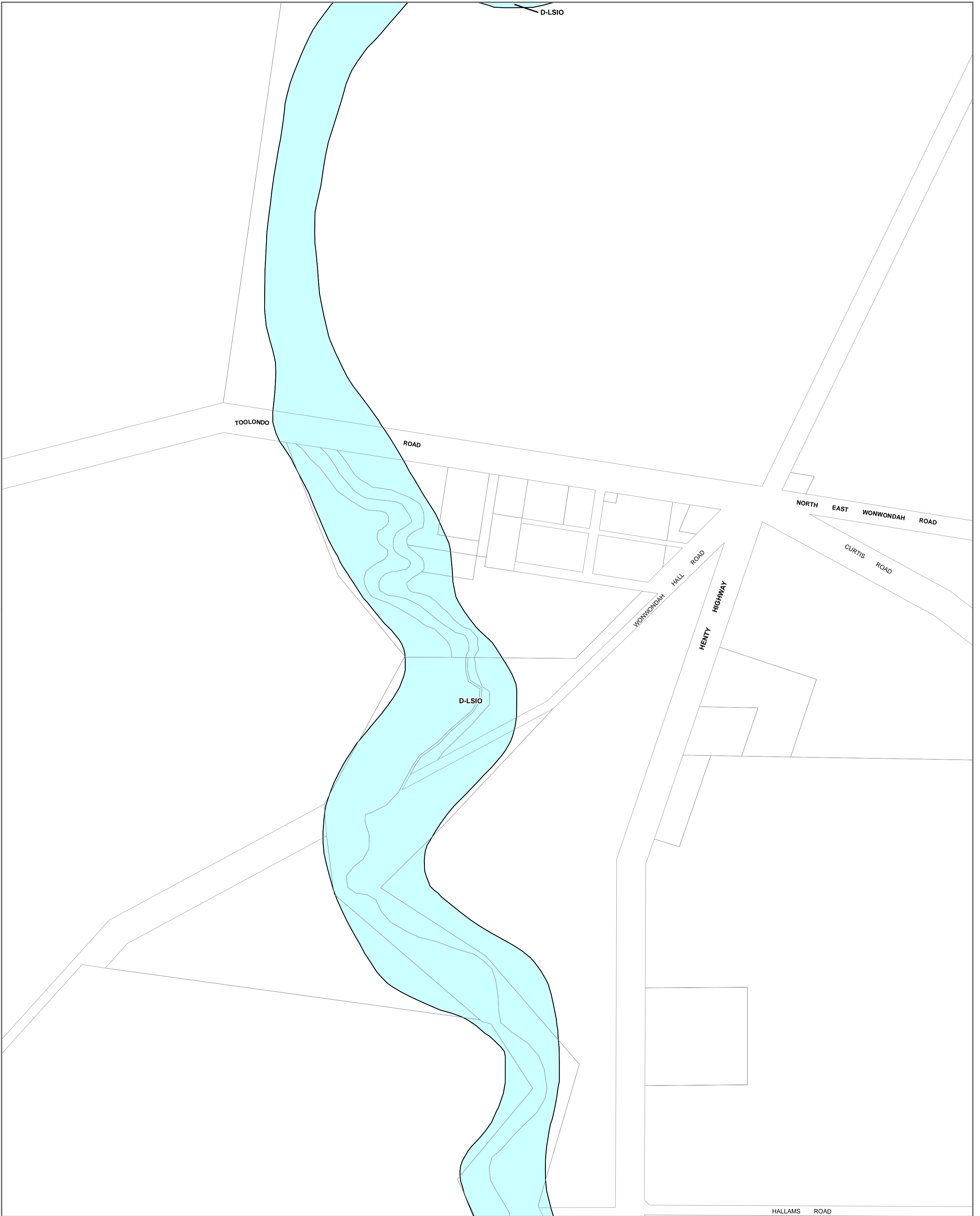
NORTH
Austrian Map Grid Zone 54

Planning Group
Printed: 16/11/2022
Amendment Version: 4



INDEX TO ADJOINING SCHEME MAPS





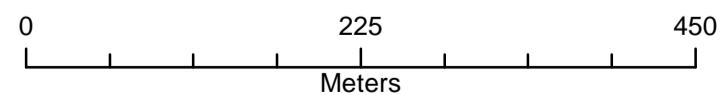
LEGEND

D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

Municipal Boundary

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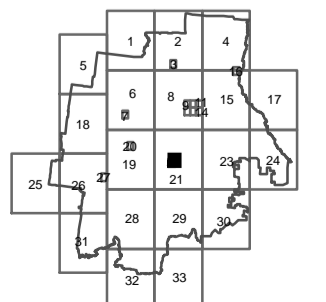


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 Printed: 16/11/2022
 Amendment Version: 4

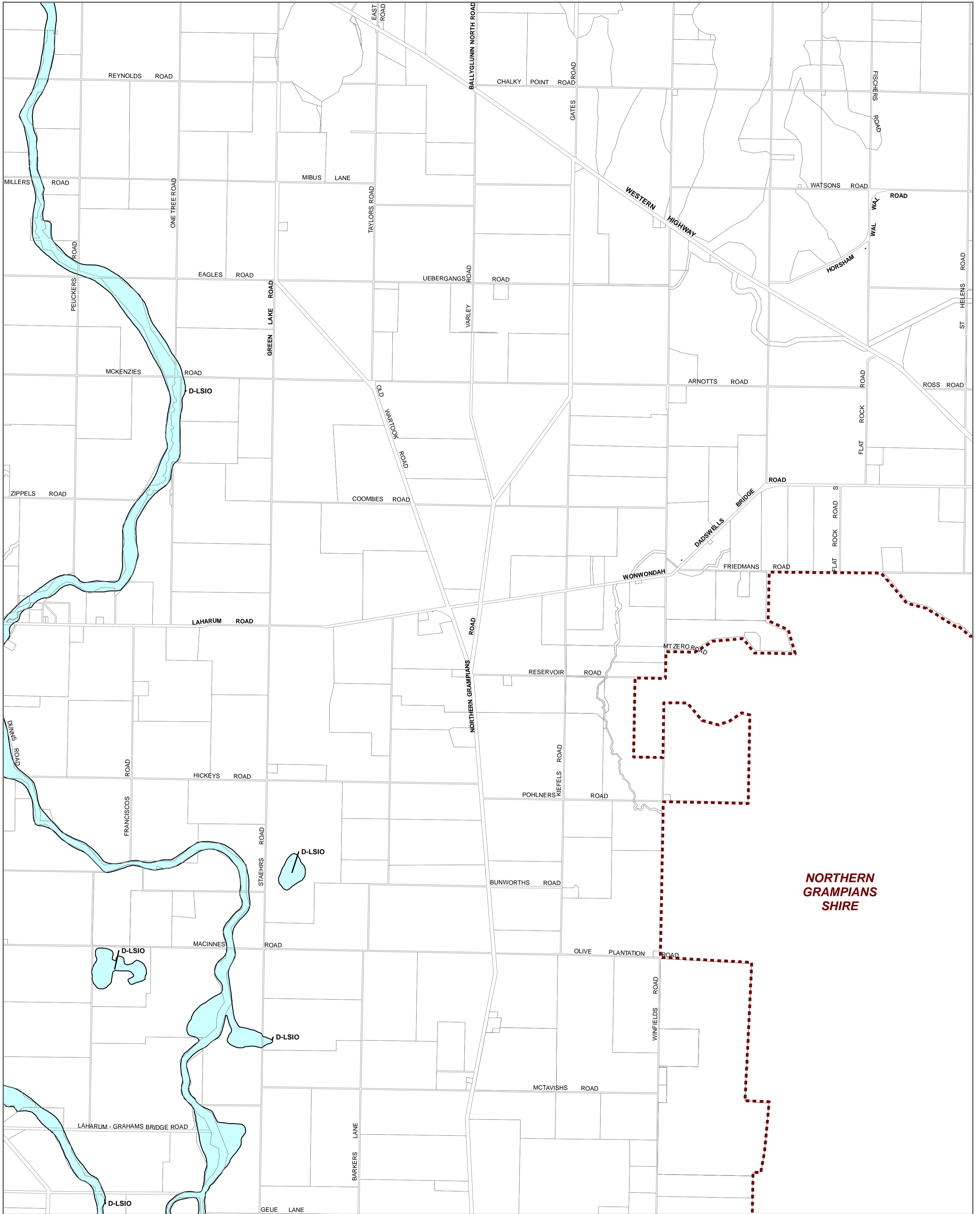


Environment,
 Land, Water
 and Planning

INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs

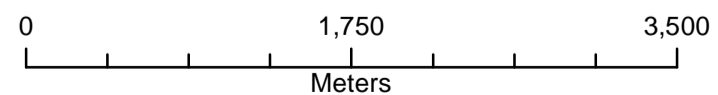


LEGEND

- D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay
- Municipal Boundary

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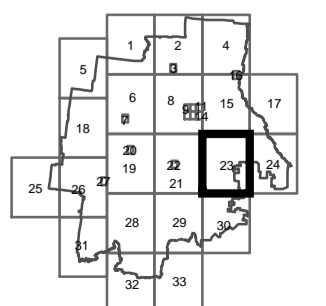
Australian Map Grid Zone 54

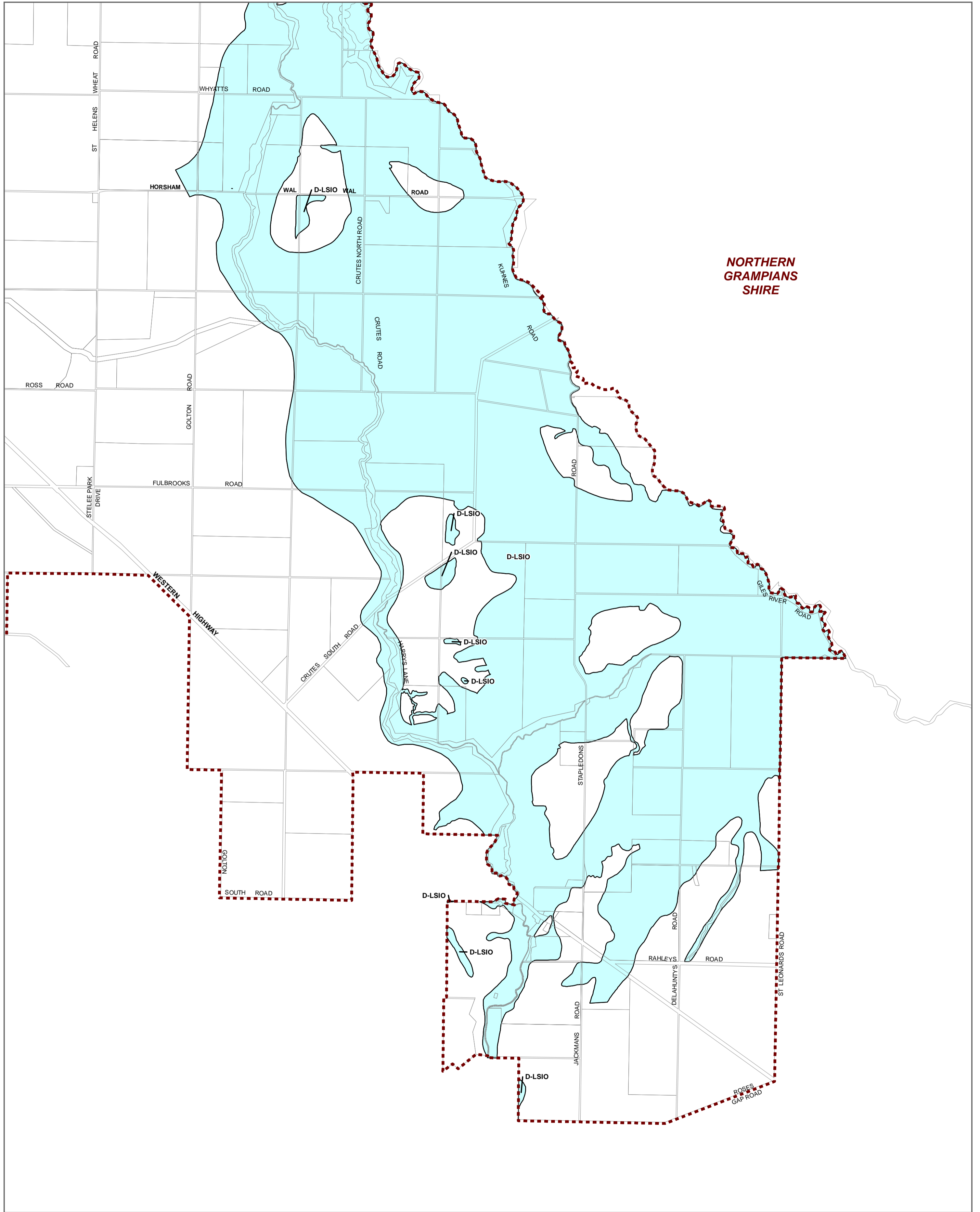


Planning Group
Printed: 16/11/2022
Amendment Version: 4



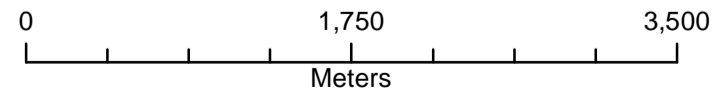
INDEX TO ADJOINING SCHEME MAPS





LEGEND
 D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay
 Municipal Boundary

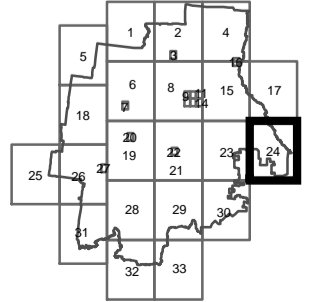
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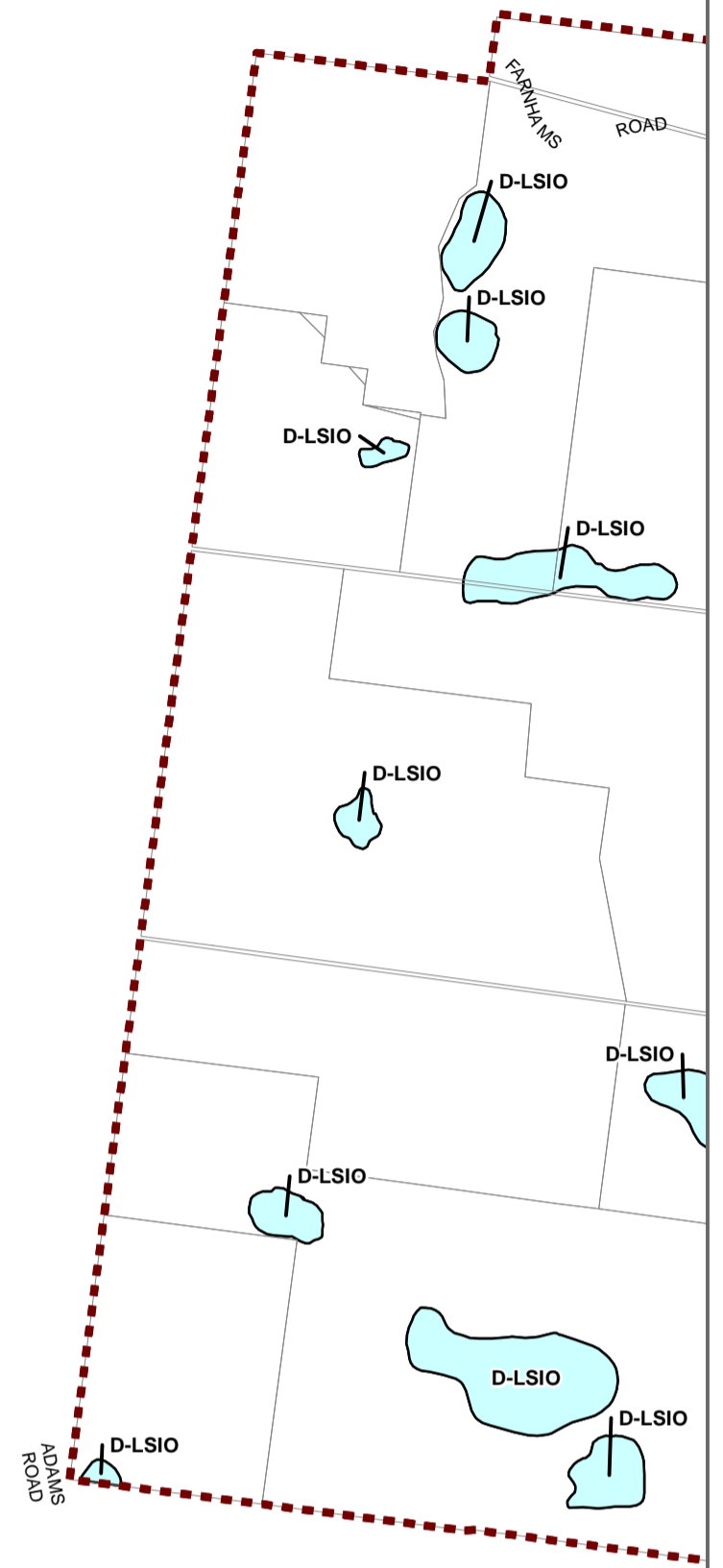


Planning Group
 Printed: 16/11/2022
 Amendment Version: 4




INDEX TO ADJOINING SCHEME MAPS





**WEST
 WIMMERA
 SHIRE**

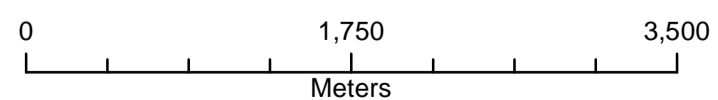
LEGEND

 D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

 Municipal Boundary

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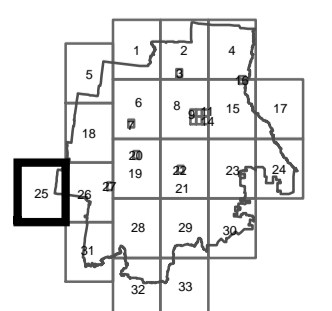
NORTH

Planning Group
 Printed: 16/11/2022
 Amendment Version: 4

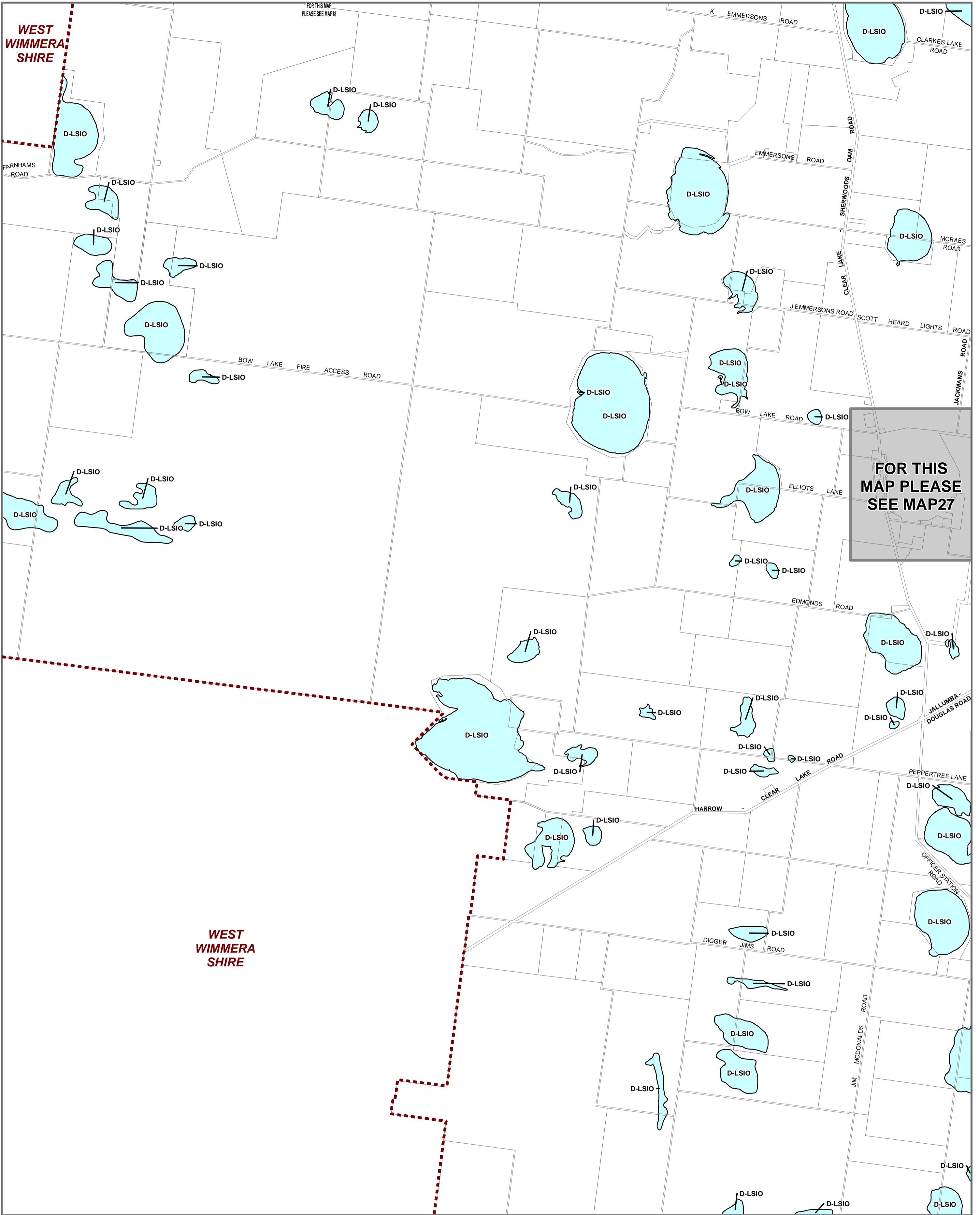


Environment,
 Land, Water
 and Planning

INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hours



LEGEND

- D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay
- Municipal Boundary

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Meters
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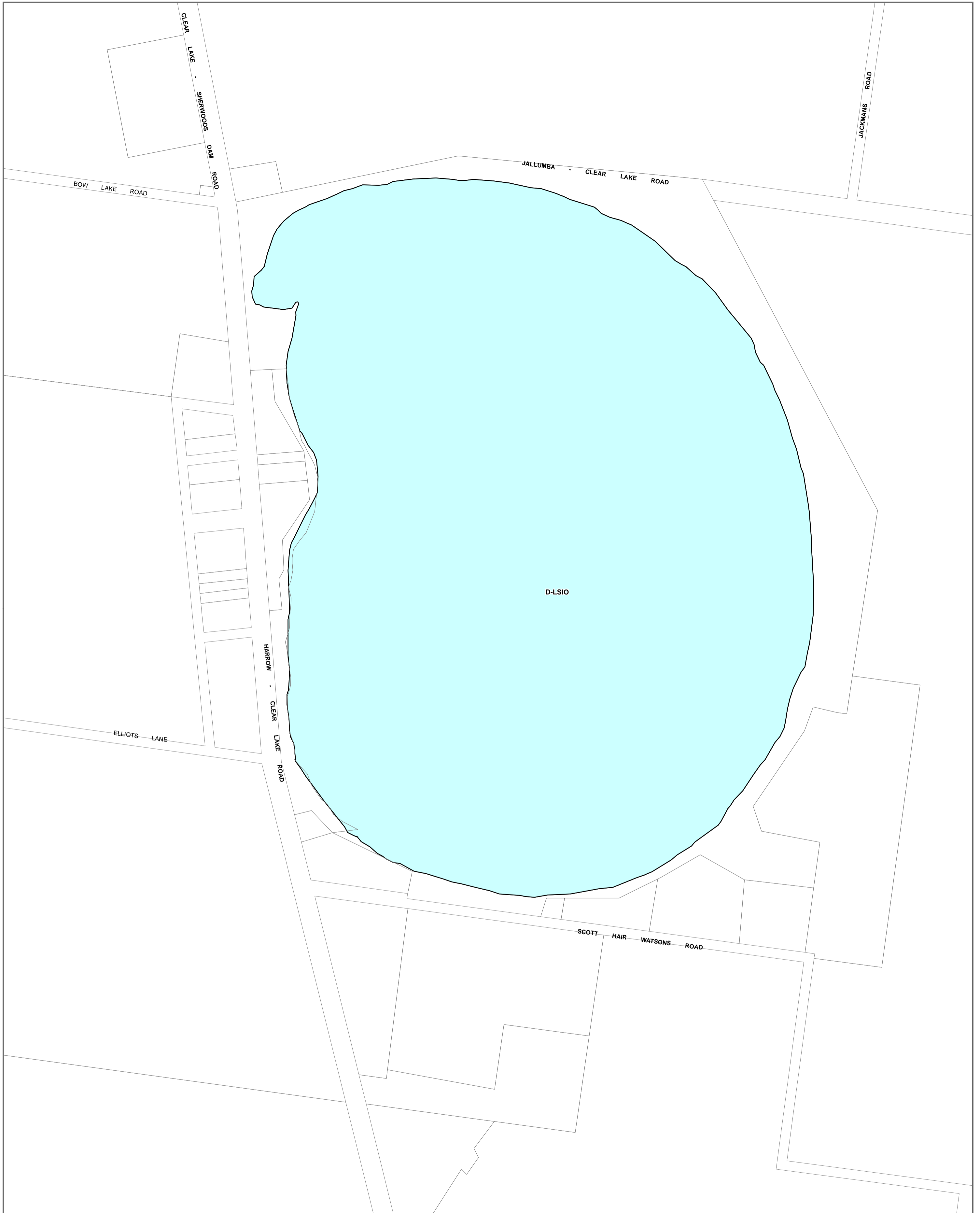
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Amendment Version: 4


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Environment, Land, Water and Planning

INDEX TO ADJOINING SCHEME MAPS



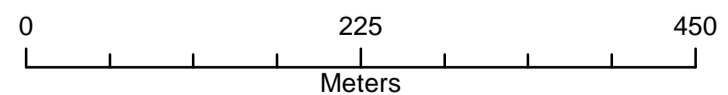
LEGEND

 D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

 Municipal Boundary

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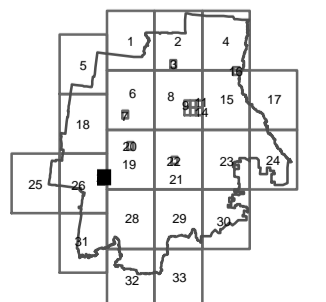


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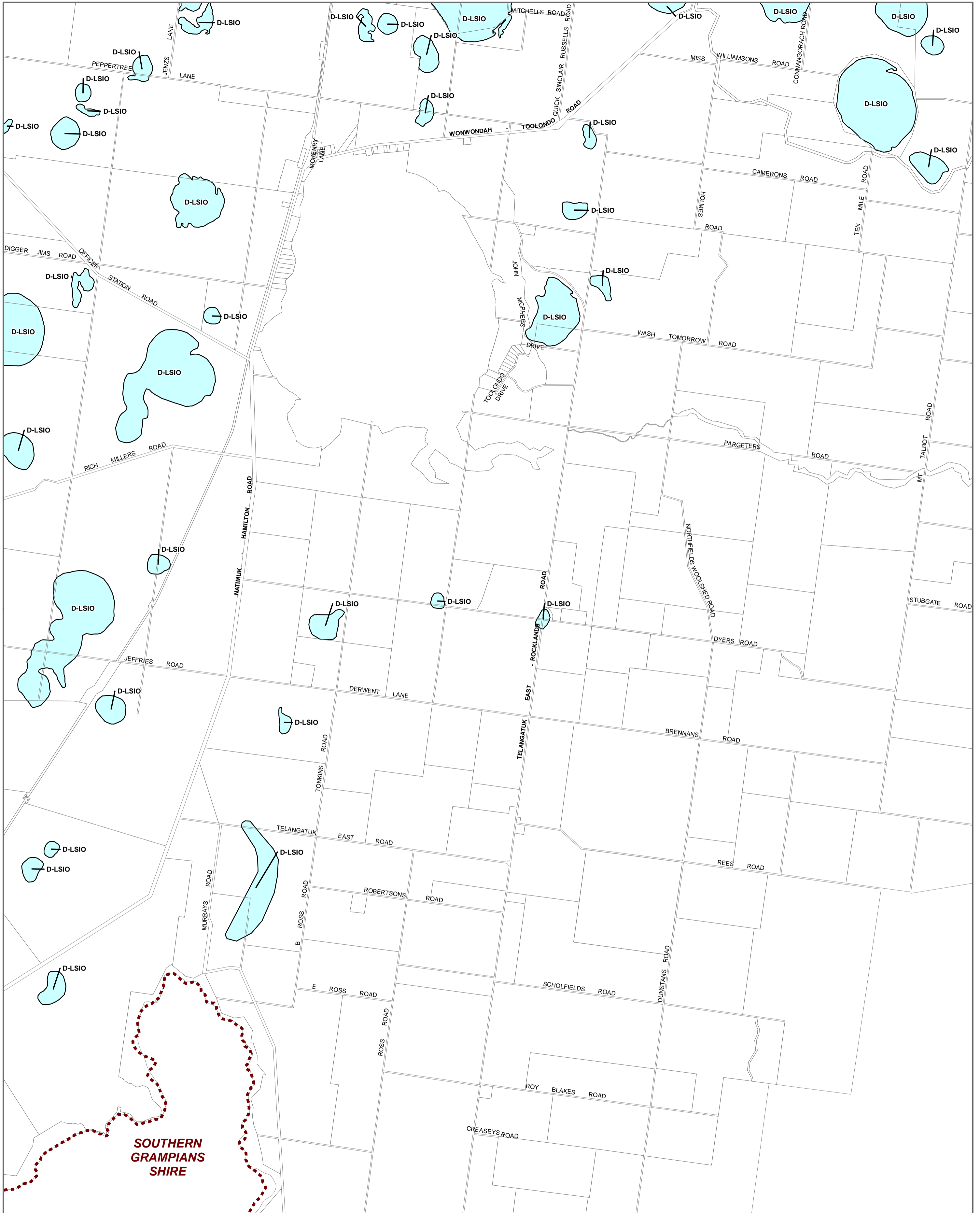


Environment,
 Land, Water
 and Planning

INDEX TO ADJOINING SCHEME MAPS

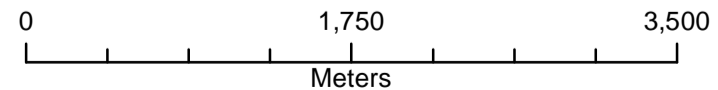


HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs



LEGEND
 D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay
 Municipal Boundary

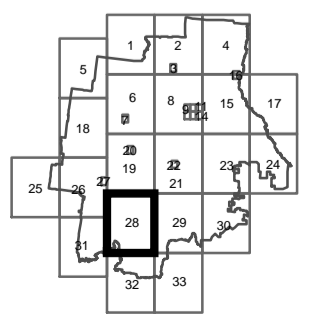
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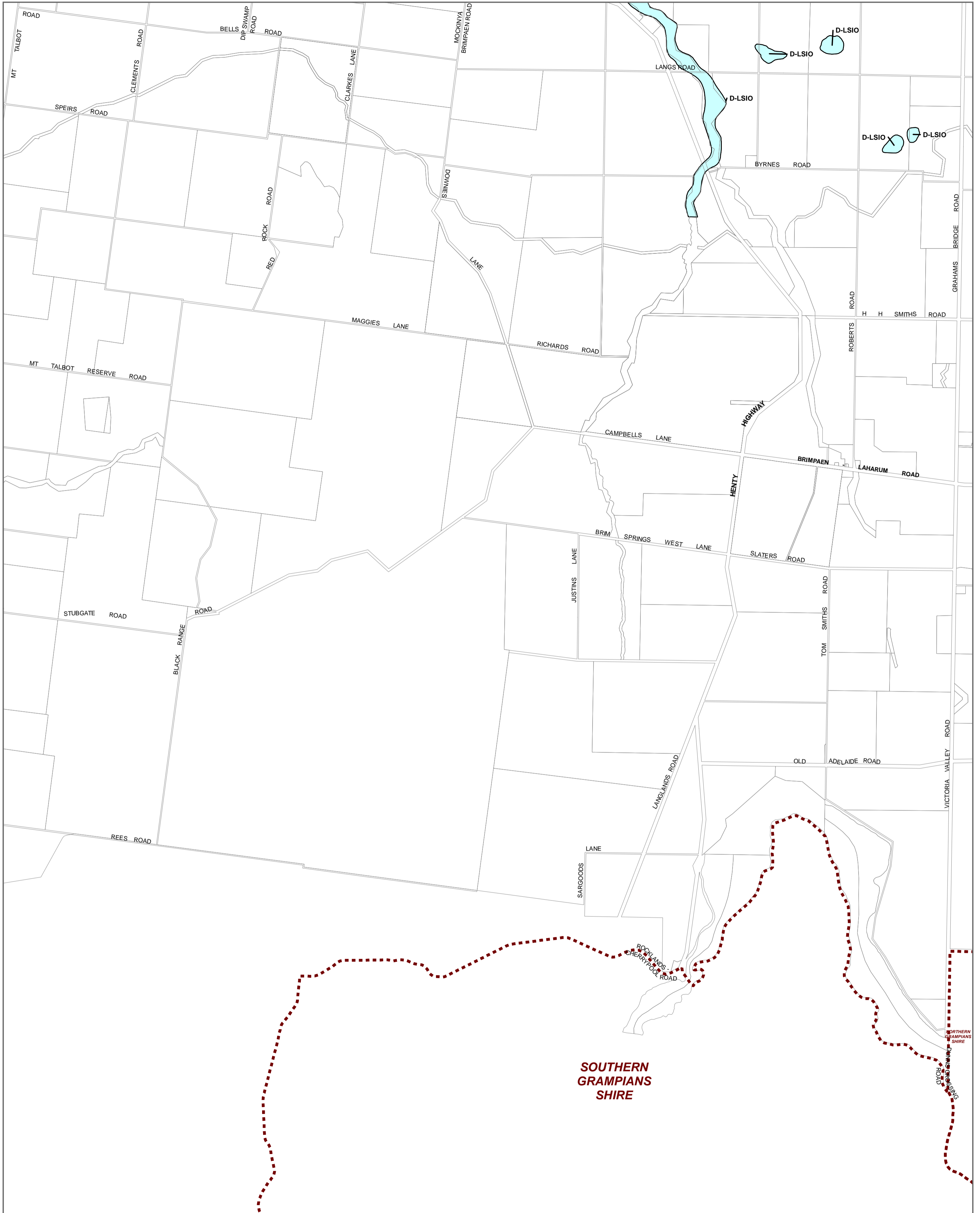
Planning Group
 Printed: 16/11/2022
 Amendment Version: 4



INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs

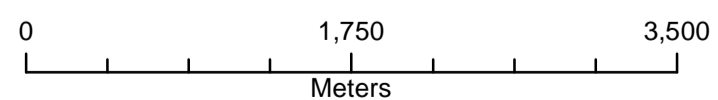


LEGEND

- D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay
- Municipal Boundary

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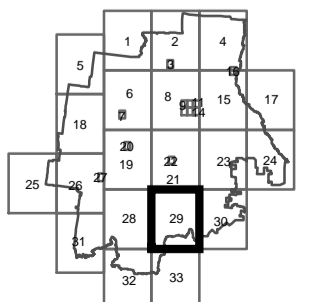


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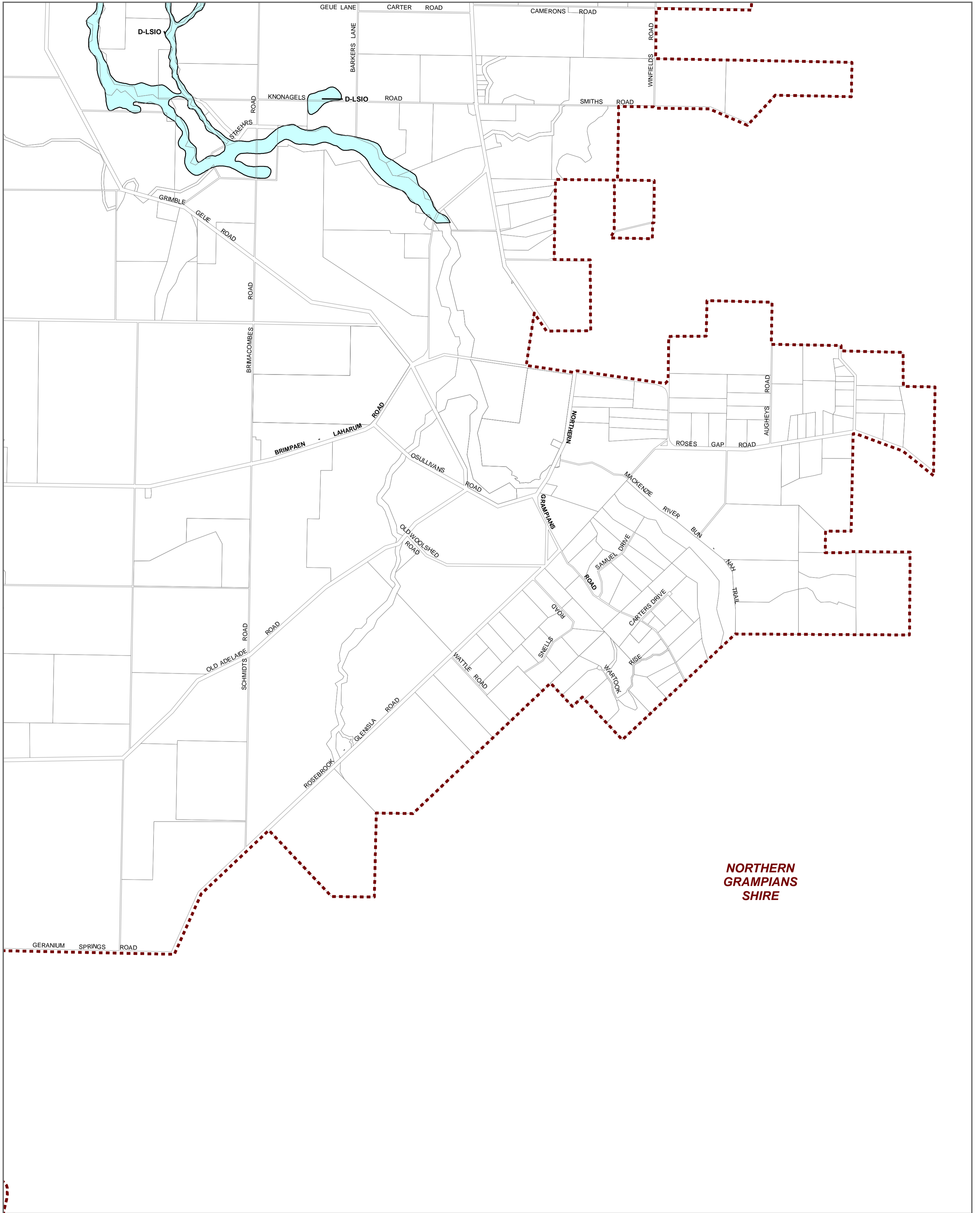


Environment,
Land, Water
and Planning

INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs



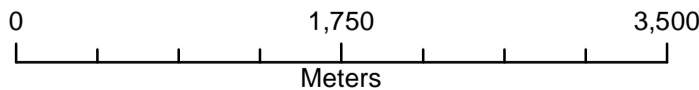
**NORTHERN
GRAMPIANS
SHIRE**

LEGEND

- D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay
- Municipal Boundary

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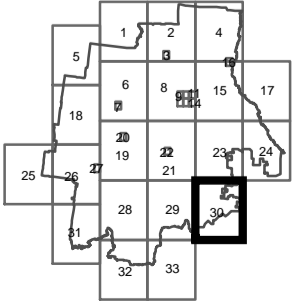


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Amendment Version: 4



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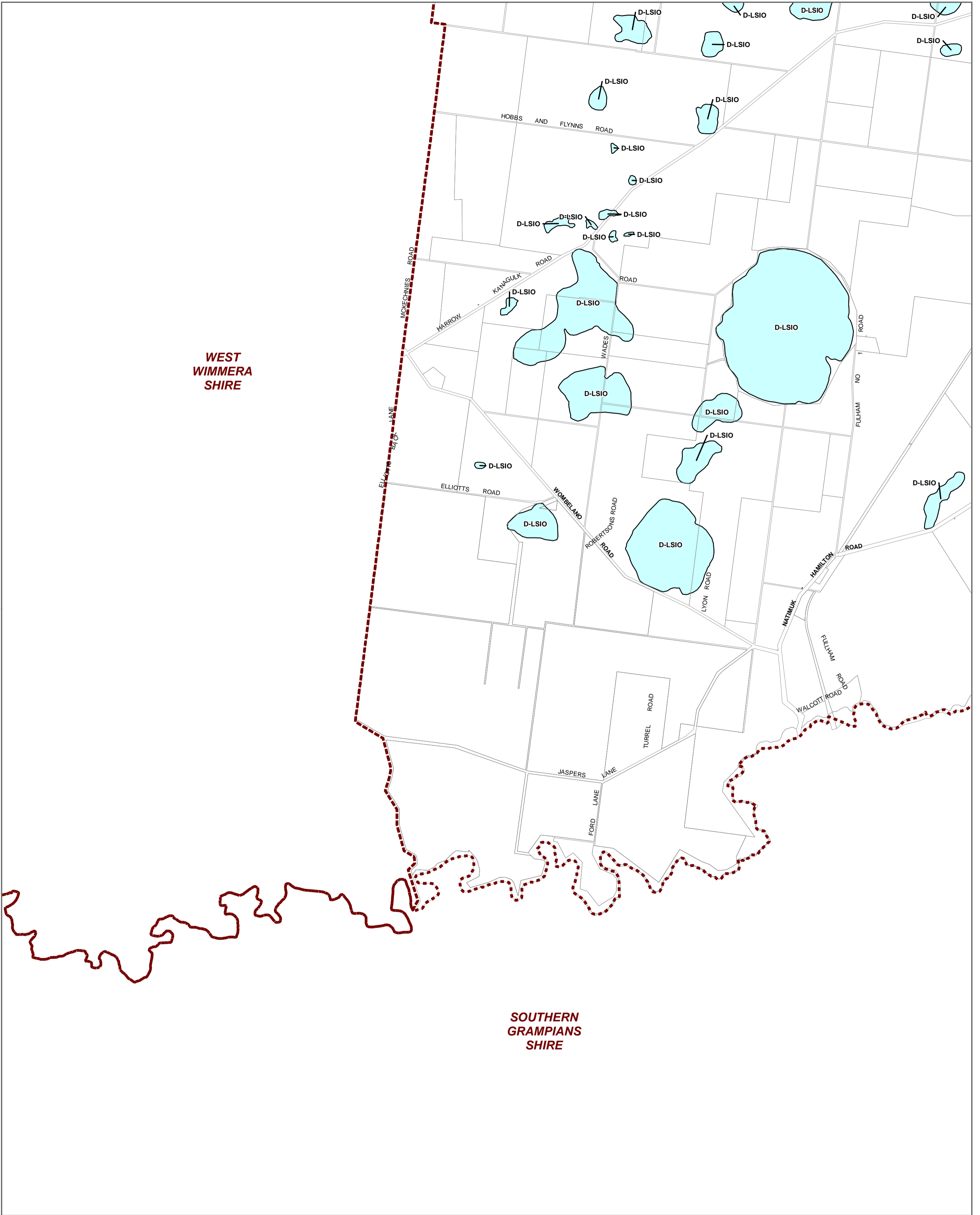
INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs

**WEST
WIMMERA
SHIRE**

**SOUTHERN
GRAMPIANS
SHIRE**

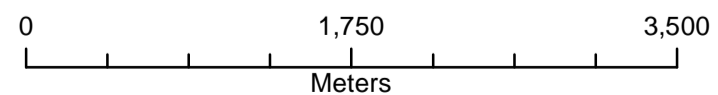


LEGEND

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- Municipal Boundary

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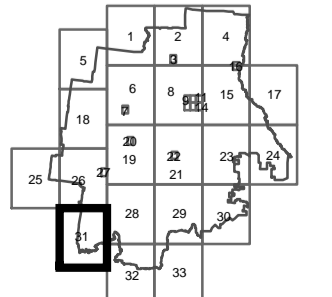
Australian Map Grid Zone 54



Planning Group
Printed: 16/11/2022
Amendment Version: 4



INDEX TO ADJOINING SCHEME MAPS





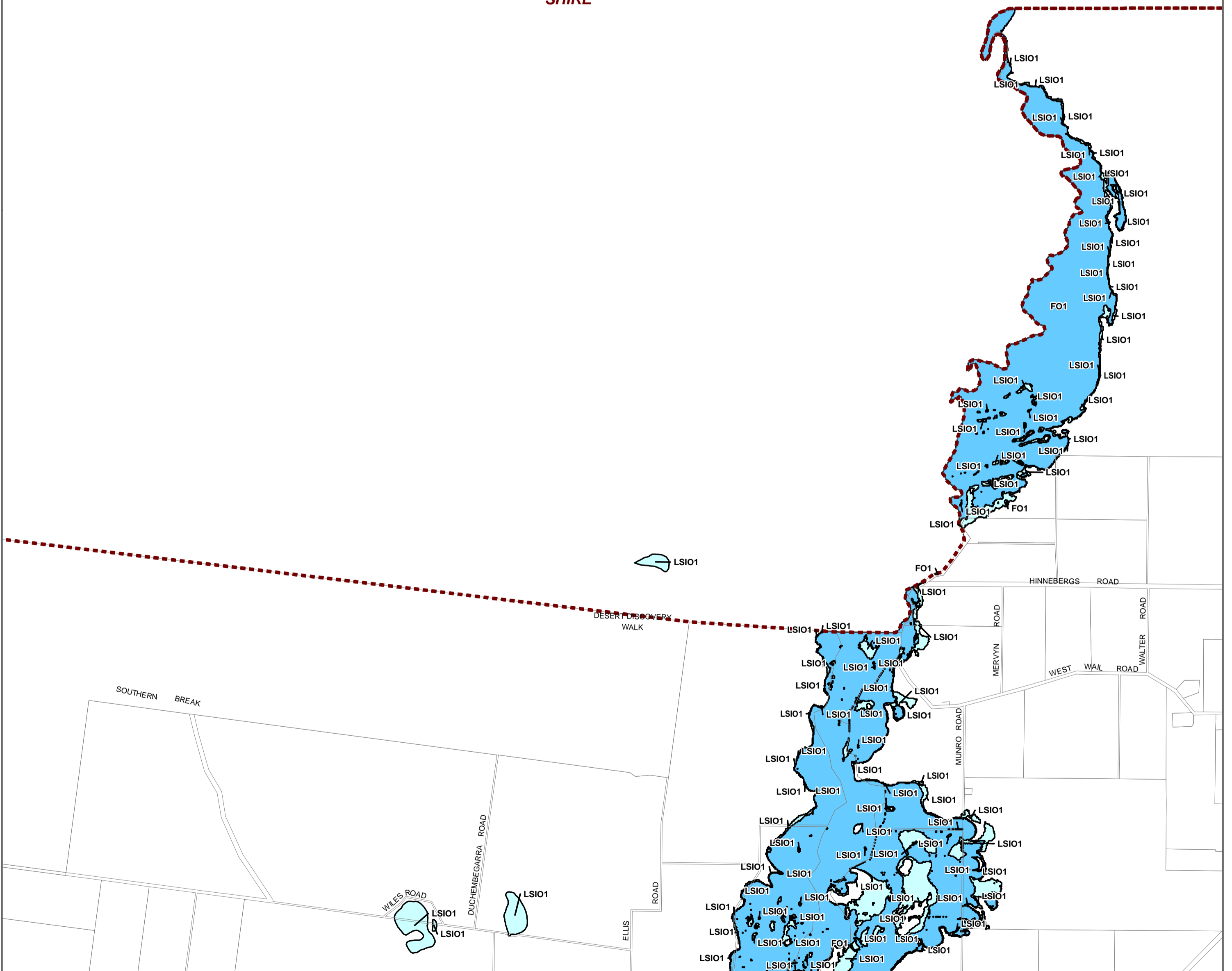
Amendment C81hors (Flood Amendment)

Application of Floodway Overlay & Land
Subject to Inundation Overlay

(FO1 & LSIO1)

Map Sheets Combined

**HINDMARSH
 SHIRE**

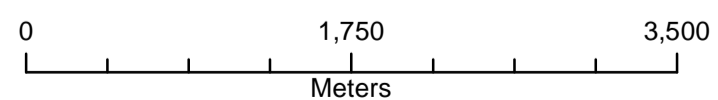


- LEGEND**
- FO1 - Floodway Overlay - Schedule 1
 - LSIO1 - Land Subject to Inundation Overlay - Schedule 1

Municipal Boundary

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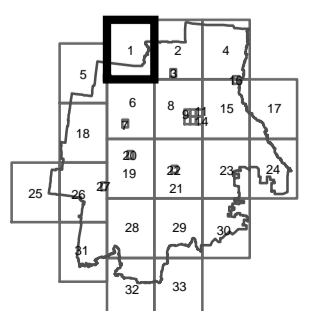


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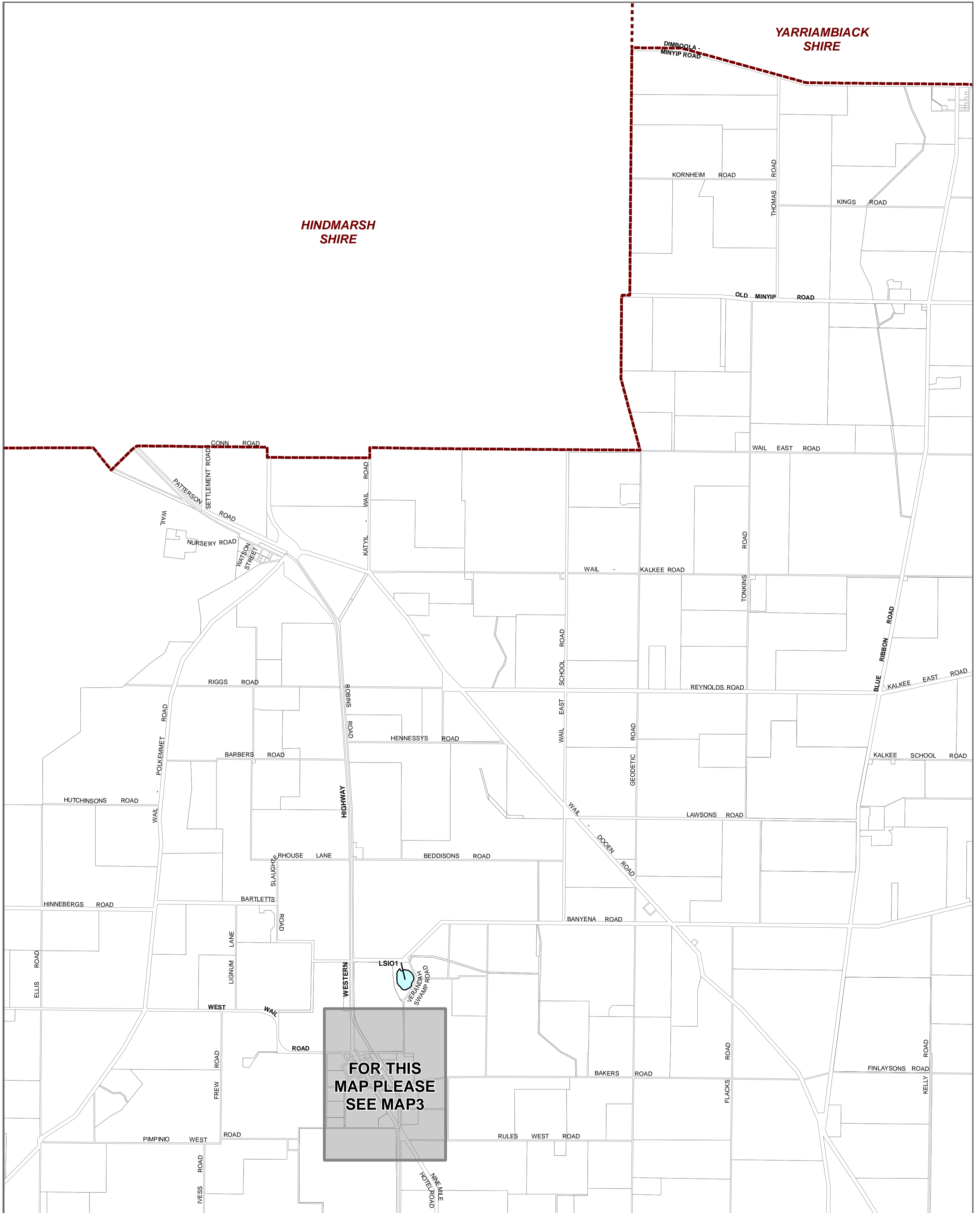


Environment,
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 and Planning

INDEX TO ADJOINING SCHEME MAPS



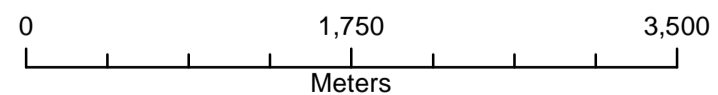
HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs



LEGEND
 LSIO1 - Land Subject to Inundation Overlay - Schedule 1

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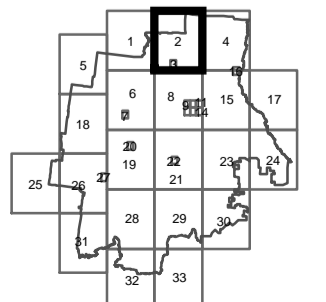


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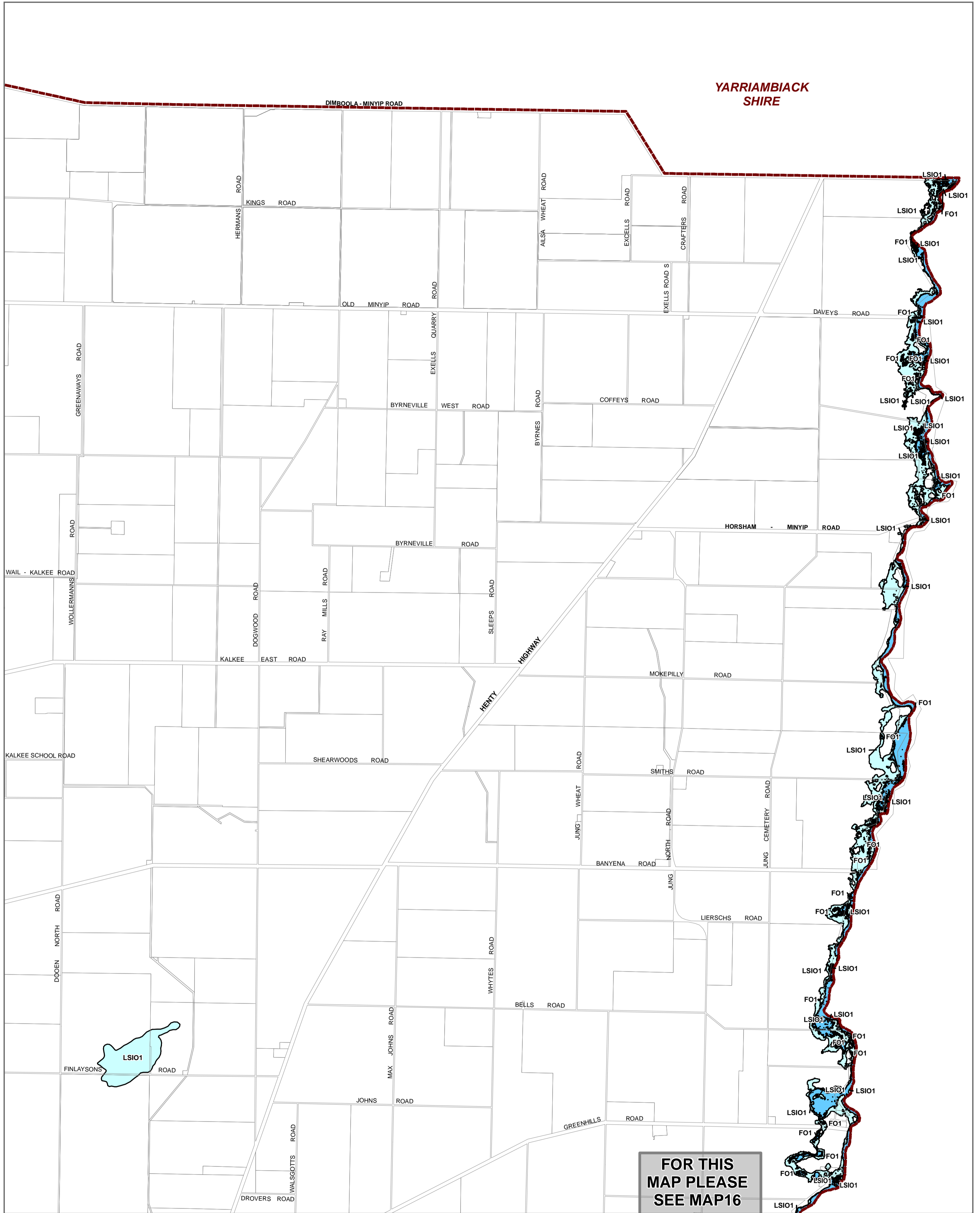


Environment,
 Land, Water
 and Planning

INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs



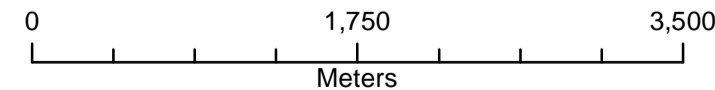
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MAP PLEASE
SEE MAP16**

- LEGEND**
- FO1 - Floodway Overlay - Schedule 1
 - LSIO1 - Land Subject to Inundation Overlay - Schedule 1

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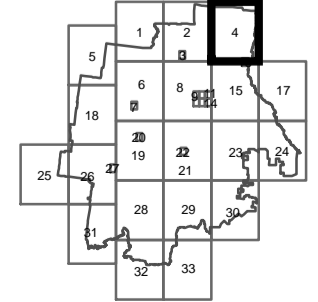
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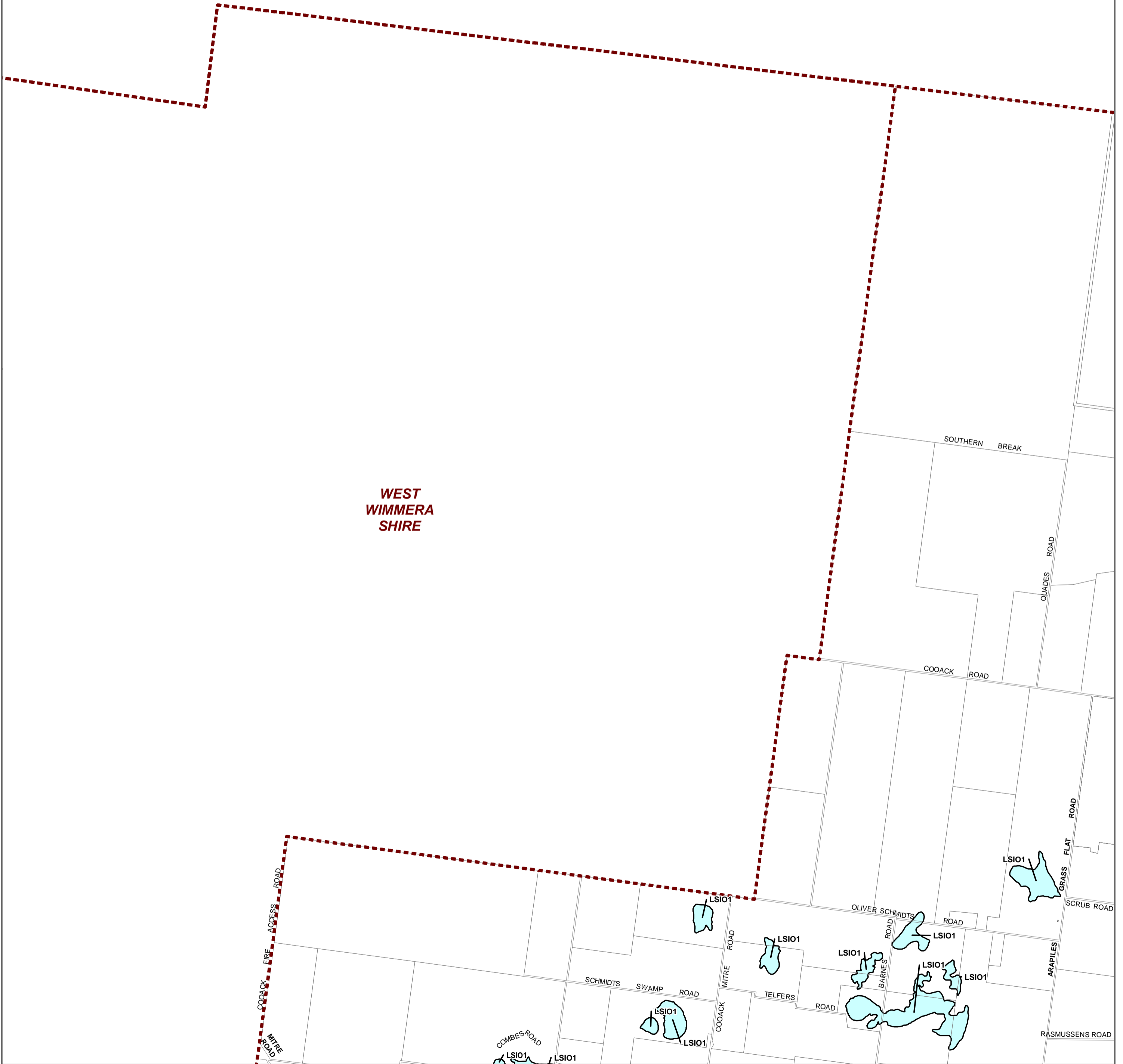


INDEX TO ADJOINING SCHEME MAPS



**HINDMARSH
 SHIRE**

**WEST
 WIMMERA
 SHIRE**

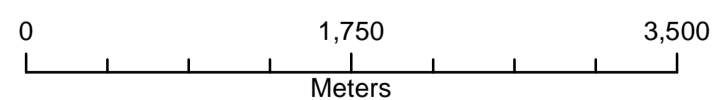


LEGEND
 ■ LSIO1 - Land Subject to Inundation Overlay - Schedule 1

■ Municipal Boundary

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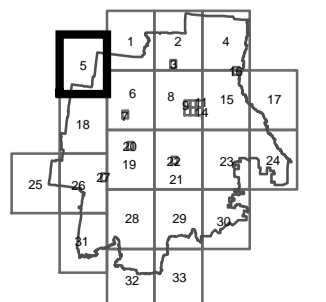


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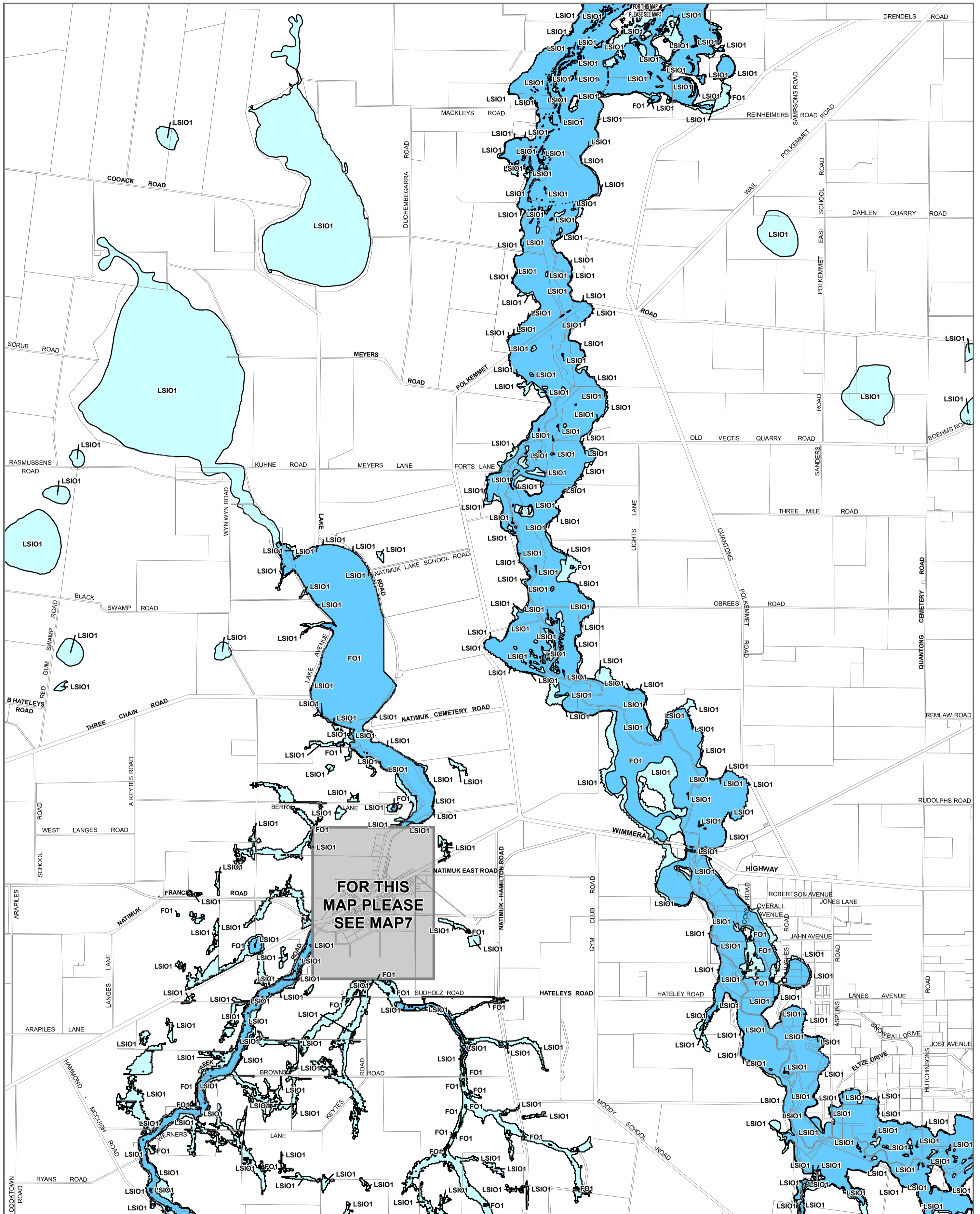


Environment,
 Land, Water
 and Planning

INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs

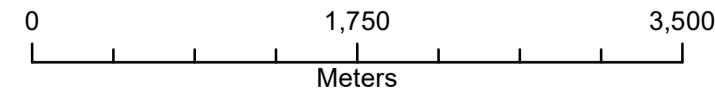


- LEGEND**
- FO1 - Floodway Overlay - Schedule 1
 - LSIO1 - Land Subject to Inundation Overlay - Schedule 1

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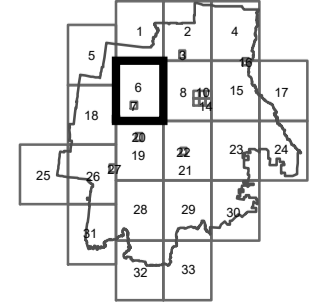
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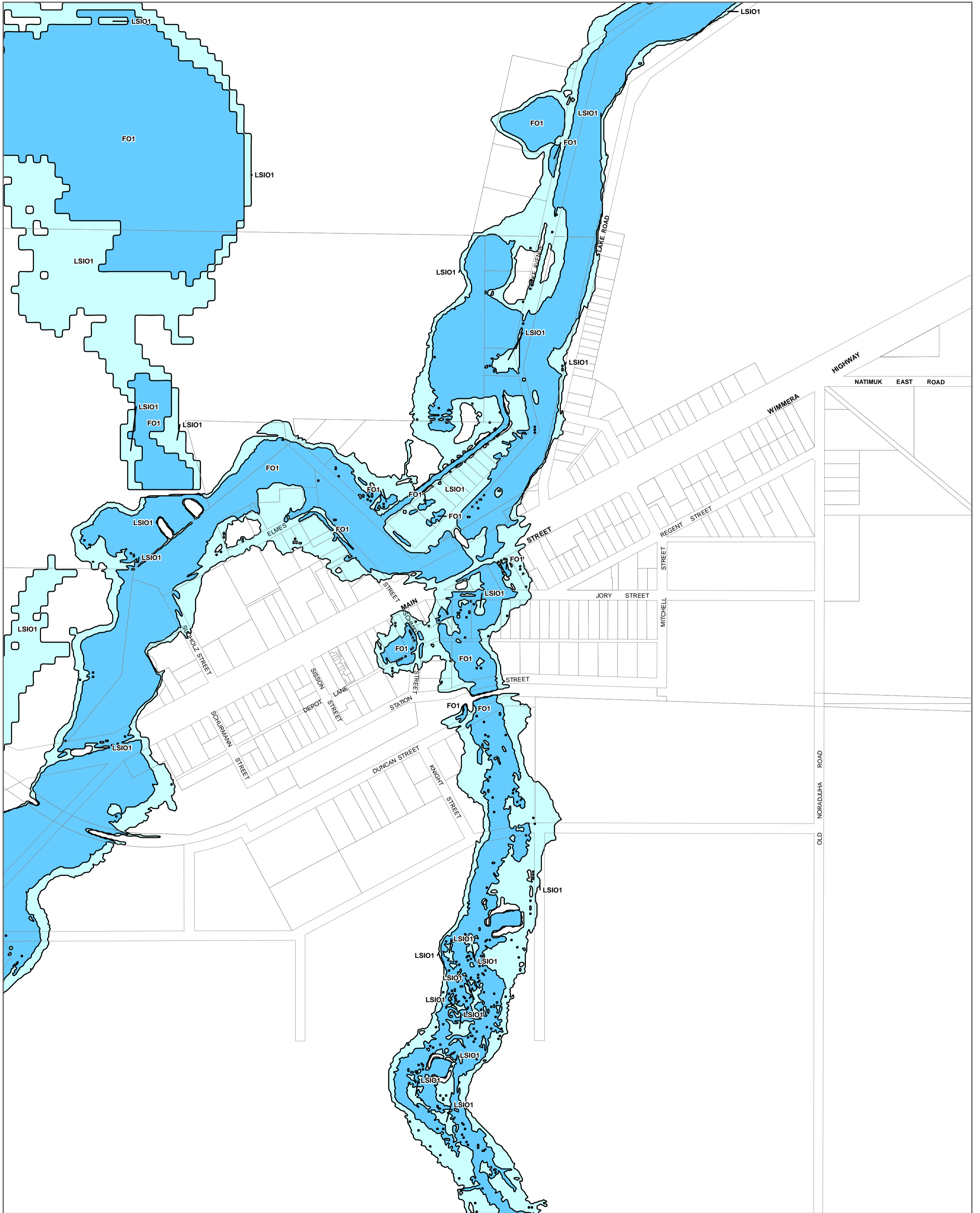


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Department of Transport and Planning
 Print Date: 30/11/2023
 Amendment Version: 6

INDEX TO ADJOINING SCHEME MAPS



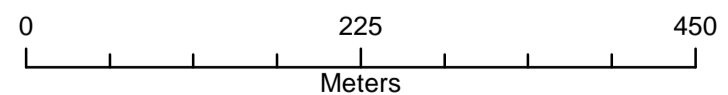


- LEGEND**
- FO1 - Floodway Overlay - Schedule 1
 - LSIO1 - Land Subject to Inundation Overlay - Schedule 1

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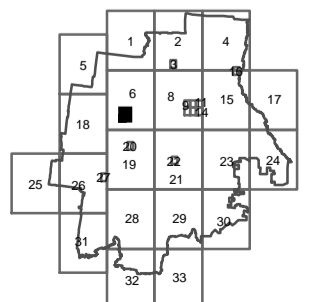


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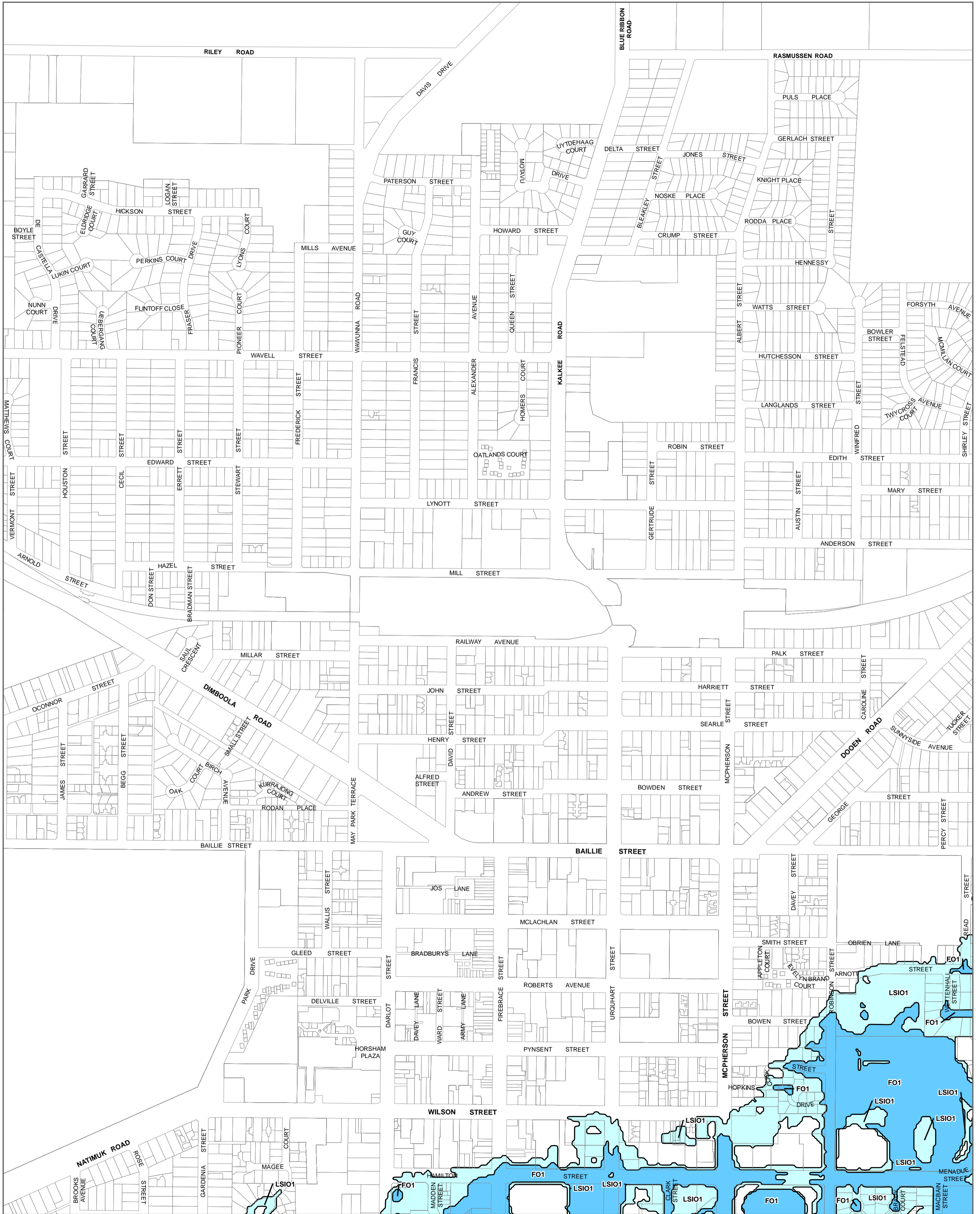


Environment,
 Land, Water
 and Planning

INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs

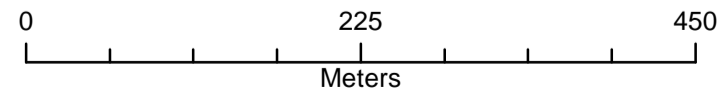


- LEGEND**
- FO1 - Floodway Overlay - Schedule 1
 - LSI01 - Land Subject to Inundation Overlay - Schedule 1

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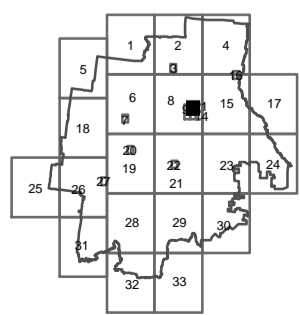
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Australian Map Grid Zone 54

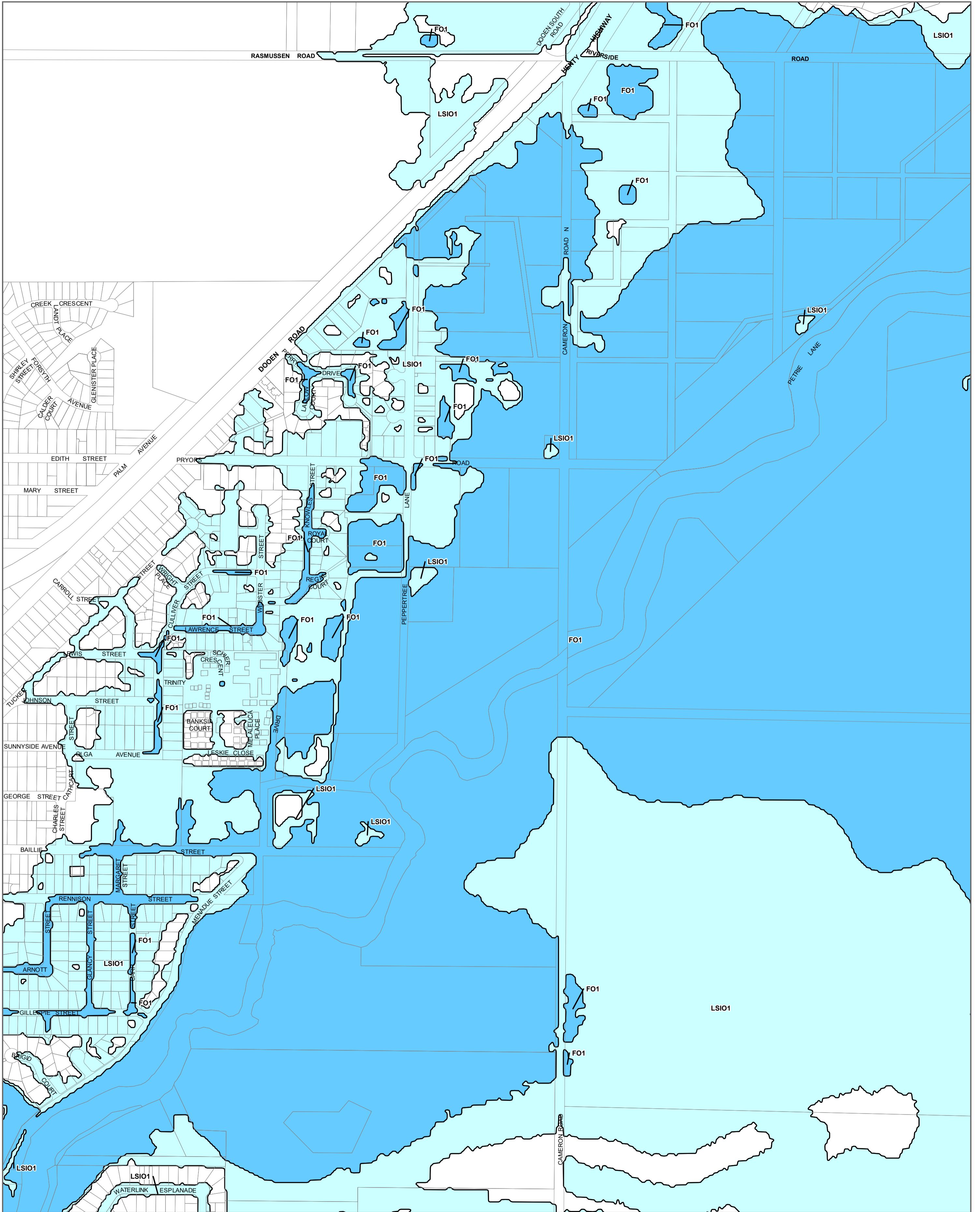
Planning Group
Printed: 16/11/2022
Amendment Version: 4



INDEX TO ADJOINING SCHEME MAPS

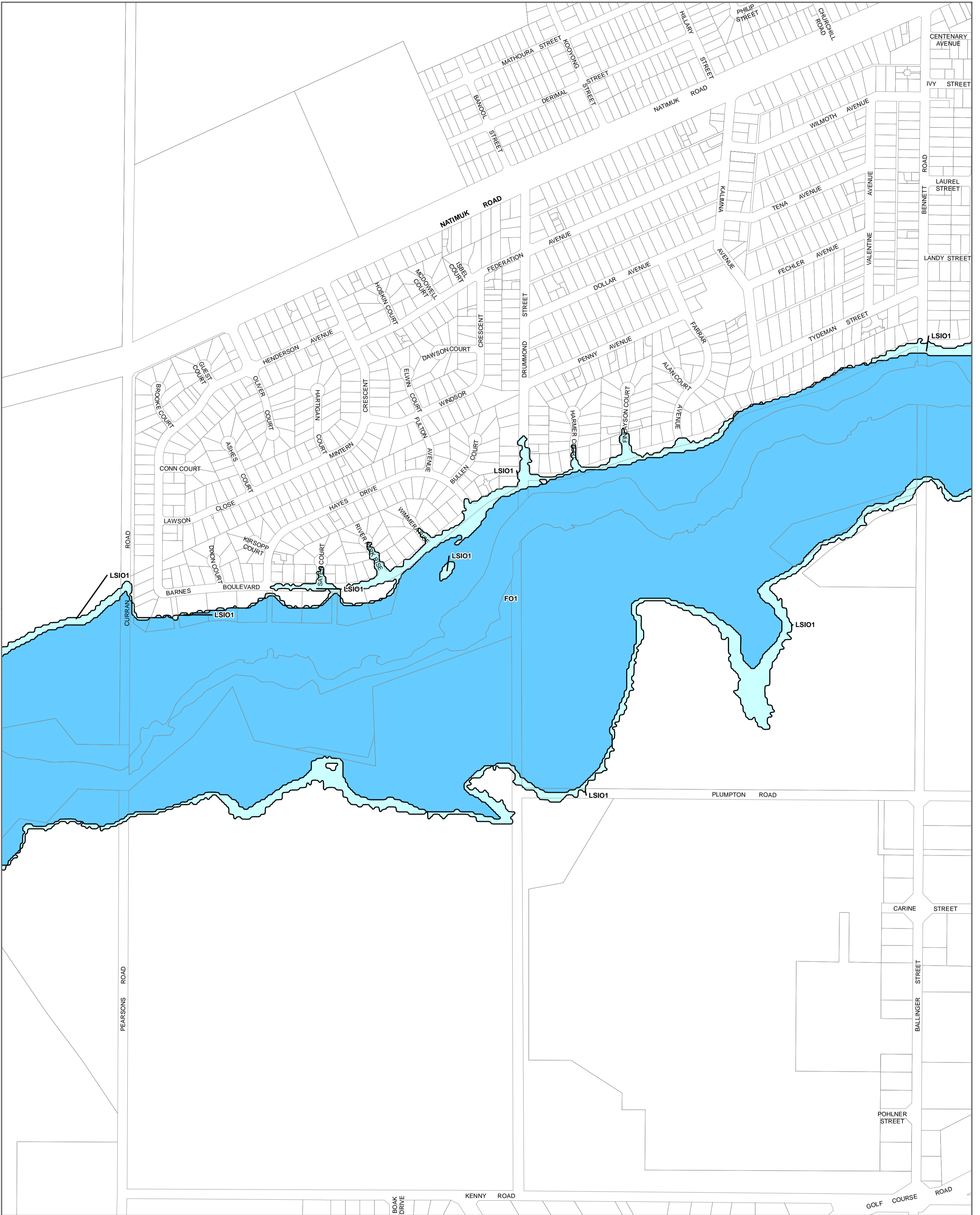


HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hours



<p>LEGEND</p> <p> FO1 - Floodway Overlay - Schedule 1</p> <p> LSIO1 - Land Subject to Inundation Overlay - Schedule 1</p>	<p> Municipal Boundary</p>	<p>Disclaimer This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.</p> <p>© The State of Victoria Department of Transport and Planning 2023</p>	<p>0 225 450</p> <p>Meters</p> <p>Australian Map Grid Zone 54</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <p>Planning Group Print Date: 30/11/2023 Amendment Version: 6</p> </div> <div style="text-align: center;"> <p>VICTORIA State Government</p> </div> <div style="text-align: center;"> <p>Department of Transport and Planning</p> </div> </div>	<p>INDEX TO ADJOINING SCHEME MAPS</p>
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HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs



<p>LEGEND</p> <ul style="list-style-type: none"> FO1 - Floodway Overlay - Schedule 1 LSIO1 - Land Subject to Inundation Overlay - Schedule 1 Municipal Boundary 	<p>Disclaimer This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.</p> <p>© The State of Victoria Department of Environment, Land, Water and Planning 2022</p>	<p>0 225 450 Meters</p> <p>Australian Map Grid Zone 54</p> <p>NORTH</p> <p>Planning Group Printed: 16/11/2022 Amendment Version: 4</p>	<p>INDEX TO ADJOINING SCHEME MAPS</p>
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HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs

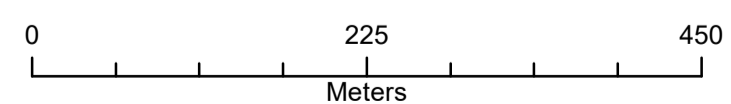


- LEGEND**
- FO1 - Floodway Overlay - Schedule 1
 - LSIO1 - Land Subject to Inundation Overlay - Schedule 1

Municipal Boundary

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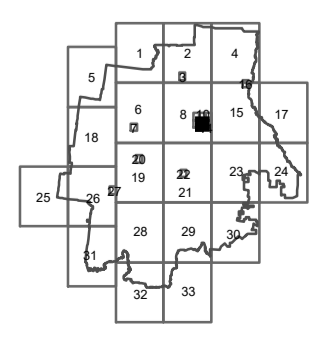
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Print Date: 30/11/2023
Amendment Version: 6

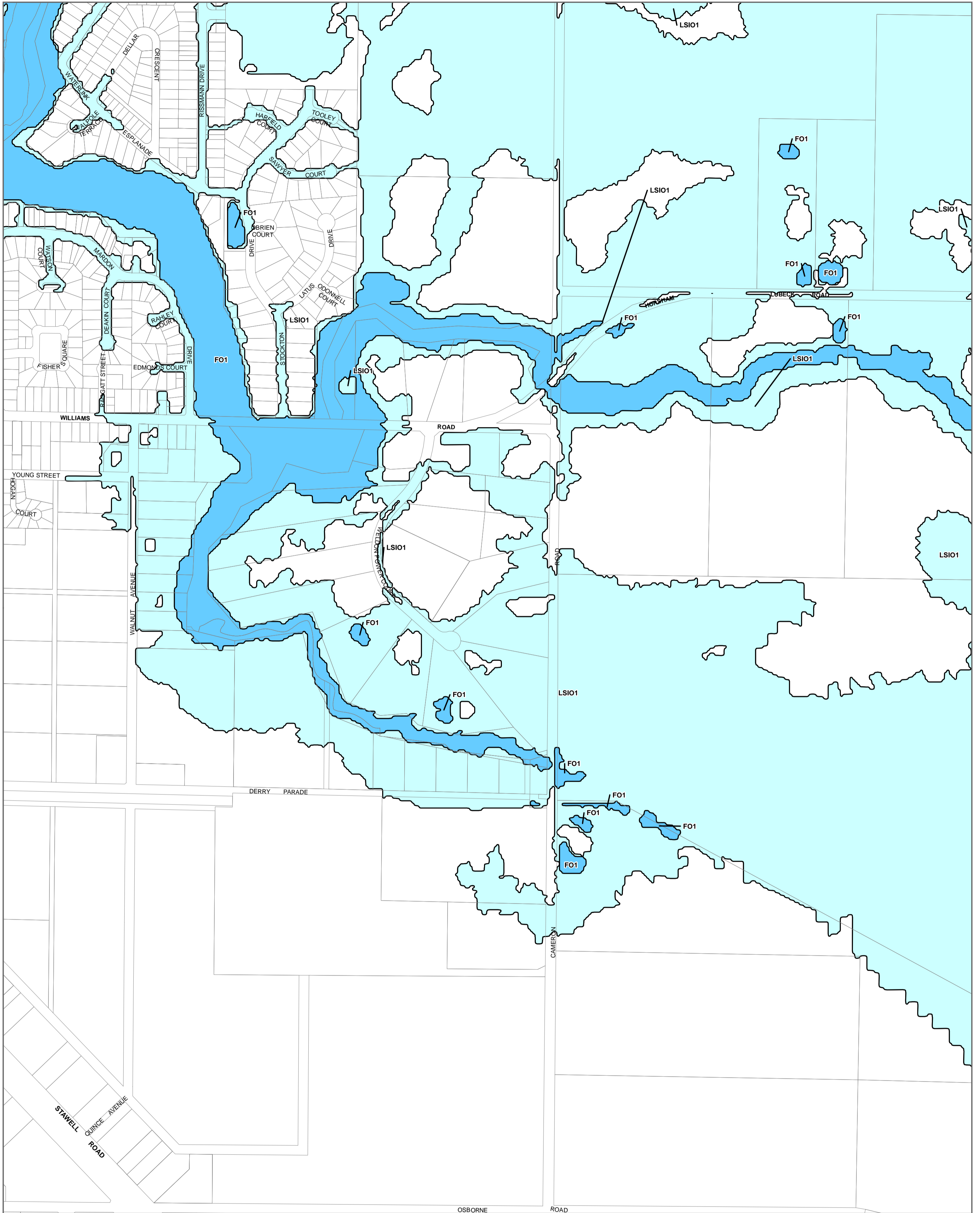


Department of Transport and Planning

INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs

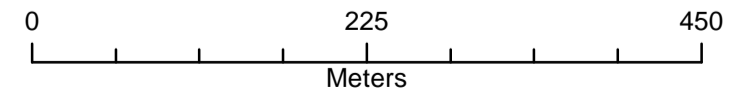


- LEGEND**
- FO1 - Floodway Overlay - Schedule 1
 - LSIO1 - Land Subject to Inundation Overlay - Schedule 1

Municipal Boundary

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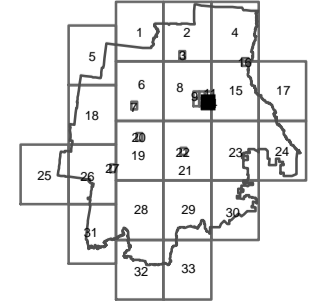
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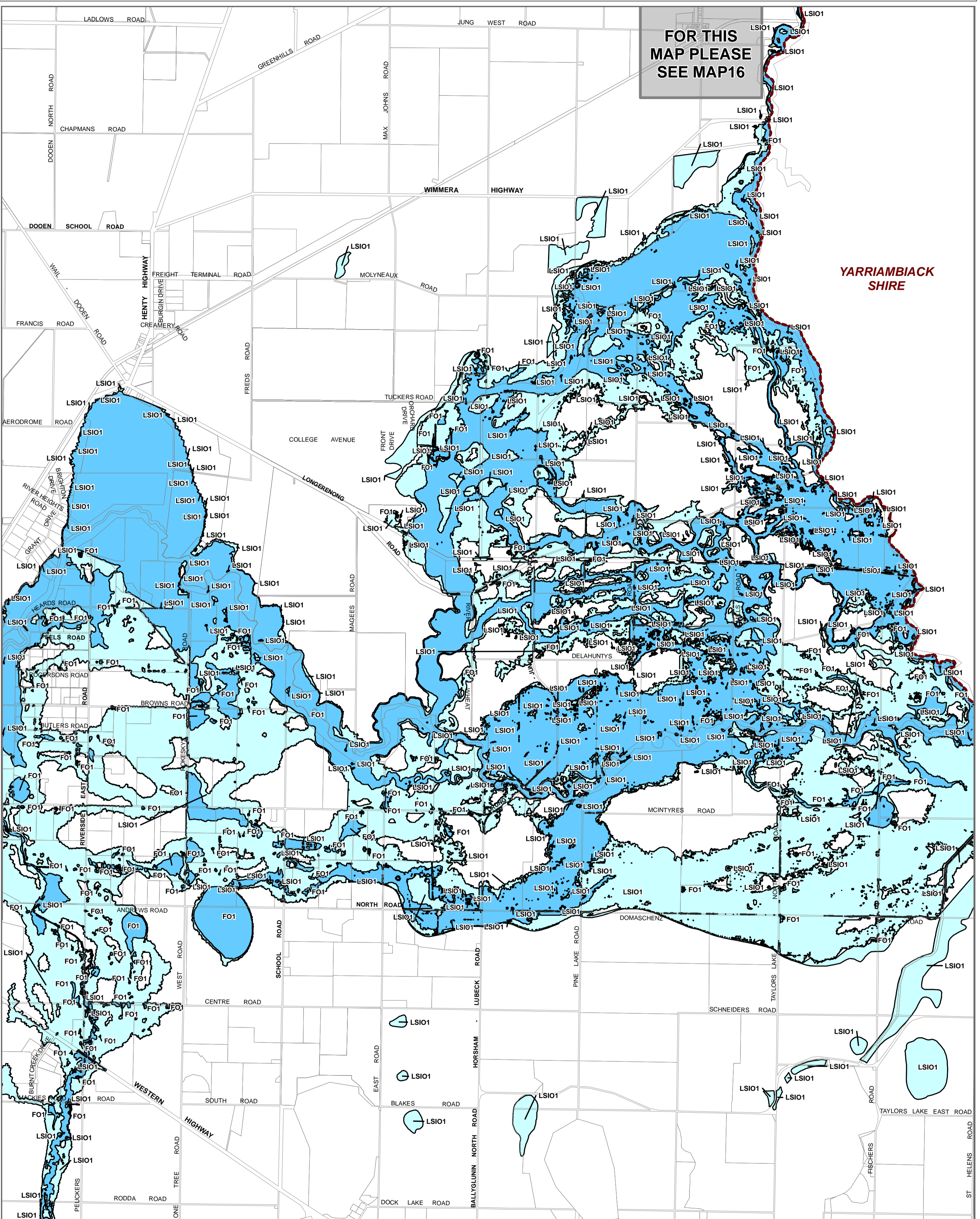
INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs

FOR THIS MAP PLEASE SEE MAP16

YARRIAMBICK SHIRE

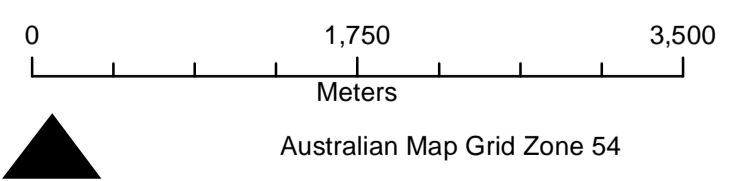


- LEGEND**
- FO1 - Floodway Overlay - Schedule 1
 - LSIO1 - Land Subject to Inundation Overlay - Schedule 1

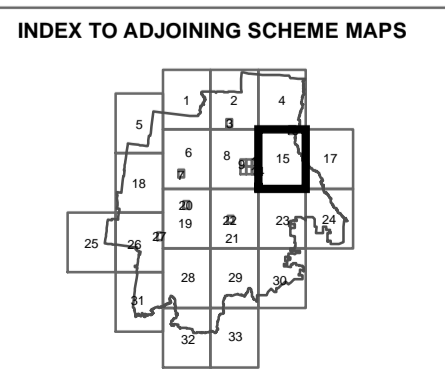
Municipal Boundary

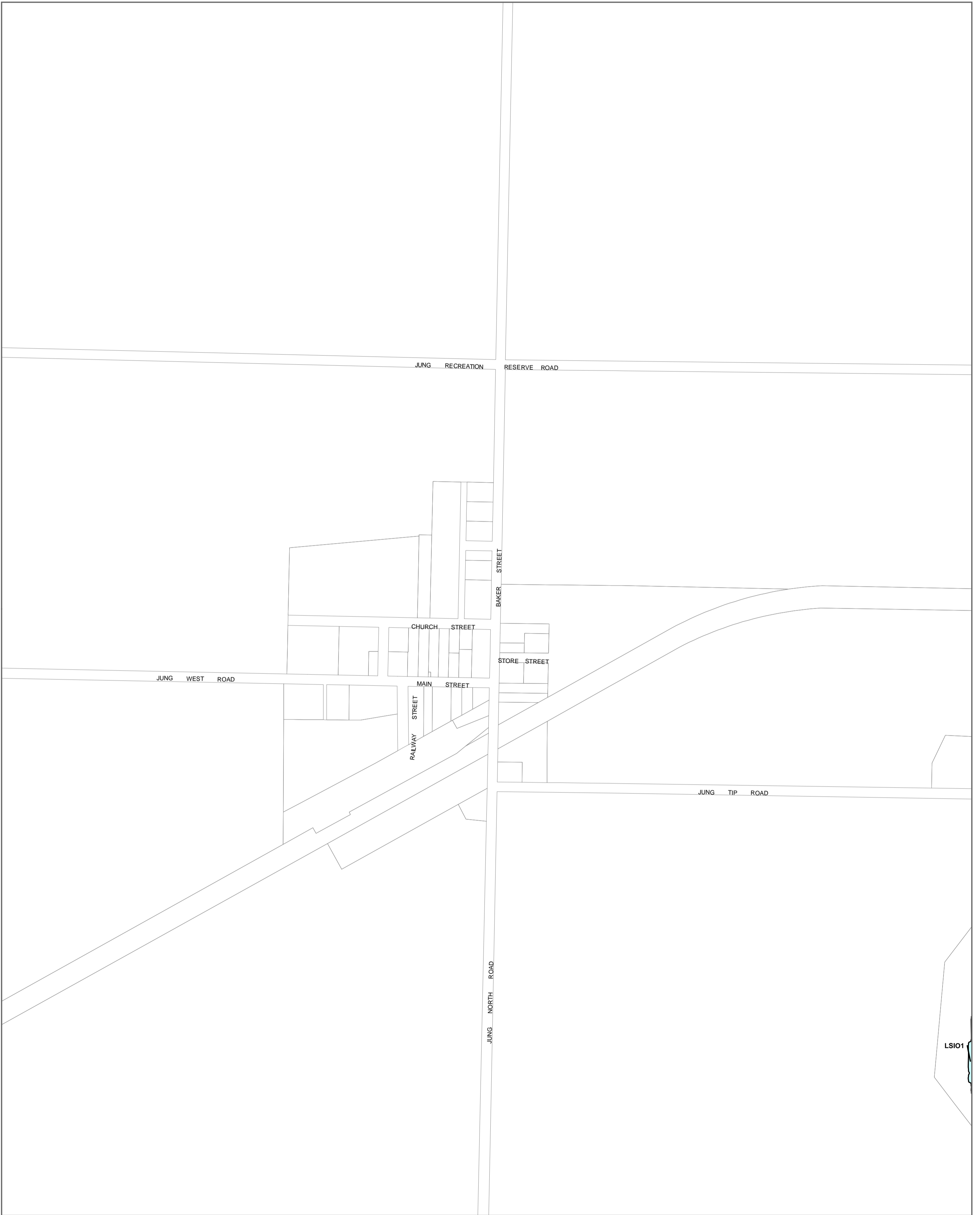
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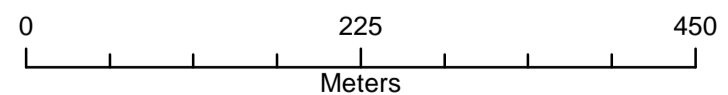


LEGEND
 LSIO1 - Land Subject to Inundation Overlay - Schedule 1

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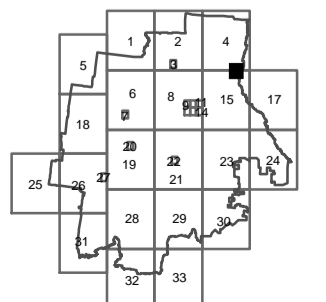


Planning Group
 Printed: 16/11/2022
 Amendment Version: 4



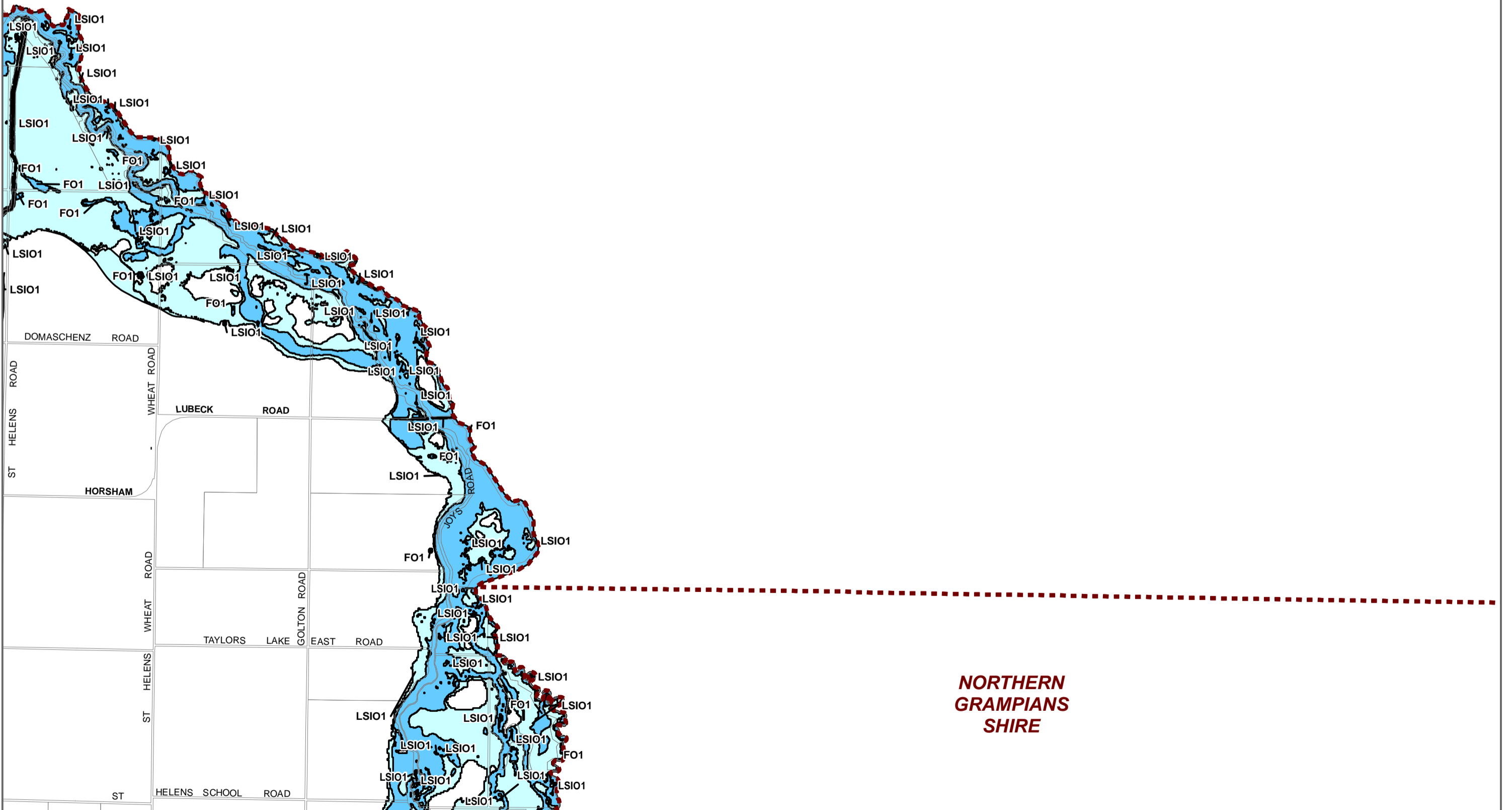
Environment,
 Land, Water
 and Planning

INDEX TO ADJOINING SCHEME MAPS



**YARRIAMBIACK
 SHIRE**

**NORTHERN
 GRAMPIANS
 SHIRE**

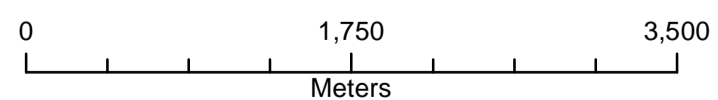


- LEGEND**
- FO1 - Floodway Overlay - Schedule 1
 - LSI01 - Land Subject to Inundation Overlay - Schedule 1

Municipal Boundary

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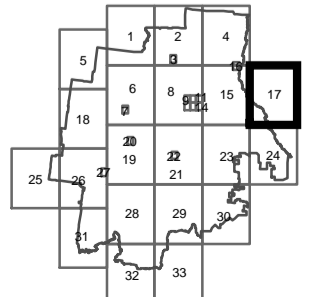


Planning Group
 Printed: 16/11/2022
 Amendment Version: 4



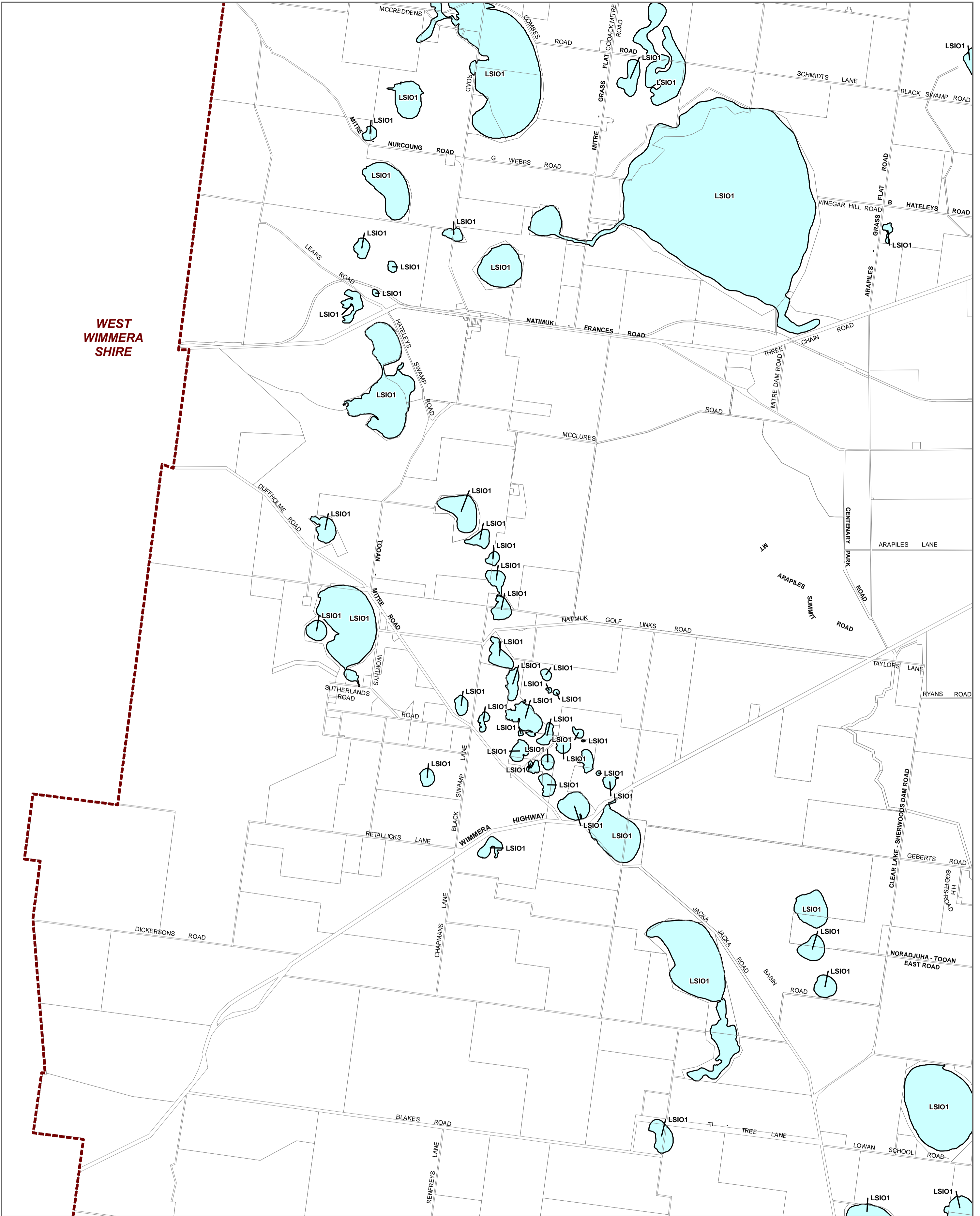
Environment,
 Land, Water
 and Planning

INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs

**WEST
WIMMERA
SHIRE**

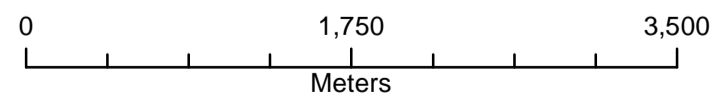


LEGEND
 LSIO1 - Land Subject to Inundation Overlay - Schedule 1

Municipal Boundary

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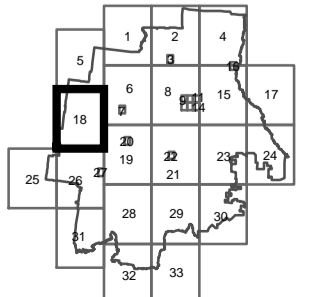


Planning Group
 Printed: 16/11/2022
 Amendment Version: 4

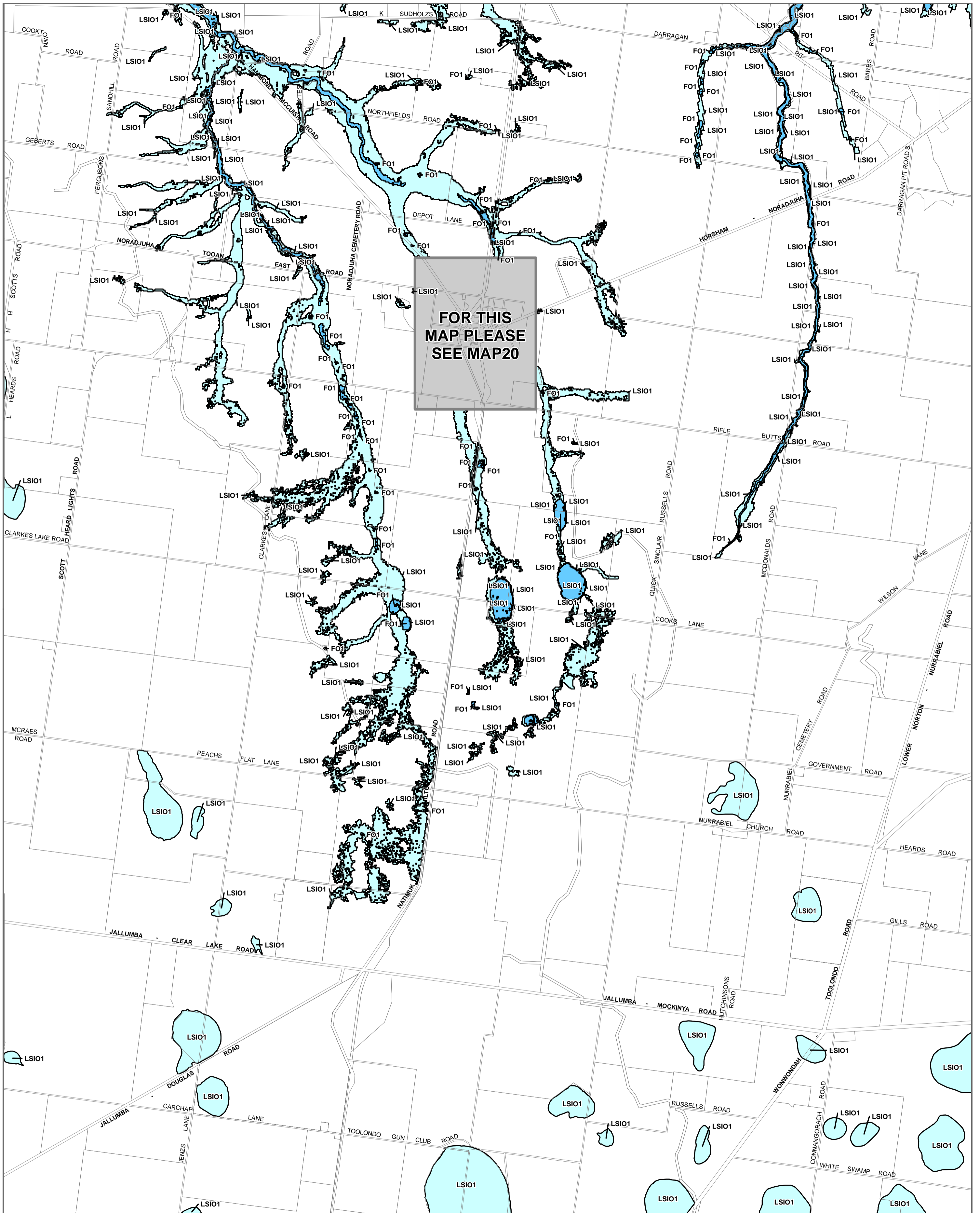


Environment,
 Land, Water
 and Planning

INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hours

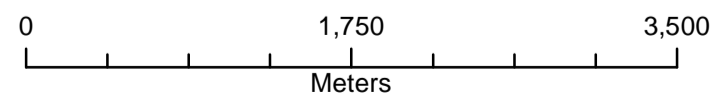


- LEGEND**
- FO1 - Floodway Overlay - Schedule 1
 - LSIO1 - Land Subject to Inundation Overlay - Schedule 1

Municipal Boundary

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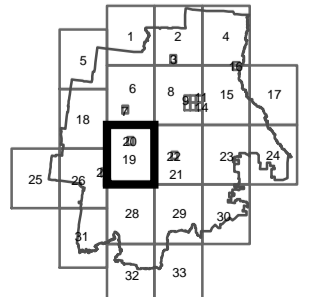


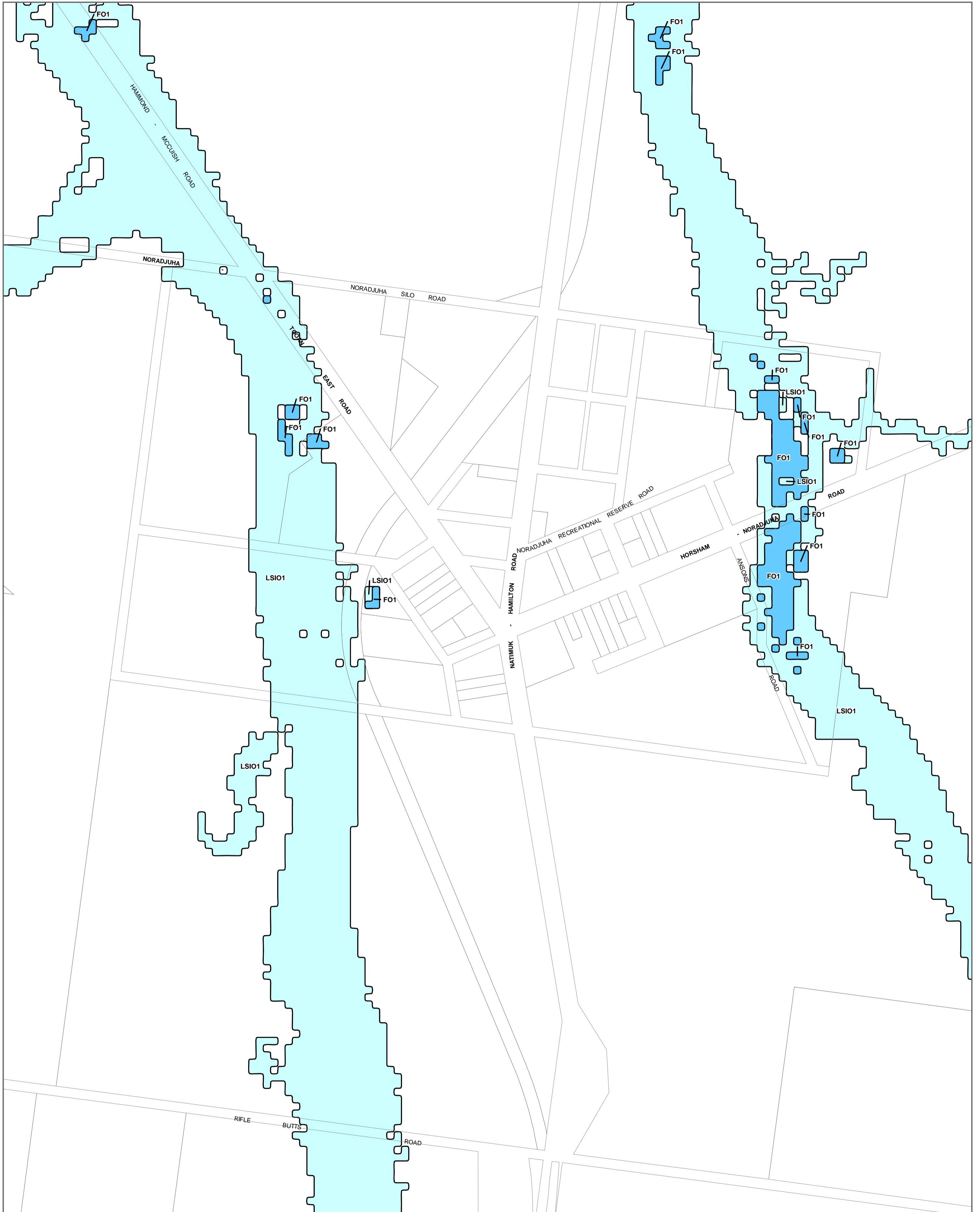
Planning Group
Printed: 16/11/2022
Amendment Version: 4



Environment,
Land, Water
and Planning

INDEX TO ADJOINING SCHEME MAPS





LEGEND
■ FO1 - Floodway Overlay - Schedule 1
■ LSIO1 - Land Subject to Inundation Overlay - Schedule 1

■ Municipal Boundary

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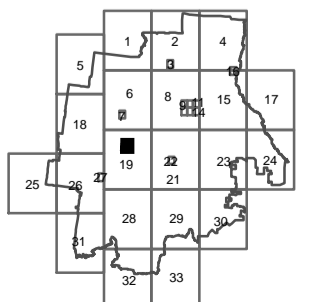


Planning Group
 Printed: 16/11/2022
 Amendment Version: 4

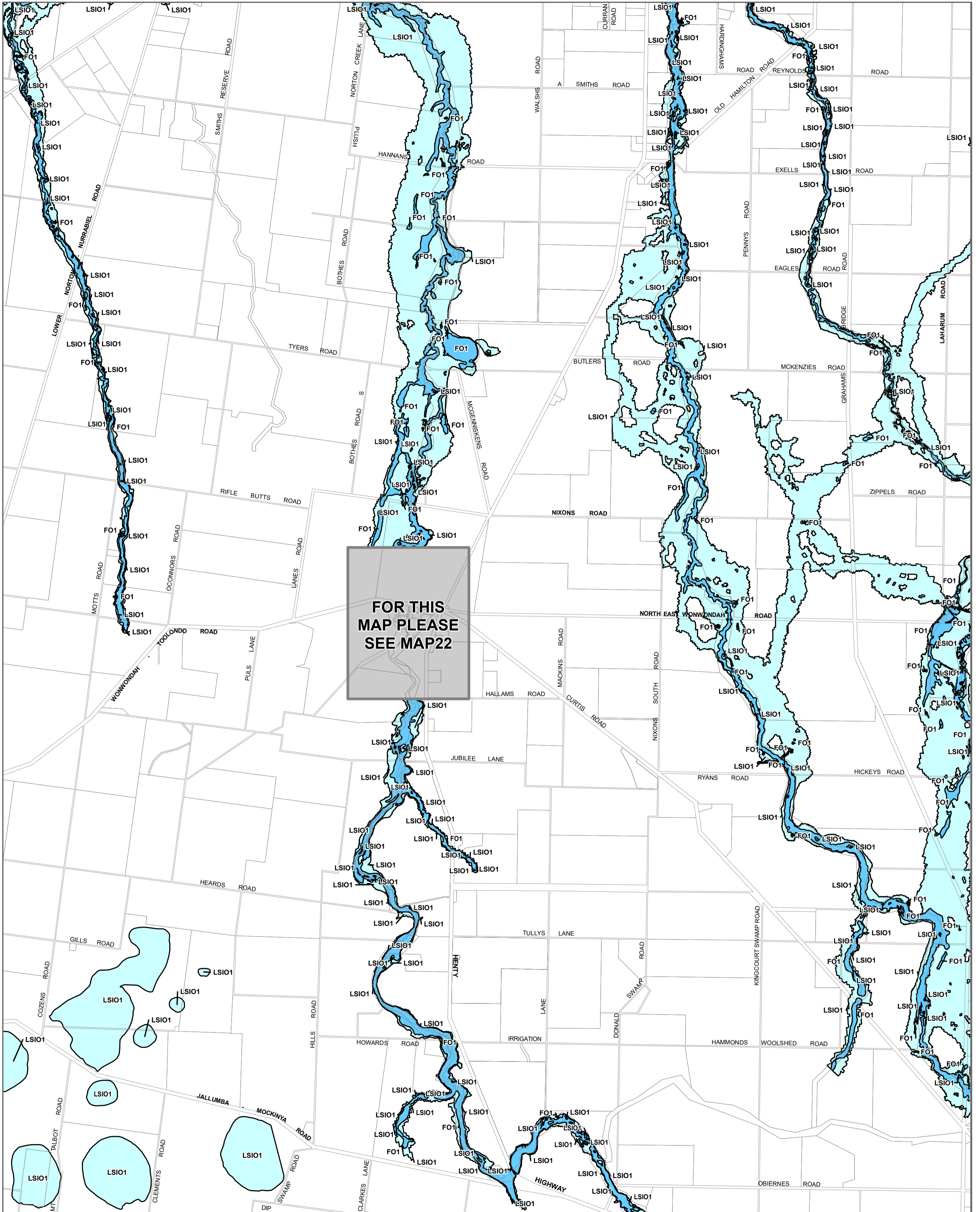


Environment,
 Land, Water
 and Planning

INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs



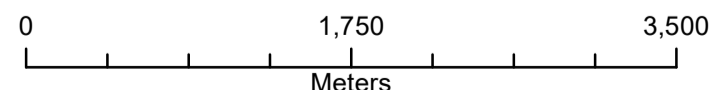
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MAP PLEASE
SEE MAP22**

- LEGEND**
- FO1 - Floodway Overlay - Schedule 1
 - LSIO1 - Land Subject to Inundation Overlay - Schedule 1

Municipal Boundary

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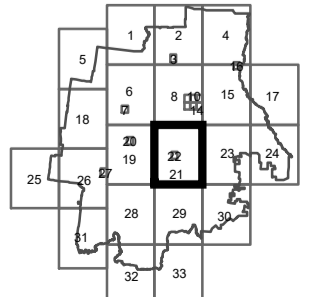
Australian Map Grid Zone 54

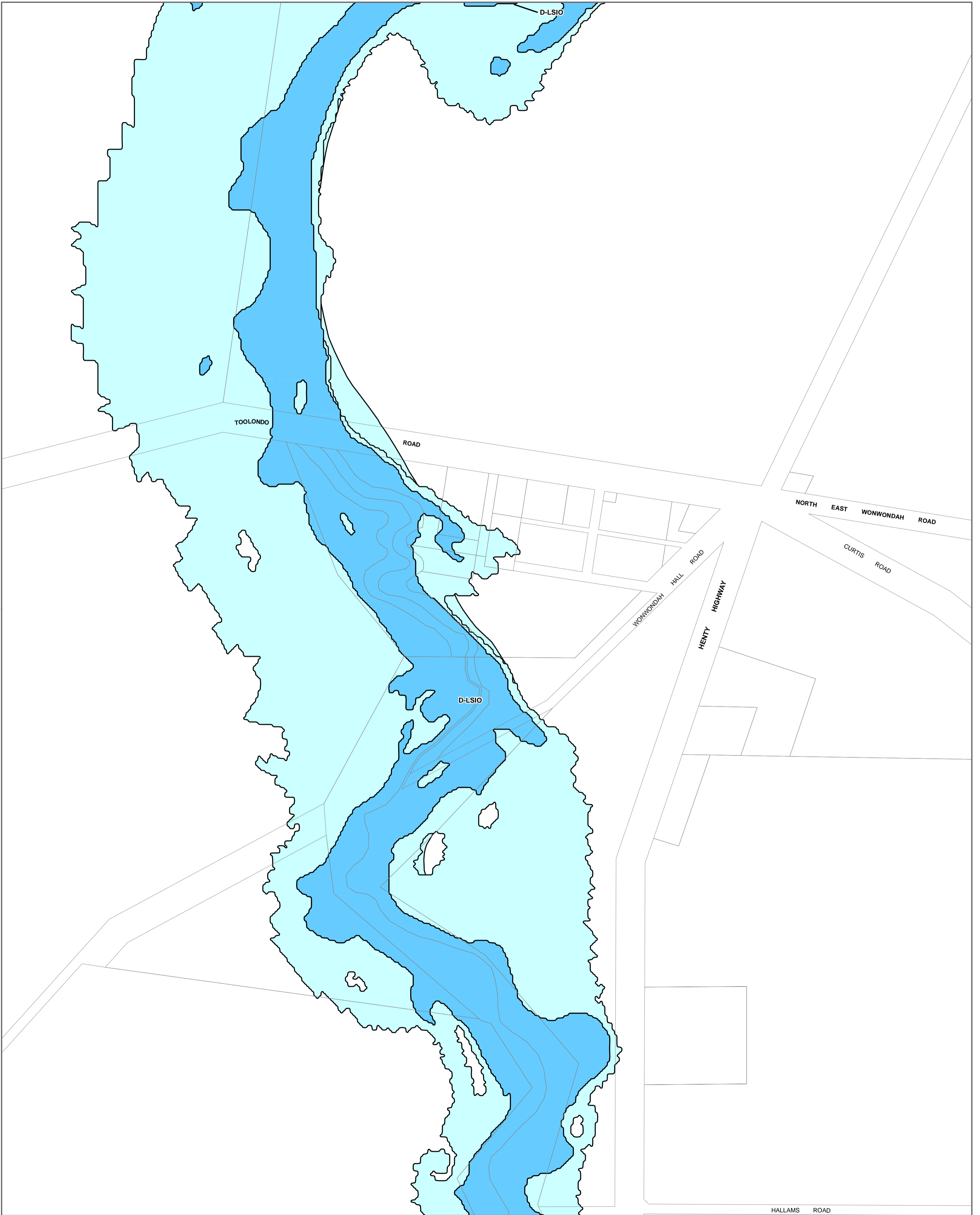
Planning Group
Print Date: 30/11/2023
Amendment Version: 6



Department of Transport and Planning

INDEX TO ADJOINING SCHEME MAPS



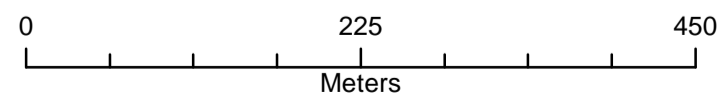


LEGEND
 [Light Blue Box] LSIO - Land Subject to Inundation Overlay

[Red Dashed Line Box] Municipal Boundary

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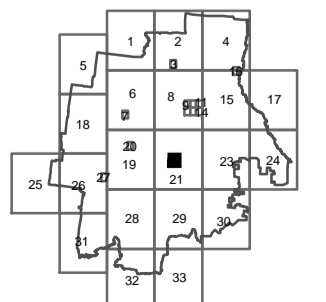


Planning Group
 Printed: 16/11/2022
 Amendment Version: 4

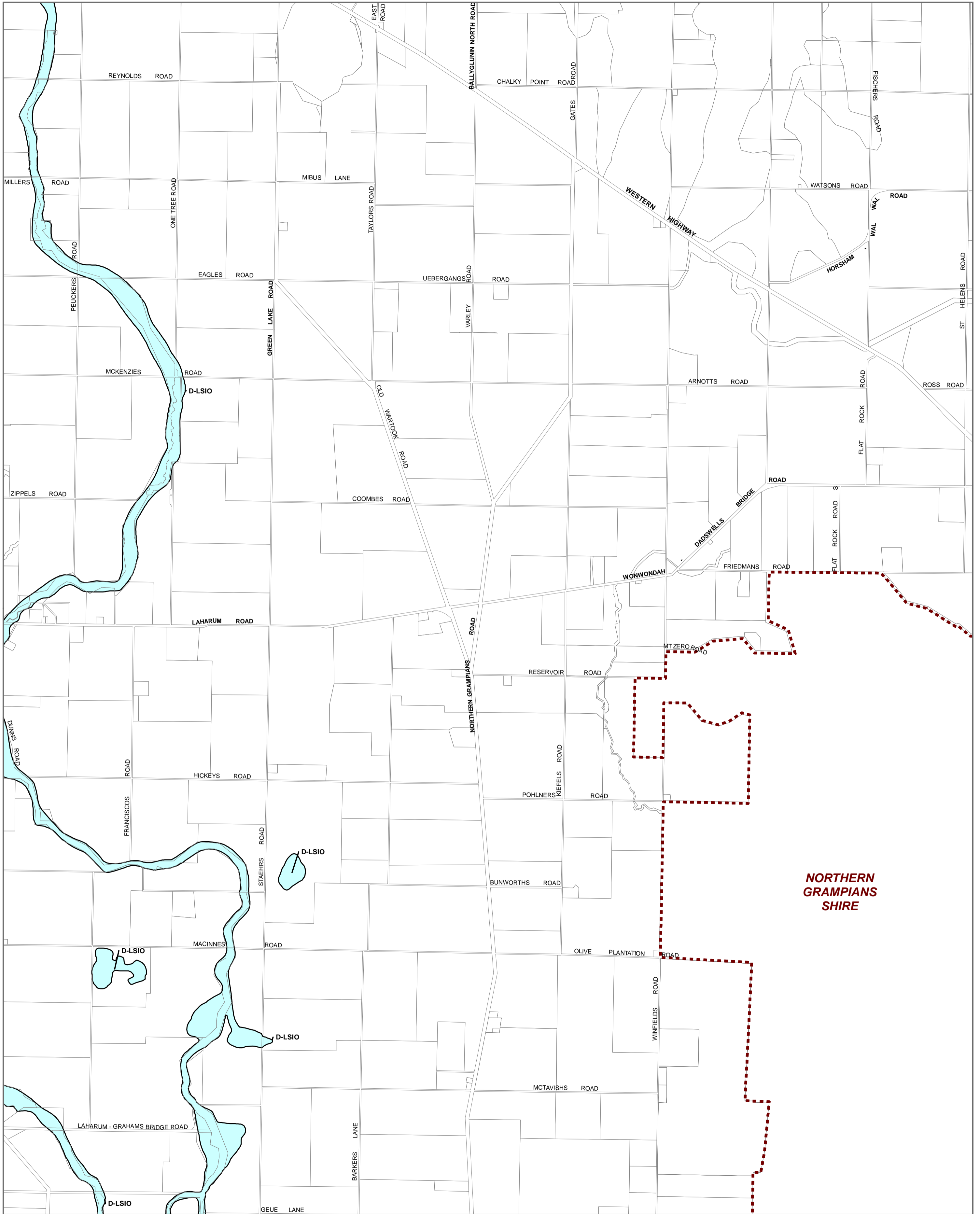


Environment,
 Land, Water
 and Planning

INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs



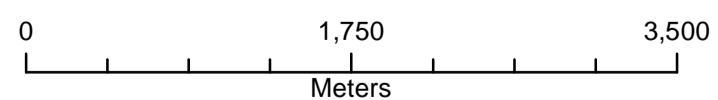
NORTHERN
GRAMPIANS
SHIRE

LEGEND
 LSIO - Land Subject to Inundation Overlay

Municipal Boundary

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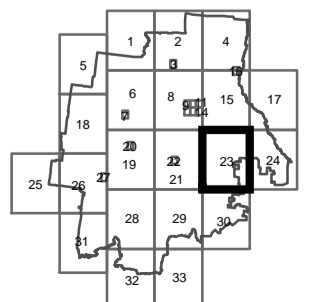


Planning Group
 Printed: 16/11/2022
 Amendment Version: 4

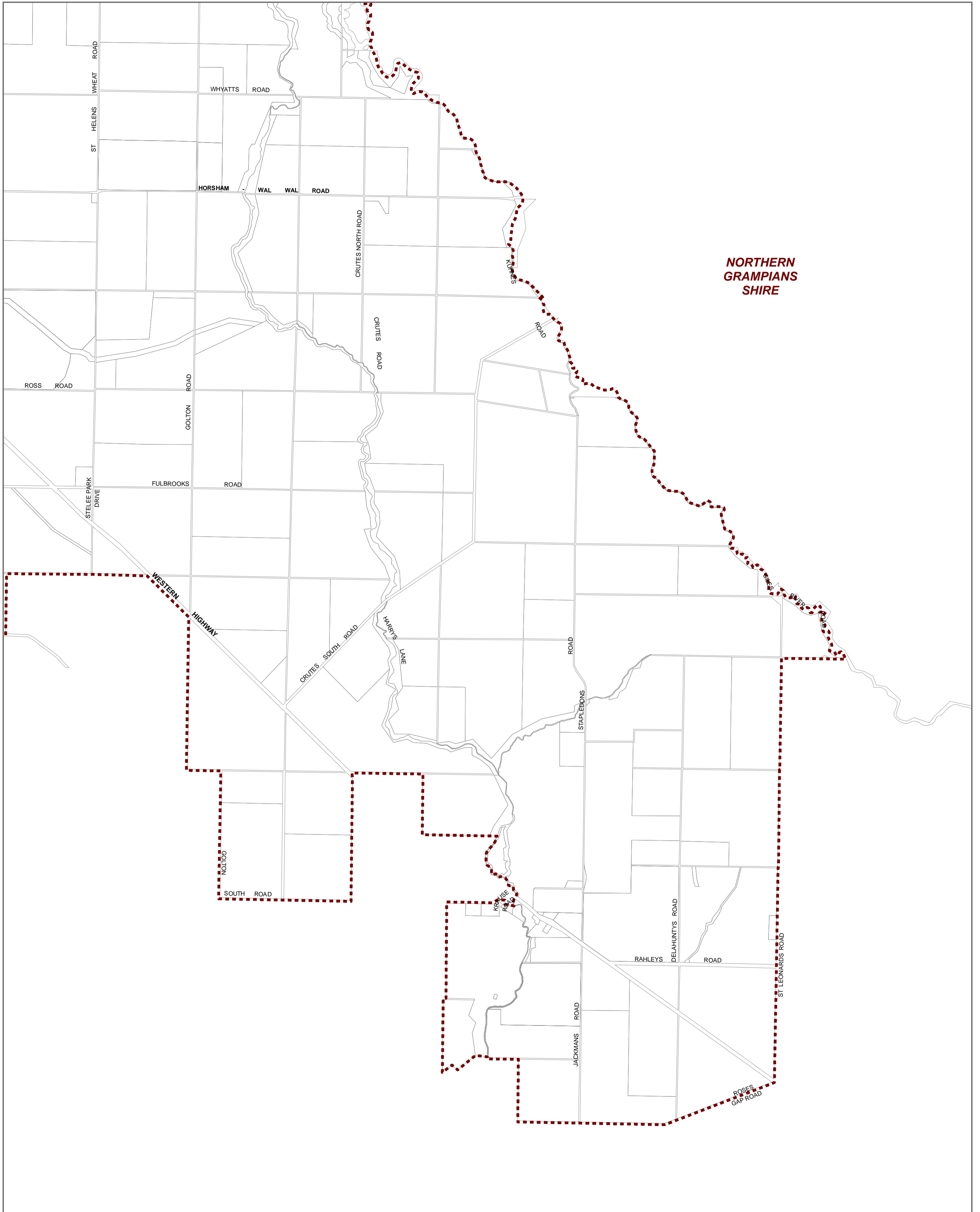


Environment,
 Land, Water
 and Planning

INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs

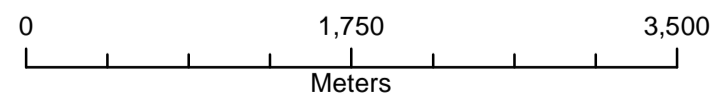


LEGEND

Municipal Boundary

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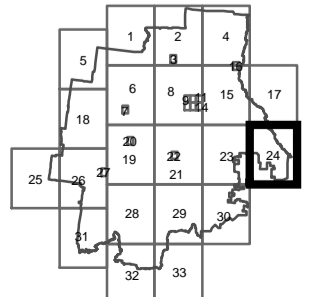


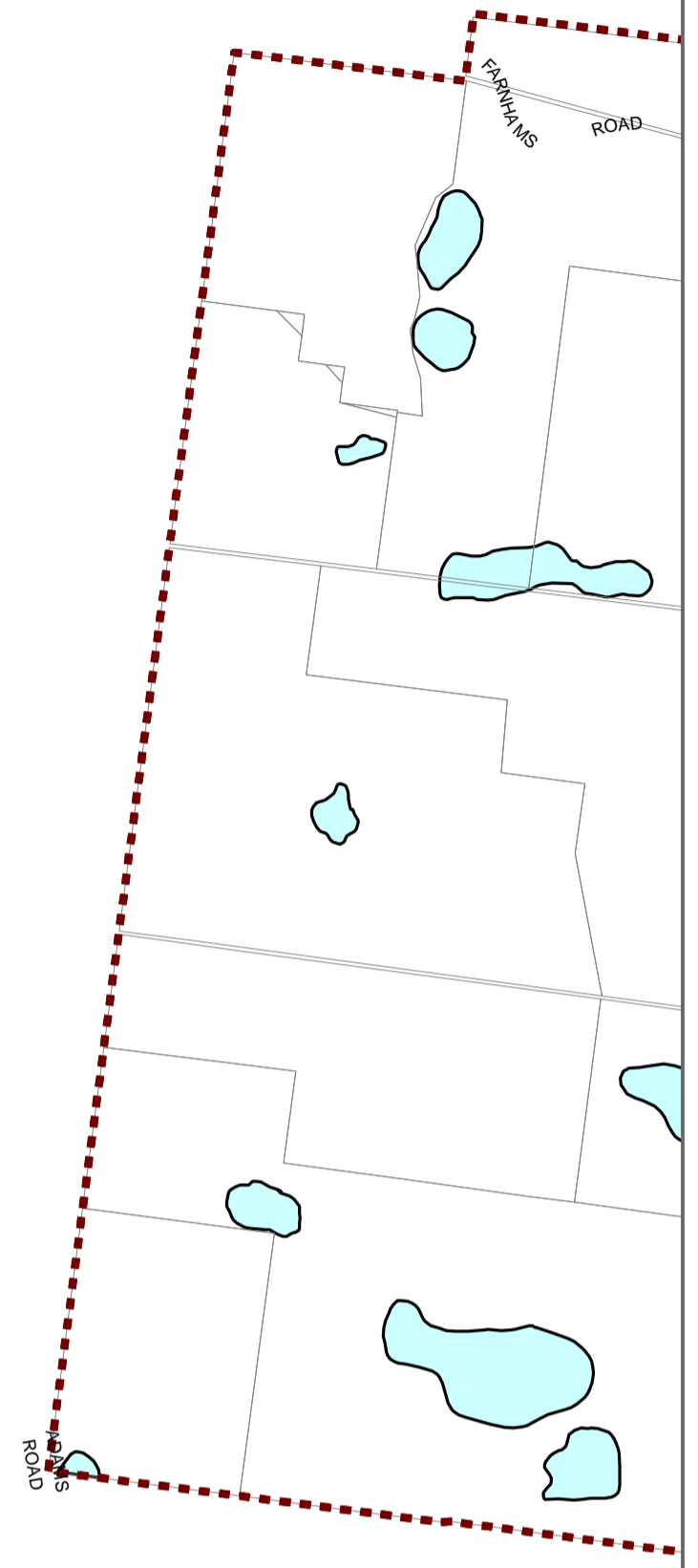
Planning Group
Printed: 16/11/2022
Amendment Version: 4



Environment,
Land, Water
and Planning

INDEX TO ADJOINING SCHEME MAPS





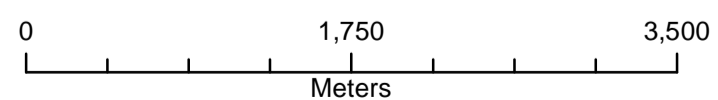
**WEST
 WIMMERA
 SHIRE**

LEGEND

 Municipal Boundary

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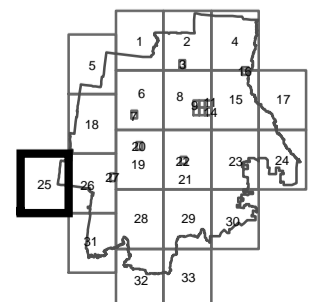
NORTH

Planning Group
 Printed: 16/11/2022
 Amendment Version: 4

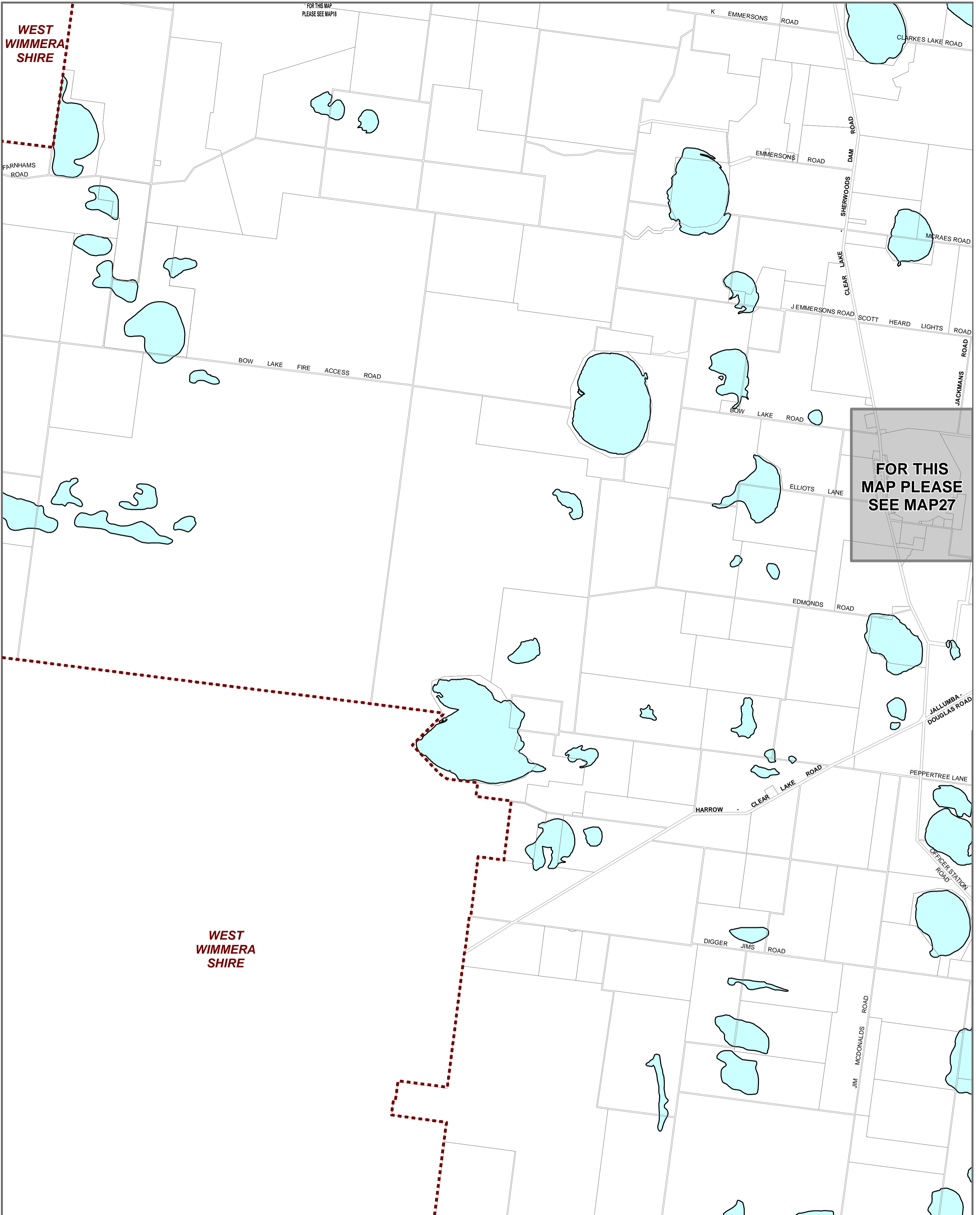


Environment,
 Land, Water
 and Planning

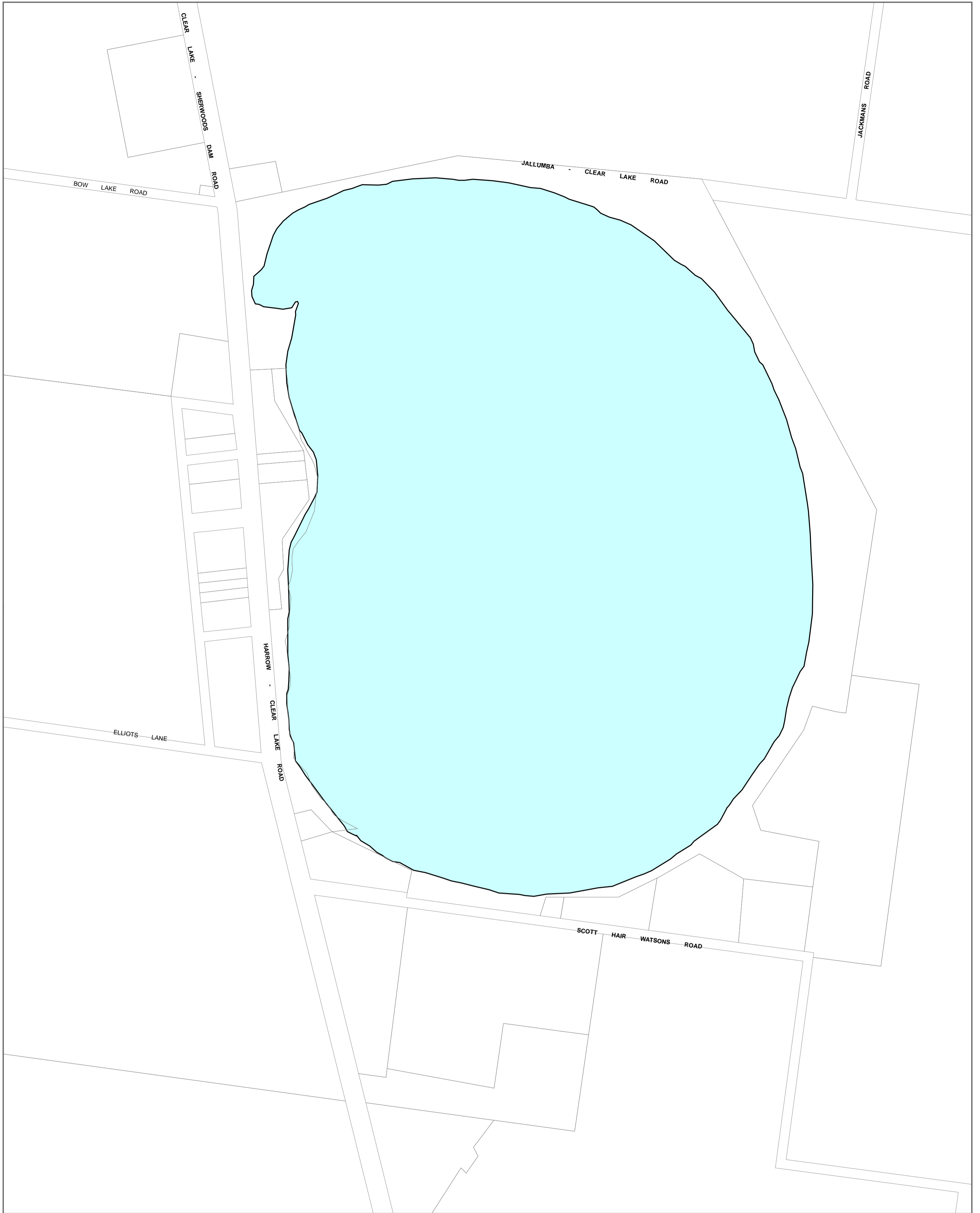
INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs



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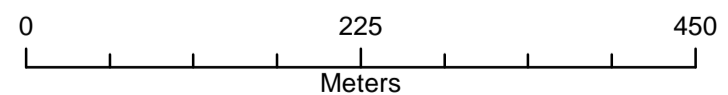


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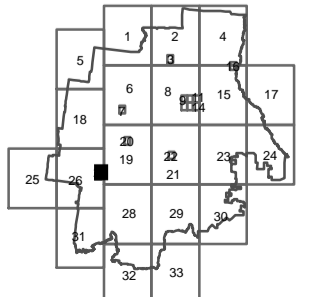


Planning Group
 Printed: 16/11/2022
 Amendment Version: 4

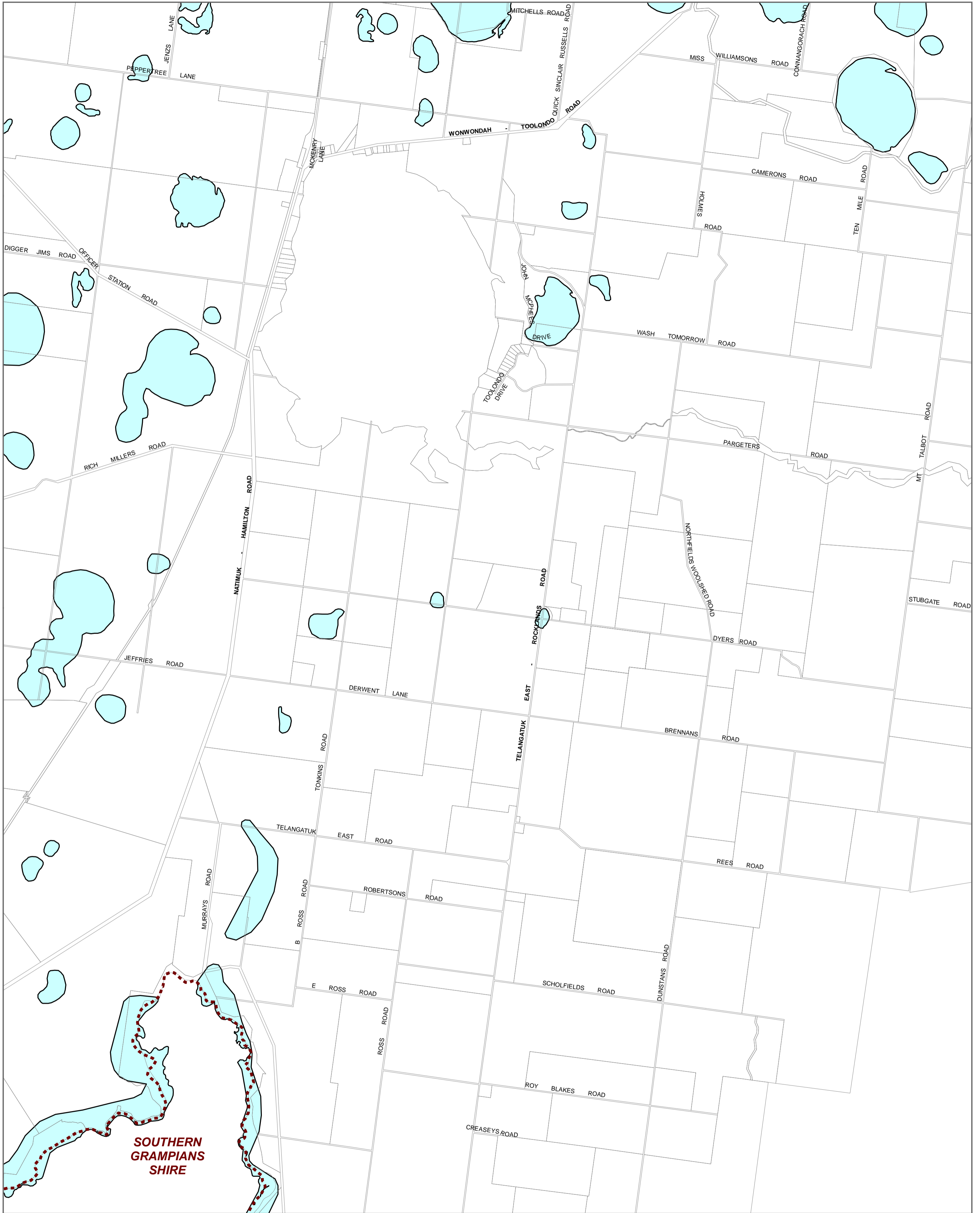


Environment,
 Land, Water
 and Planning

INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs

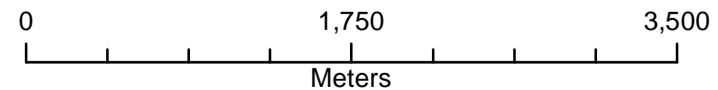


LEGEND

Municipal Boundary

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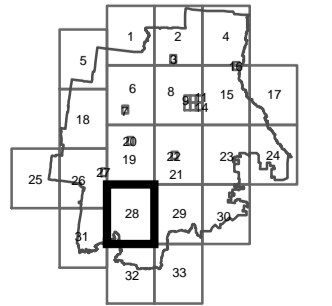
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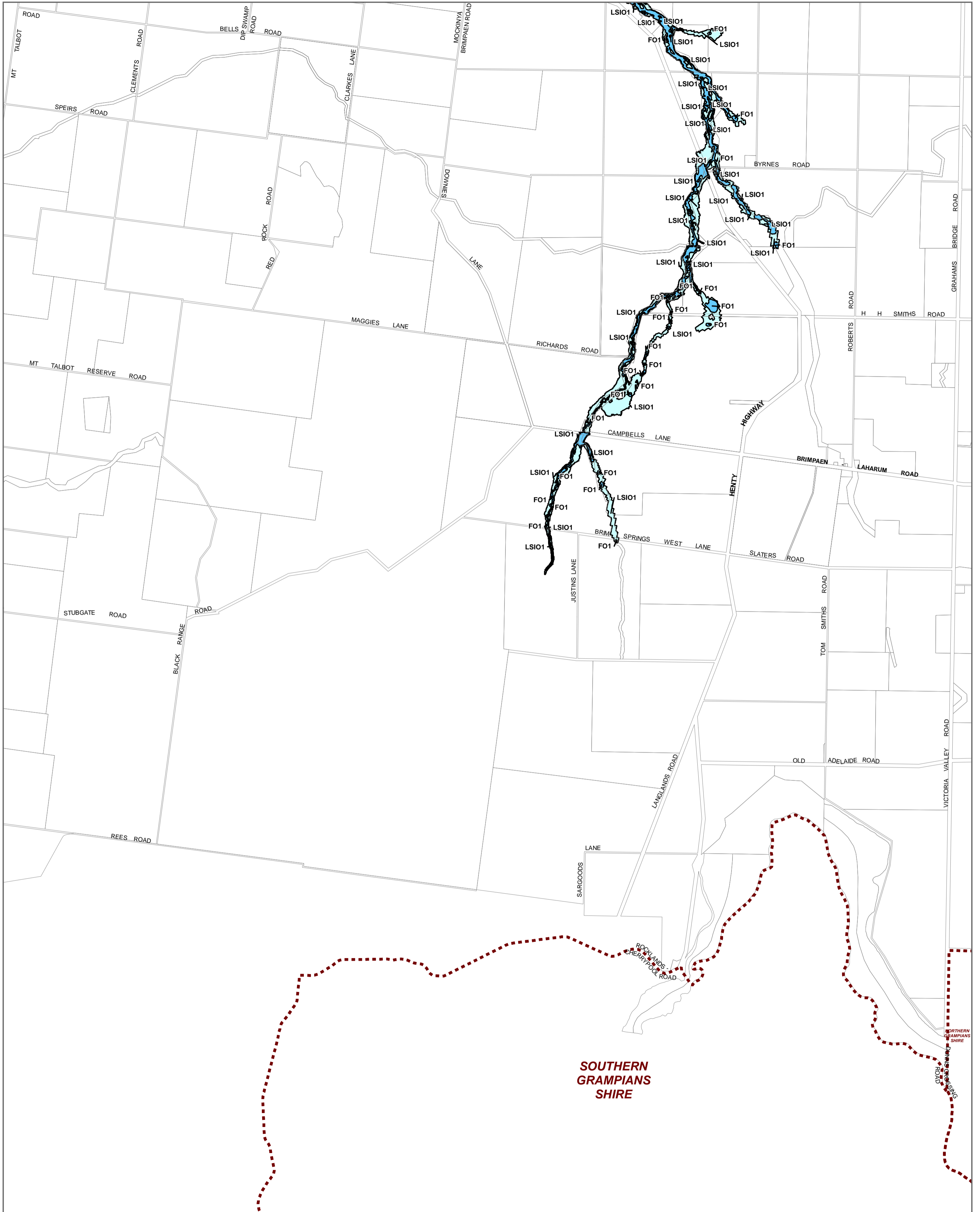
Planning Group
Printed: 16/11/2022
Amendment Version: 4



INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs

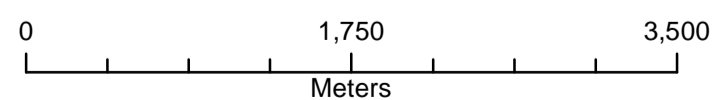


- LEGEND**
- FO1 - Floodway Overlay - Schedule 1
 - LSIO1 - Land Subject to Inundation Overlay - Schedule 1

Municipal Boundary

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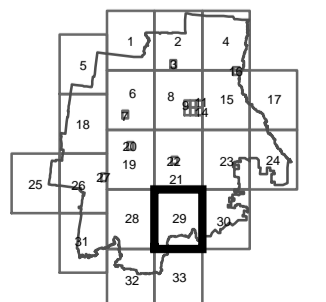


Planning Group
Printed: 9/09/2022
Amendment Version: 1

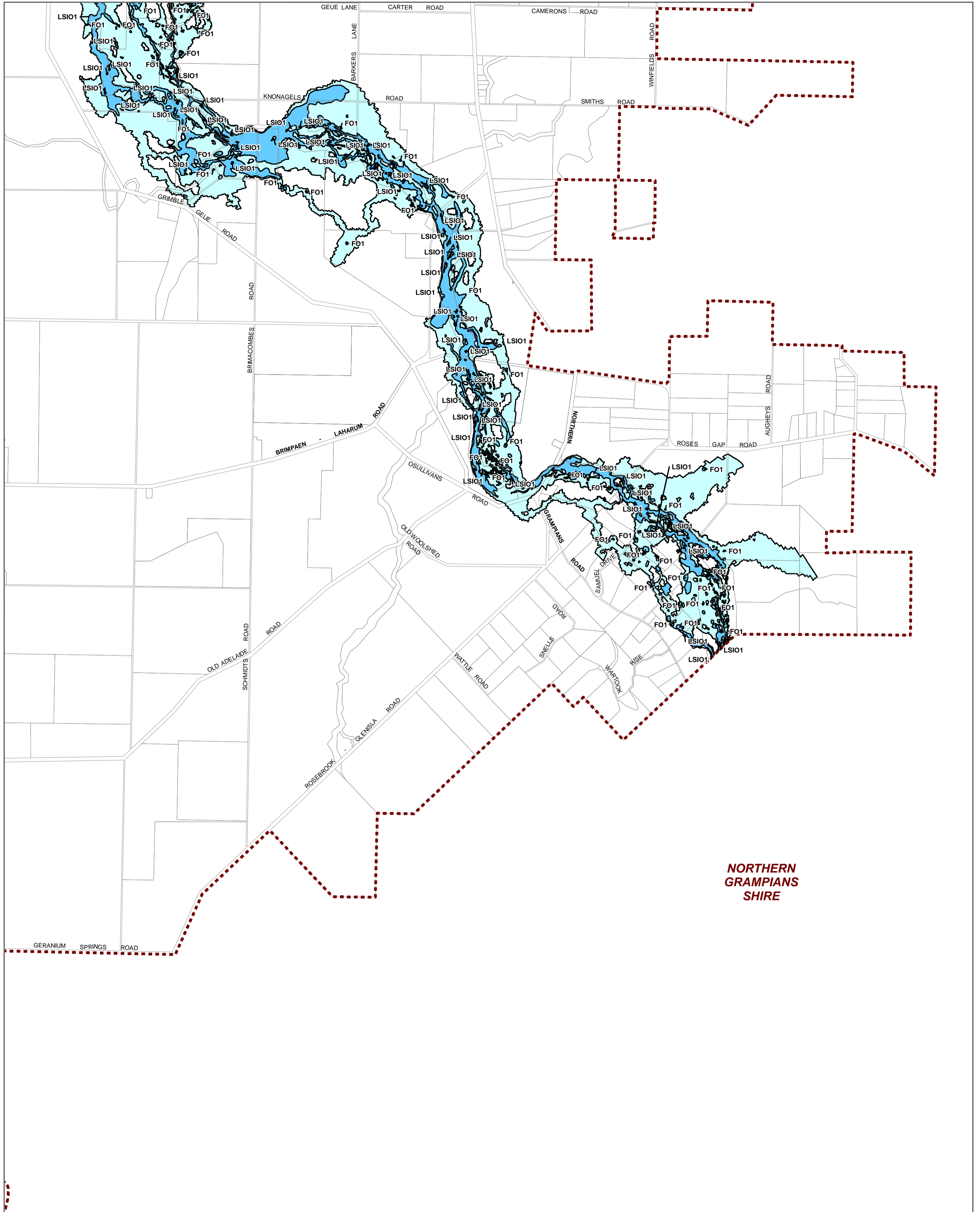


Environment,
Land, Water
and Planning

INDEX TO ADJOINING SCHEME MAPS



HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hours

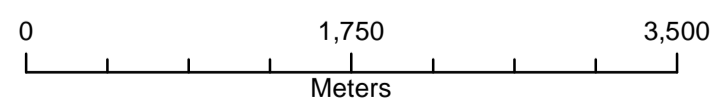


- LEGEND**
- FO1 - Floodway Overlay - Schedule 1
 - LSI01 - Land Subject to Inundation Overlay - Schedule 1

Municipal Boundary

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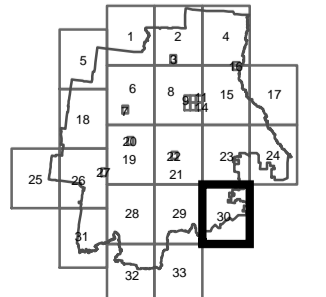


Planning Group
Printed: 9/09/2022
Amendment Version: 1



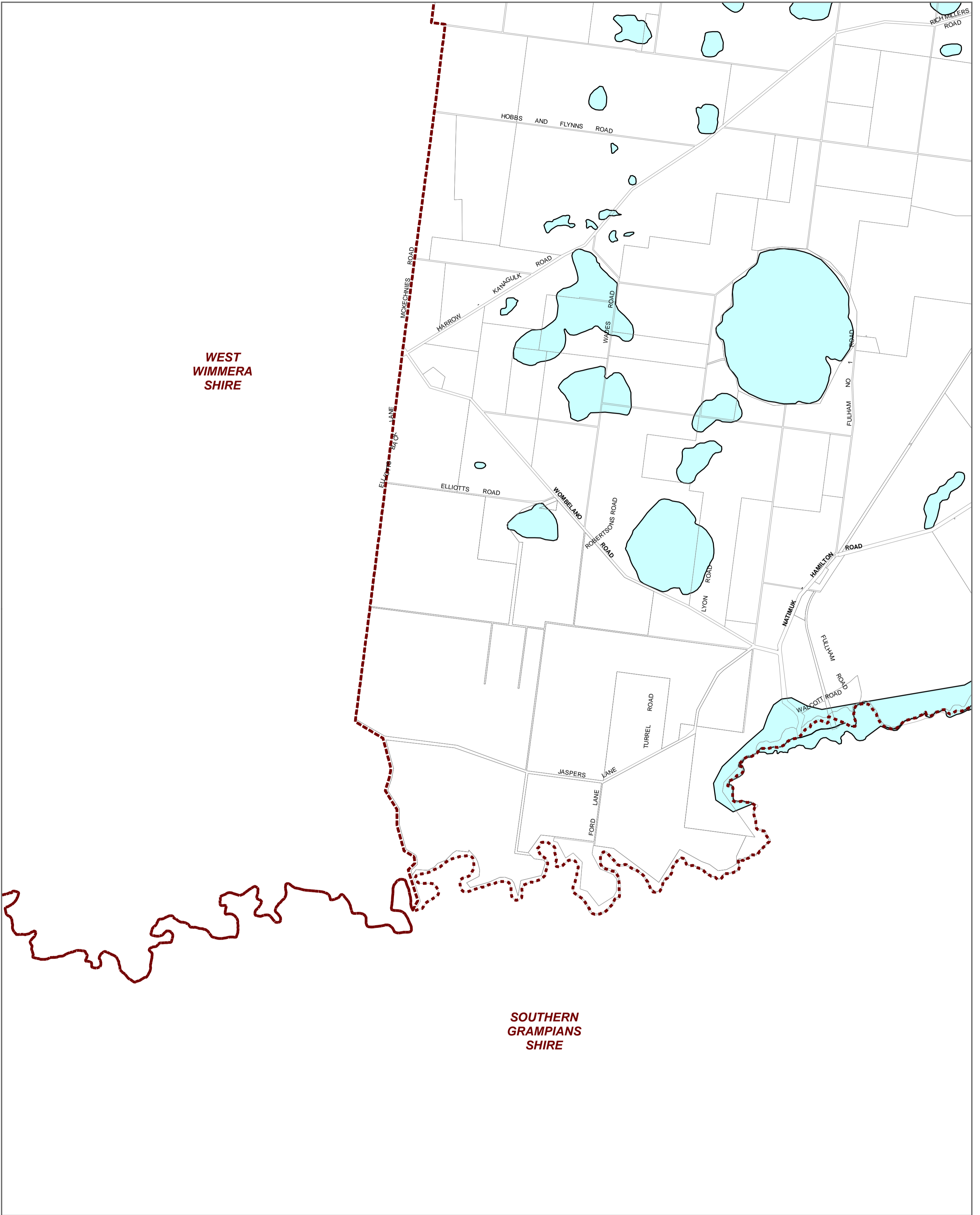
Environment,
Land, Water
and Planning

INDEX TO ADJOINING SCHEME MAPS



**WEST
 WIMMERA
 SHIRE**

**SOUTHERN
 GRAMPIANS
 SHIRE**

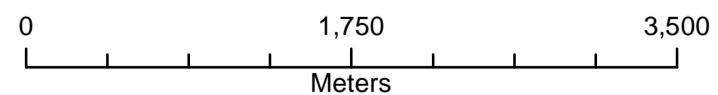


LEGEND

Municipal Boundary

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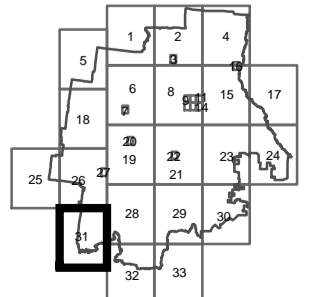


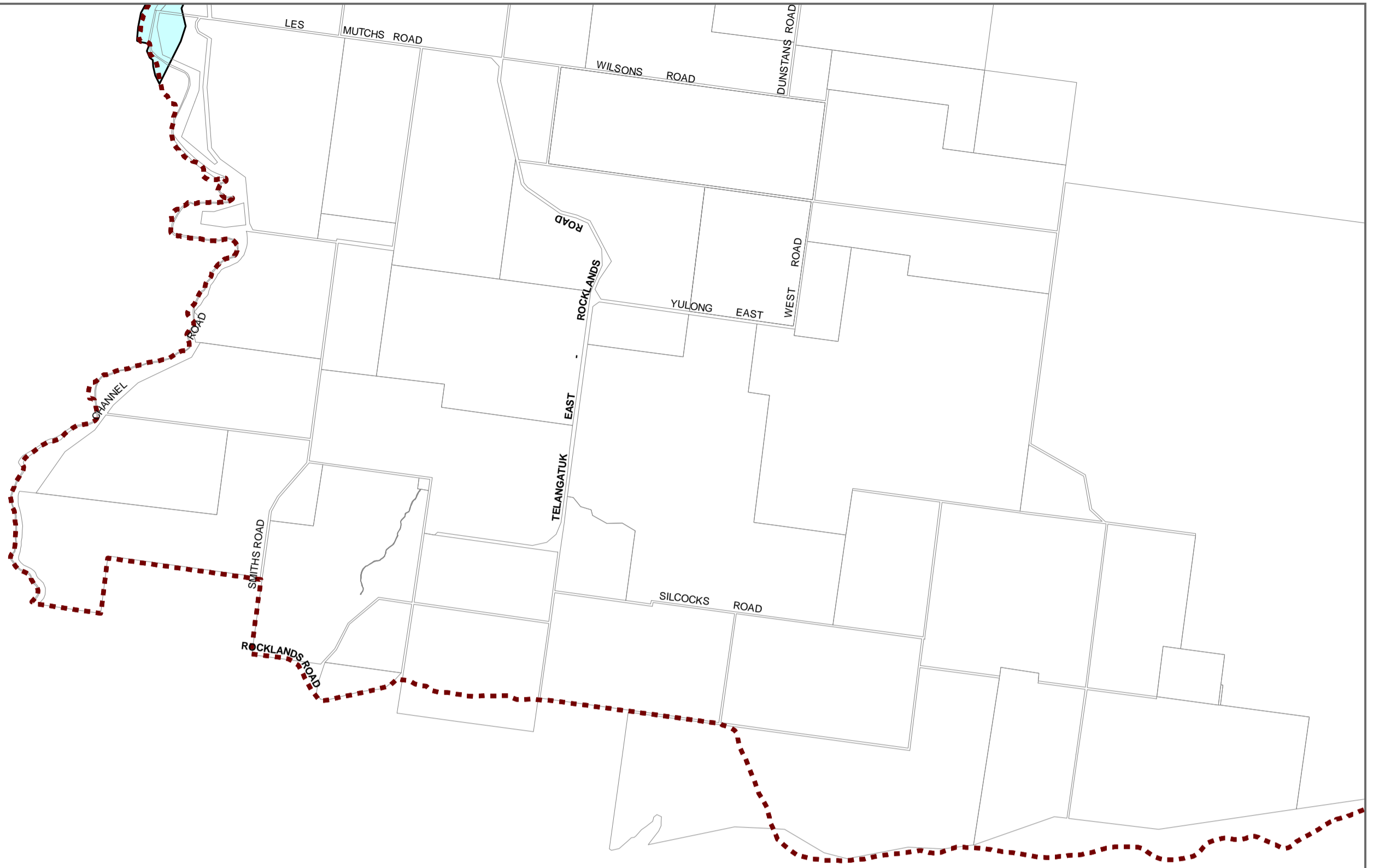
Planning Group
 Printed: 16/11/2022
 Amendment Version: 4



Environment,
 Land, Water
 and Planning

INDEX TO ADJOINING SCHEME MAPS





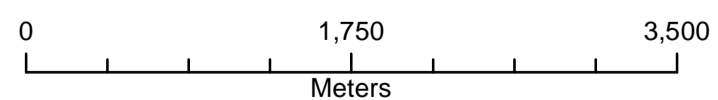
**SOUTHERN
 GRAMPIANS
 SHIRE**

LEGEND

Municipal Boundary

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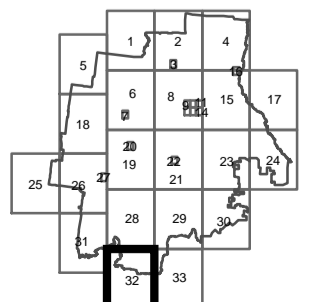
NORTH

Planning Group
 Printed: 16/11/2022
 Amendment Version: 4



Environment,
 Land, Water
 and Planning

INDEX TO ADJOINING SCHEME MAPS





Amendment C81hors (Flood Amendment)

Special Building Overlay (SBO)

Map Sheets Combined

HORSHAM PLANNING SCHEME - LOCAL PROVISION AMENDMENT C81hrs

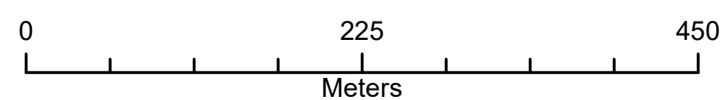


LEGEND
 SBO1 - Special Building Overlay - Schedule 1

Municipal Boundary

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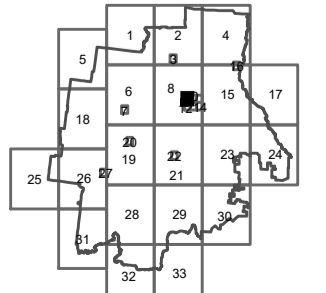


Planning Group
 Printed: 11/8/2022
 Amendment Version: 3



Environment,
 Land, Water
 and Planning

INDEX TO ADJOINING SCHEME MAPS



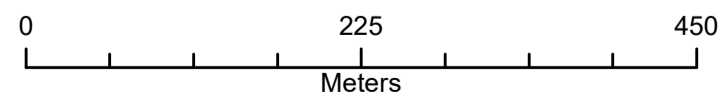


LEGEND
 SBO1 - Special Building Overlay - Schedule 1

Municipal Boundary

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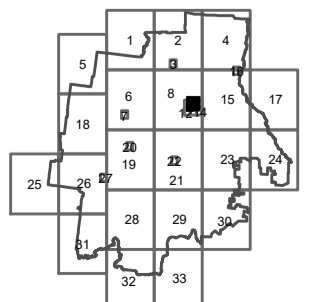


Planning Group
 Printed: 11/8/2022
 Amendment Version: 3



Environment,
 Land, Water
 and Planning

INDEX TO ADJOINING SCHEME MAPS



Planning Panels Victoria

Horsham Planning Scheme Amendment C81hors Flood protection controls

Panel Report

Planning and Environment Act 1987

27 October 2023

How will this report be used?

This is a brief description of how this report will be used for the benefit of people unfamiliar with the planning system. If you have concerns about a specific issue you should seek independent advice.

The planning authority must consider this report before deciding whether or not to adopt the Amendment.

[section 27(1) of the *Planning and Environment Act 1987* (the PE Act)]

For the Amendment to proceed, it must be adopted by the planning authority and then sent to the Minister for Planning for approval.

The planning authority is not obliged to follow the recommendations of the Panel, but it must give its reasons if it does not follow the recommendations. [section 31 (1) of the PE Act, and section 9 of the *Planning and Environment Regulations 2015*]

If approved by the Minister for Planning a formal change will be made to the planning scheme. Notice of approval of the Amendment will be published in the Government Gazette. [section 37 of the PE Act]

Planning Panels Victoria acknowledges the Wurundjeri Woi Wurrung People as the traditional custodians of the land on which our office is located. We pay our respects to their Elders past and present.

Planning and Environment Act 1987

Panel Report pursuant to section 25 of the PE Act

Horsham Planning Scheme Amendment C81hors

Flood protection controls

27 October 2023



Tim Hellsten, Chair



Peter Edwards, Member

Contents

	Page
Executive summary	7
1 Introduction	9
1.1 The Amendment.....	9
1.2 Background	11
1.3 Authorisation	12
1.4 Exhibition, submissions and post-Amendment changes	12
1.5 The Panel’s approach	13
1.6 Limitations or procedural issues	13
2 Strategic justification	15
2.1 Planning context	15
2.2 Strategic justification.....	15
2.3 Relevant Planning Practice Notes	18
3 Threshold issues	22
3.1 Validity and accuracy of the modelling	22
3.2 Impacts from development within the floodplain.....	25
3.3 Floodplain management.....	27
3.4 Impact on property insurance and values, and the ability to develop.....	29
4 Site-specific submissions	31
4.1 Council approach to site-specific submissions	31
4.2 Dadswells Bridge.....	32
4.3 Dooen.....	36
4.4 Horsham	36
4.5 Lower Norton	49
4.6 McKenzie Creek	50
4.7 Natimuk	51
4.8 Riversdale	54
Appendix A Submitters to the Amendment	55
Appendix B Document list	56
Appendix C Proposed flood controls and study extents	57
C:1 Proposed overlay changes.....	57
C:2 Flood studies	62
Appendix D Planning context	67
D:1 Planning policy framework.....	67
D:2 Planning scheme provisions	68
D:3 Ministerial Directions, Planning Practice Notes and guides	71
D:4 Other amendments and strategic projects	73
Appendix E Council proposed post-exhibition mapping changes (Withdrawn submissions)	74
Appendix F Council proposed post-exhibition mapping changes (other submissions)	77

List of Tables

	Page
Table 1 Planning context	15

List of Figures

	Page
Figure 1 Proposed extent of FO1 and LSIO1.....	10
Figure 2 Flood studies extent	11
Figure 3 401 Fulbrooks Road, Dadswells Bridge (proposed)	32
Figure 4 5802 Western Highway, Dadswells Bridge	33
Figure 5 5835 Western Highway, Dadswells Bridge (proposed).....	34
Figure 6 CA 190, 191 and 192 Western Highway, Dadswells Bridge (proposed).....	35
Figure 7 1 Agnew Court, Horsham (proposed)	37
Figure 8 3 Agnew Court, Horsham (proposed)	37
Figure 9 7 Agnew Court, Horsham (proposed)	37
Figure 10 8 Agnew Court, Horsham (proposed)	37
Figure 11 9 Agnew Court, Horsham (proposed)	38
Figure 12 Existing Zoning – Barnes Boulevard, Horsham.....	39
Figure 13 Proposed Zoning – Barnes Boulevard, Horsham	39
Figure 14 149 Barnes Boulevard, Horsham (proposed)	39
Figure 15 10 Lewis Street, Horsham (proposed).....	41
Figure 16 2/31 Major Mitchell Drive, Horsham (proposed)	42
Figure 17 69 Major Mitchell Drive, Horsham (proposed)	42
Figure 18 Market Lane and Rushbrook Close, Horsham (existing LSIO extent)	43
Figure 19 Market Lane and Rushbrook Close, Horsham (proposed).....	43
Figure 20 10 Olga Avenue, Horsham (proposed).....	45
Figure 21 61 Pryors Road, Horsham (proposed).....	46
Figure 22 3 and 5 Sloss Street, Horsham (proposed)	48
Figure 23 503 and 593 Three Bridges Road, Lower Norton (proposed).....	49
Figure 24 101 McKenzie Creek Reserve Road and 820 Grahams Bridge Road, Bungalally (proposed)	50
Figure 25 333 Natimuk Hamilton Road, Natimuk (proposed).....	51
Figure 26 767 Three Chain Road, Natimuk (proposed).....	52
Figure 27 378 Lake Road, Natimuk (proposed).....	52
Figure 28 102 Horsham Lubeck Road, Riverside.....	54

Glossary and abbreviations

1% AEP	1 per cent Annual Exceedance Probability
Amendment	Horsham Planning Scheme Amendment C81hors
ARI	Annual Recurrence Interval
Council	Horsham Rural City Council
DDO4	Design and Development Overlay (Schedule 4 – Flood fringe development)
DDO9	Design and Development Overlay (Schedule 9 – Stormwater management area)
DELWP	former Department of Environment, Land, Water and Planning
FO	Floodway Overlay
FO1	Floodway Overlay (Schedule 1 - Horsham, Wartook, Mt William Creek, Natimuk, Wimmera River flood risk areas)
LiDAR	Light Distance and Ranging
LSIO	Land Subject to Inundation Overlay
LSIO1	Land Subject to Inundation Overlay (Schedule 1 - Horsham, Wartook, Mt William Creek, Natimuk, Wimmera River flood storage or flood fringe areas)
PE Act	<i>Planning and Environment Act 1987</i>
PPRZ	Public Park and Recreation Zone
SBO	Special Building Overlay
SBO1	Special Building Overlay (Schedule 1 - Horsham flood risk area)
UFZ	Urban Floodway Zone
WCMA	Wimmera Catchment Management Authority

Overview

Amendment summary	
The Amendment	Horsham Planning Scheme Amendment C81hors
Common name	Flood protection controls
Brief description	Implement the recommendations of six flood studies through the application of the Floodway Overlay, Land Subject to Inundation Overlay and Special Building Overlay
Subject land	Land (including waterways) within Horsham and the settlements of Brimpaen, Bungalally, Clear Lake, Dadswells Bridge, Dahlen, Dooen, Douglas, Drung Drung, Duchembegarra, Grass Flat, Heathvale, Jallumba, Jilpanger, Jung, Kalkee, Kanagulk, Kewell, Laharum, Longerenong, Lower Norton, McKenzie Creek, Mockinya, Mitre, Natimuk, Noradjuha, Nurrabiel, Pimpinio, Quantong as shown in Figure 1
Planning Authority	Horsham Rural City Council
Authorisation	14 October 2022, with conditions
Exhibition	17 November – 20 December 2022 (later extended for some landowners to 20 January 2023)
Submissions	Number of Submissions: 46 Withdrawn: 8

Panel process	
The Panel	Tim Hellsten (Chair), Peter Edwards
Directions Hearing	By video conference, 21 August 2023
Panel Hearing	Horsham Rural City Council offices, 5 and 6 October 2023
Site inspections	Unaccompanied, 4 October 2023
Parties to the Hearing	Horsham Rural City Council represented by Mark Marsden of Transect Planning Pty Ltd supported by Kirsten Miller, Strategic Planner who called flooding evidence from Ben Hughes of Water Technology Dianne Bell Angela and Gregg Munn Tracey O'Callaghan Denise Hobson Wayne and Maria Beddison Neville McIntrye Wimmera Catchment Management Authority, represented by Tony Baker and Bryanna Bisset who attended to respond to any Panel questions
Citation	Horsham PSA C81hors PSA [2023] PPV
Date of this report	27 October 2023

Executive summary

Horsham Planning Scheme Amendment C81hors (the Amendment) updates and introduces new flood controls within the Horsham Planning Scheme (Planning Scheme) to implement the findings of six flood studies.

The Amendment revises the mapping extent of the Floodway Overlay and the Land Subject to Inundation Overlay and amends the overlay schedules by updating permit requirements, applications requirements and decision guidelines. The Amendment also introduces the Special Building Overlay to replace existing Design and Development Overlays and makes zoning changes associated with deleting the Urban Floodway Zone in Horsham.

The Horsham Rural City Council is the planning authority for the Amendment. Wimmera Catchment Management Authority prepared the flood studies.

Issues raised in submissions included:

- threshold issues about the flood modelling used or flood levels adopted to apply the overlays, catchment development and management or the effect of the overlays on property values, insurance and future development
- site-specific issues relating to mapping or more complex issues in applying the overlays.

Council reviewed all submissions which resulted in proposed changes to the exhibited flood overlay mapping following the review of modelling, site conditions and topography by Water Technology and input from the Wimmera Catchment Management Authority. Five submissions were withdrawn on the basis of mapping changes. Further changes were proposed to other properties in Horsham, Lower Norton and Natimuk to address site-specific issues.

In relation to the threshold issues the Panel concludes:

- There is clear policy support for the Amendment.
- The methodology of the flood studies, including the modelling, is appropriate and provides a suitable basis for the flood overlay mapping.
- The criteria used to apply the Floodway Overlay, Land Subject to Inundation Overlay and the Special Building Overlay is appropriate and consistent with *Planning Practice Note 12: Applying the Flood Provisions in Planning Schemes*.
- The content of the overlay schedules and other related Horsham Planning Scheme changes are appropriate subject to a minor clarifying policy change.
- The Amendment provides an appropriate decision making pathway for the assessment of flood risk including the impacts on flood storage and impact to existing properties.
- The fact that floodplain management actions or engineering works could change flood impacts is not a reason to remove overlays from land ahead of those actions or works.
- Impacts on property values or insurance premiums or the ability to develop land in a particular way are not reasons to remove the proposed overlays from a property.

In relation to site-specific issues the Panel concludes:

- Council's approach to site-specific objections to the overlays is appropriate.
- The exhibited flood overlay mapping should be removed from relatively small portions of land, at:
 - 1-9 Eastgate Drive, Horsham
 - 12 Madden Street, Horsham

- 1-12 Market Lane, Horsham
- 1-12 Rushbrook Close, Horsham
- 5 Sloss Street, Horsham
- 503 Bridges Road, Lower Norton
- 378 Lake Road, Natimuk
- 767 Three Chains Road, Natimuk
- the withdrawn submission properties (55 Baille Street, Horsham; 14 Wotonga Drive, Horsham; 3912 Henty Highway, McKenzie Creek; Berry Lane, Natimuk and 173 Hughes Road, Quantong).

Recommendations

Based on the reasons set out in this Report, the Panel recommends that Horsham Planning Scheme Amendment C81hors be adopted as exhibited subject to the following:

- 1. Amend the sentence of Clause 02.03-3 (Environmental risks and amenity) relating to the application of overlays to read:**

'Flood studies undertaken by the Wimmera Catchment Management Authority have identified flood prone areas and form the basis for the application of the Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay.'
- 2. Remove from the Floodway Overlay Schedule 1 and Land Subject to Inundation Overlay Schedule 1 from the following properties to the extent identified in Council's post-exhibition mapping changes identified in Appendix E and F:**
 - 55 Baille Street, Horsham
 - 1-9 Eastgate Drive, Horsham.
 - 12 Madden Street, Horsham
 - 1-12 Market Lane, Horsham
 - 1-12 Rushbrook Close, Horsham
 - 5 Sloss Street, Horsham
 - 14 Wotonga Drive, Horsham
 - 503 Bridges Road, Lower Norton
 - 3912 Henty Highway, McKenzie Creek
 - Berry Lane, Natimuk
 - 378 Lake Road, Natimuk
 - 767 Three Chains Road, Natimuk
 - 173 Hughes Road, Quantong.

1 Introduction

1.1 The Amendment

Amendment C81hors (the Amendment) proposes to update and introduce new flood controls within the Horsham Planning Scheme (Planning Scheme). The controls implement the findings of six flood studies:

- *Horsham and Wartook Valley Flood Investigation* (Water Technology, 2019)
- *Natimuk Flood Investigation Study Report* (Water Technology, 2013)
- *Warracknabeal and Brim Flood Investigation* (Water Technology, 2016)
- *Mount William Creek Flood Investigation* (BMT WBM, December 2014)
- *Wimmera River - Yarrambiack Creek Flow Investigation* (Water Technology, June 2010)
- *Lower Wimmera River Regional Flood Mapping Project* (Water Technology, January 2017).

The Horsham Rural City Council (Council) is the planning authority and proponent for the Amendment.

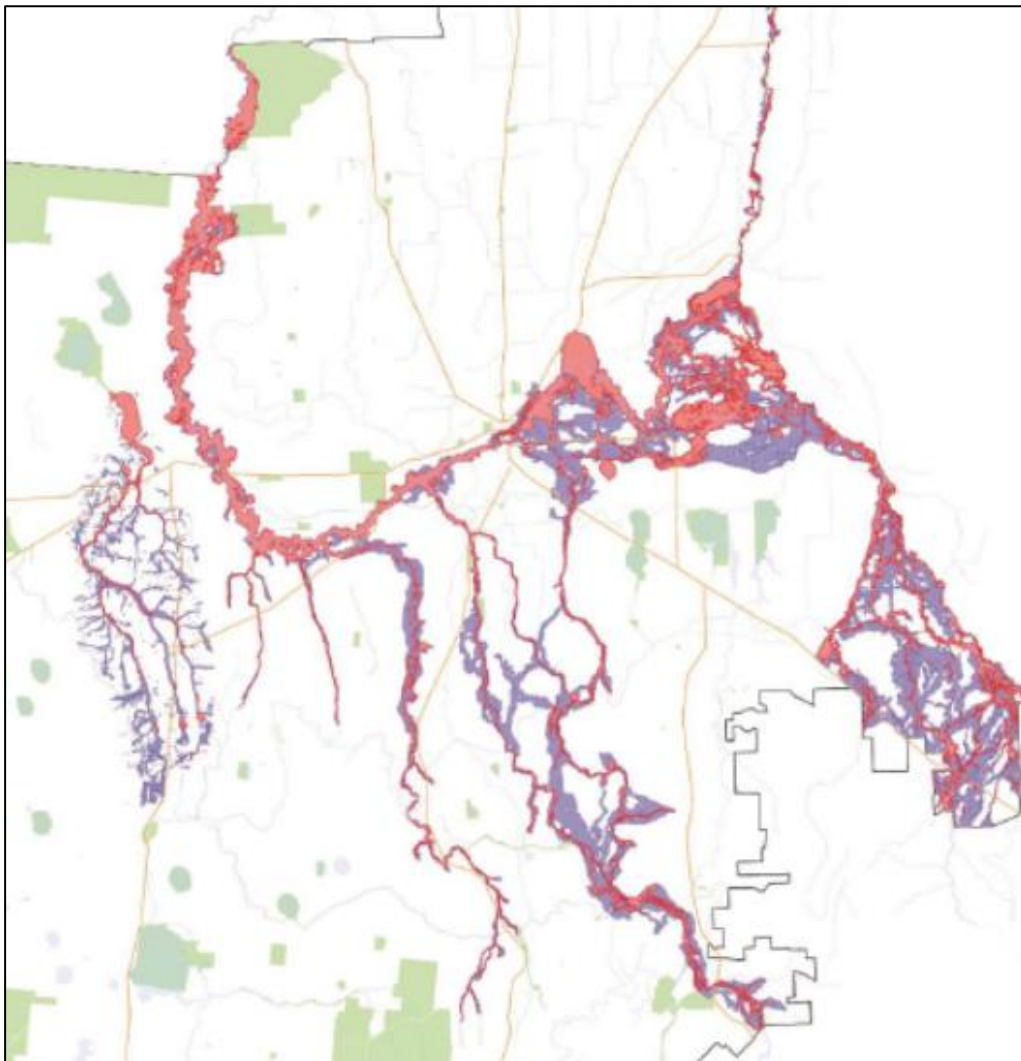
The Amendment:

- amends Clause 02.03-3 (Environmental risks and amenity) to reference the six flood studies and the application of the flood-related overlays
- deletes Clause 13.03-1L (Floodplain management)
- amends the existing Floodway Overlay Schedule 1 (FO1) and the Land Subject to Inundation Overlay Schedule (renumbered LSIO1) to meet the requirements of the *Ministerial Direction on the Form and Content of Planning Schemes*, clarify exemptions, application requirements and decision guidelines and remove duplication
- expands the mapping extent of FO1 and LSIO1 to include the Wartook, Mt William Creek, Natimuk and West Wimmera flood risk areas, and flood storage and flood fringe areas respectively
- deletes Design and Development Overlay Schedule 9 (Stormwater management area) (DDO9) and replaces it with Special Building Overlay Schedule 1 (Horsham flood risk area) (SBO1)
- deletes Design and Development Overlay Schedule 4 (Flood fringe development) (DDO4) based on advice from the flood plain manager that it is redundant and affected land no longer requires flood protection controls
- deletes the Urban Floodway Zone (UFZ) and rezones land south of Barnes Boulevard, Horsham from UFZ to Public Park and Recreation Zone (PPRZ) and Low Density Residential Zone (LDRZ)
- includes the Horsham and Wartook Valley, Warracknabeal and Brim, and Lower Wimmera flood studies as background documents in the Schedule to Clause 72.08
- amends the Schedule to Clause 74.02 (Further strategic work) to reflect that the flood studies have been implemented.

The Amendment applies to 2,816 properties subject to flooding from a 1 per cent Annual Exceedance Probability event (1% AEP, and commonly referred to as a 1 in 100 year storm)¹ and from urban overland flow and stormwater flooding within the municipality of Horsham (Figure 1). This includes land within Horsham and the settlements of Brimpaen, Bungalally, Clear Lake, Dadswells Bridge, Dahlen, Dooen, Douglas, Drung Drung, Duchembegarra, Grass Flat, Heathvale, Jallumba, Jilpanger, Jung, Kalkee, Kanagulk, Kewell, Laharum, Longerenong, Lower Norton, McKenzie Creek, Mockinya, Mitre, Natimuk, Noradjuha, Nurrabiel, Pimpinio, Quantong, Riverside, St Helens Plains, Telangatuk East, Toan, Toolondo, Vectis, Wail, Wartook and Wonwondah and impacted waterways.

Appendix C1 includes mapping showing the overlay changes in more detail.

Figure 1 Proposed extent of FO1 and LSI01



Source: Council Part A submission Attachment A (Document 8). Red: Proposed FO1, Purple: Proposed LSI01. Note: Mapping excludes existing LSI0 areas outside the identified flood studies but that are subject to the proposed schedule changes.

¹ The flooding evidence of Mr Hughes (Document 6, p6) included the following definitions of AEP and 1% AEP:
The probability of exceedance of a given discharge within a period of one year. Can be expressed as a percentage (e.g. 1% chance in any one year) or 1 in Y [years] (e.g. a probability of 1 in 100).

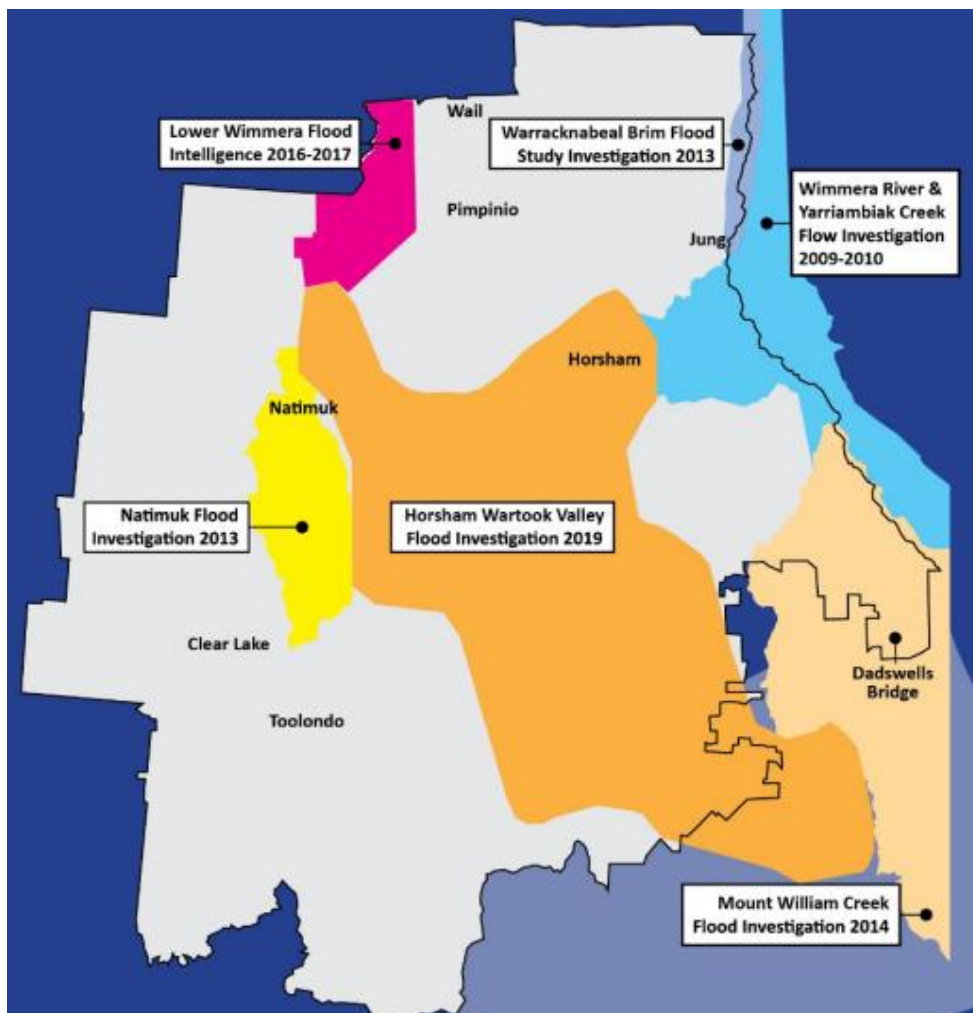
1.2 Background

(i) Flood studies

In response to significant flood events, the relevant floodplain manager Wimmera Catchment Management Authority (WCMA), with the support of the Victorian State Government and Council, commissioned a series of flood investigations in order to understand, and respond to, flood risk throughout the municipality. The extent of these flood studies is summarised in Figure 2 and included in more detail in Appendix C2.

Each flood study includes detailed hydrologic and hydraulic modelling and provides recommendations for mitigation works, emergency warning and response systems and the establishment of appropriate planning scheme controls in areas identified as at risk of flooding.

Figure 2 Flood studies extent



Source: Council Report 24 July 2023 (Document 2)

The flood studies are:

- Horsham and Wartook Valley Flood Investigation (Water Technology, 2019) – covering rural land and the township of Horsham including the Wimmera River, Mackenzie River, Burnt Creek, Bungalally Creek, Darragan Creek and Sandy Creek. The study identified a reduction of the area affected by stormwater flooding

- Mount William Creek Flood Investigation (BMT WBM, December 2014) – covering a large catchment including several waterways - Mount William Creek, Salt Creek, Fyans Creek, Pleasant Creek, Sheepwash Creek and Golton Creek and associated tributaries. The investigation is a background document in the Horsham Planning Scheme
- Natimuk Flood Investigation (Water Technology, 2013) which included the Natimuk township and entire upstream catchment including Natimuk Creek and Little Natimuk Creek. The study is a background document in the Horsham Planning Scheme
- Warracknabeal and Brim Flood Investigation (Water Technology, 2016) which covered Yarriambiack Creek from Jung to Galaquil East Road north of Brim
- Wimmera River - Yarriambiack Creek Flow Investigation (Water Technology, 2010) – covering the Wimmera River and Yarriambiack Creek between Glenorchy, Horsham and Warracknabeal. The study is a background document in the Horsham Planning Scheme
- Lower Wimmera River Regional Flood Mapping Project (Water Technology, 2017) – covering the Lower Wimmera River between Quantong and Lake Hindmarsh.

1.3 Authorisation

The authorisation of the Amendment was subject to the following conditions:

- Amend SBO Maps to include the schedule number e.g., SBO1, to ensure compliance with the Ministerial Direction – the Form and Content of Planning Schemes.
- Amend the Explanatory Report and Instruction Sheet to correct errors, ensure administrative certainty and ensure compliance with form and content.
- Amend the following schedules to ensure compliance with the Ministerial Direction – the Form and Content of Planning Schemes:
 - Schedule 1 to Clause 44.03 (Floodway Overlay)
 - Schedule 1 to Clause 44.05 (Special Building Overlay).
- Amend the Schedule to Clause 72.03 (What does this planning scheme consist of?) which incorrectly deletes DDO maps from the scheme.

Council's Part A submission identifies these changes were made prior to exhibition.

1.4 Exhibition, submissions and post-Amendment changes

On 28 February 2022 Council resolved to support the preparation and public exhibition of the Amendment. Council received 46 submissions in response to exhibition of the Amendment including late submissions.

The key issues raised in submissions were:

- challenges to validity of flood modelling
- land not considered flood prone due to topography or lived experience (no history of flooding)
- role of floodplain development and its management in flood events and adequacy of stormwater infrastructure in contributing to flooding
- impact on insurance and property values
- lack of community consultation
- site-specific submissions.

Council advised that eight submissions had been withdrawn in writing², five of which were the result of Council proposed changes to reduce the mapped extent of FO1 or the LSIO1.³ The related mapping changes are shown in Appendix E, and summarised as follows:

- 55 Baille Street, Horsham – remove FO1 from the backyard
- 14 Watonga Drive, Horsham – remove LSIO1 from the western portion of the property
- 3912 Henty Highway, McKenzie Creek – remove LSIO1 from the quarry hole
- Berry Lane, Natimuk – remove FO1 and LSIO1 from the wastewater storage plant
- 173 Hughes Road, Quantong – remove FO1 and LSIO1 from the existing house pad.

Council's Part A submission set out the basis of the proposed post-exhibition mapping changes identified in Appendix E. Council submitted that the proposed mapping changes were modest changes and *"remove unnecessary flood controls that are either no longer within the extent or where they are only very marginally affected"*.

The mapping changes were supported by the flooding evidence of Mr Ben Hughes of Water Technology, the consultants who prepared the flood studies. The WCMA advised the Panel at the Hearing it also supported Council's post-exhibition mapping changes.

The Panel has not considered the withdrawn submissions. However, it notes the proposed mapping changes which resulted in submissions being withdrawn are consistent with the rigorous methodology adopted by Council when reviewing and responding to submissions. The Panel's recommendation includes the post-exhibition mapping changes for completeness.

1.5 The Panel's approach

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

The Panel considered all written submissions made in response to the exhibition of the Amendment, observations from site visits, and submissions, evidence and other material presented to it during the Hearing. It has reviewed extensive material, and has had to be selective in referring to the more relevant or determinative material in the Report. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

This Report deals with the issues under the following headings:

- Strategic justification
- Threshold issues
- Site-specific submissions.

1.6 Limitations or procedural issues

(i) Wimmera Catchment Management Authority participation

At the Directions Hearing the Panel asked Council whether it was aware if the WCMA was intending to participate in the Hearing. One submitter sought a response from the Panel about

² Submissions 1, 2, 5, 6, 7, 40, 43 and 46

³ Submissions 2, 6, 7 and 43 and 46

why the WCMA were not required to attend the Hearing (Document 5). The WCMA subsequently advised it would not be presenting a submission but would attend the Hearing to enable the Panel to ask questions of it regarding the Amendment or associated flood studies. The Panel and parties appreciated their participation.

(ii) Adequacy of community engagement

The Panel has not considered the issue of adequacy of community engagement in detail. It is satisfied that Council's exhibition and notice period was appropriate, and:

- was consistent with the provisions of the *Planning and Environment Act 1987* (PE Act)
- included direct notification to all affected landowners
- was supported by extensive information on Council's website including Amendment details, interactive mapping, the supporting flood studies, frequently asked questions and information sheets
- included drop-in sessions attended by Council, WCMA and Water Technology
- appropriately extended notification in response to mapping errors
- was supported by subsequent opportunities for one-on-one meetings and technical reviews of some submissions by Council, WCMA and Water Technology where concerns were identified about the accuracy of modelling and historical flooding.

Prior to the Directions Hearing, Council advised:

When preparing Amendment documents for the Panel we had noticed some errors in the maps, which were displayed on the DEECA⁴ website exhibition page.

I have since investigated further and appears that the maps were incorrectly displayed by DEECA mapping team in December when we renewed the maps and extended exhibition for Dadswells Bridge. This means that we had two incorrect maps (29 LSIO-FO and 30 LSIO-FO) displayed by DEECA for around 10 days at the end of exhibition for this area.

All property owners at commencement of exhibition had received the correct information from us in Council's letter dated 15 November and the correct maps and information were/are still displayed on Council's website.

Council have raised this matter with our Amendment support team at DEECA and they have advised us that we should send out letters notifying the property owners affected within these map areas. We were also advised that we would be required to provide a calendar month opportunity for them to contact Council and to submit to the Amendment should they wish to.

Council have prepared and sent letters in today's mail, the property owners within these map areas have been given until the 20 September to contact Council or to lodge a submission.

Further to this, Council has received no submissions or enquiries in relation to these map areas to date, either during or following the exhibition period.

Council's correspondence advised of the proposed Hearing dates. The Panel accepted this approach given the two week period between extended submission close and the first day of the Hearing and the ability to extend the Hearing dates to accommodate any resultant late submissions. No additional submissions were received.

⁴ The Panel assumes the reference to DEECA was meant to refer to DELWP now Department of Transport and Planning

2 Strategic justification

2.1 Planning context

This chapter identifies planning context relevant to the Amendment. Appendix C highlights the key relevant provisions and policies which are summarised below in Table 1.

Table 1 Planning context

	Relevant references
Victorian planning objectives	- section 4 of the PE Act
Municipal Planning Strategy	- Clauses 02.02 (Vision), 02.03-3 (Environmental risk and amenity)
Planning Policy Framework	- Clause 11 (Settlement) - Clauses 13 (Environmental Risk and Amenity), 13.03-1S (Flood management), 13.03-1L (Flood management – Horsham)
Other planning strategies and policies	- <i>Victorian Floodplain Management Strategy</i> , Department of Environment, Land, Water and Planning (DELWP), 2016
Planning scheme provisions	- Urban Floodway Zone - Low Density Residential Zone - Public Park and Recreation Zone - Floodway Overlay - Land Subject to Inundation Overlay - Special Building Overlay - Design and Development Overlay
Ministerial directions	- <i>Ministerial Direction on the Form and Content of Planning Schemes</i> - <i>Ministerial Direction 11 (Strategic Assessment of Amendments)</i>
Planning practice notes and other guidance	- <i>Planning Practice Note 12: Applying the Flood Provisions in Planning Schemes</i> , June 2015 - <i>Planning Practice Note 46: Strategic Assessment Guidelines</i> , September 2022 - <i>Guidelines for Development in Flood-Affected Areas</i> , DELWP, 2019 - <i>A Practitioner's Guide to Victorian Planning Schemes Version 1.5</i> , April 2022 (Practitioner's Guide)

2.2 Strategic justification

(i) The issue

The issue is whether the Amendment is strategically justified.

(ii) Relevant Policy

Clause 13.03-1S (Floodplain management) sets out the objective:

To assist the protection of:

- Life, property and community infrastructure from flood hazard, including coastal inundation, riverine and overland flows.

- The natural flood carrying capacity of rivers, streams and floodways.
- The flood storage function of floodplains and waterways.
- Floodplain areas of environmental significance or of importance to river, wetland or coastal health.

It includes the strategies:

Identify land affected by flooding, including land inundated by the 1 in 100 year flood event (1 per cent Annual Exceedance Probability) or as determined by the floodplain management authority in planning schemes.

Avoid intensifying the impact of flooding through inappropriately located use and development.

The relevant policy document is:

Victorian Floodplain Management Strategy (Department of Environment, Land, Water and Planning, 2016)

The *Victorian Floodplain Management Strategy* 2016 is a State Government strategy that clarifies the roles and responsibilities of government agencies and authorities involved in flood management. In relation to planning, the strategy explains:

Enhanced effort in municipal planning, supported by increased knowledge of flood hazards, will go a long way towards securing resilience to floods. Flood overlays need to be introduced or updated as soon as possible after new flood maps are produced to maximise the returns on investment in flood information and help manage risk.

(iii) Evidence and submissions

No submissions opposed the Amendment on strategic planning grounds although at least one submission was unclear on what the strategic prerogative was to apply the controls, particularly given the potential for uncertainty about the accuracy of flood mapping or the management of flood risks through:

- greater restriction on development within the floodplain
- implementation of stormwater and other drainage infrastructure
- the management of culverts and the Horsham Wier during flood events.

These threshold issues are discussed in Chapter 3.

Council's Part A submission set out the strategic basis of the Amendment. It submitted that in addition to clauses 13.03-1S and 71.02-3 and the Victorian Floodplain Management Strategy actions, the Amendment was strategically justified and supported or implemented:

- sections 4 and 6 of the PE Act by providing a safe environment, regulating development in hazardous areas and protecting assets, and balancing the present and future interests of the wider community
- clauses 02.02 and 02.03-3 that seek to:
 - protect safety
 - respond to identified flood risks including along the Wimmera River and waterways, Dadswells Bridge and Western Highway which are at risk from flooding and impact on the capacity of the floodplain to contain and convey flood waters
 - implement the strategic direction to minimise flood risk and maintain the capacity of the floodplain.

(iv) Discussion and conclusion

There is explicit policy in the Planning Policy Framework to manage riverine flooding. It is uncontroversial that amendments of this type are strategically justified.

Clause 71.02-1 seeks to ensure that:

... the objectives of planning in Victoria (as set out in section 4 of the Act) are fostered through appropriate land use and development policies and practices that integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

The Amendment provides clear policy direction to ensure that development within areas identified as flood prone from catchment and riverine sources are regulated in order to avoid hazard to human life and property and impacts on floodplain behaviour.

The Amendment seeks to refine the FO1 and LSIO mapping and controls that are already in the Horsham Planning Scheme based on more recent flood studies. As identified in Chapter 3 the Panel considers that these flood studies are appropriately robust and form a sound basis for applying flood overlays including the SBO1 (about which there were no submissions).

The Panel questioned Council and Mr Hughes about whether the flood studies had considered the impacts of climate change consistent with the Planning Policy Framework. Mr Hughes indicated that while all the studies (with the exception of the Wimmera River and Yarriambiack Creek Flows Investigation) had modelled the impact of climate change on flooding, it had not been included in the flood overlay maps. Reasons included:

- there was no consistent advice or limited information available at the time the studies were prepared
- different methodologies and rainfall intensity increases had been used
- a level of ground infiltration was assumed, and the models used were conservative
- the subject land was at the lower end of the catchment (and not where the climate change impacted rainfall events would have a significant impact)
- climate change impacts are more relevant for smaller urban catchments.

The WCMA advised the Panel that it was comfortable about the way in which the studies had been undertaken and Mr Hughes' explanation of the same. It indicated that the flood studies were not divorced from an understanding of climate change impacts.

The application of the suite of flood overlays provides an appropriate basis on which to:

- amend Clause 02.03-3 to reflect the recent flood studies and new or revised overlay schedules
- delete Clause 13.03-1L which becomes redundant and avoids planning scheme content duplication.

The Panel observes however the amended wording of clause 02.03-3 refers to the recommendations of the flood studies including the application of the FO, LSIO and SBO. The Panel considers the policy wording should be more affirmative and written as if the controls (as intended) are in place and correctly refer to 'Floodway'. It also notes that proposed post-exhibition mapping changes may not directly reflect the mapping in the flood studies. The Panel recommends the proposed policy change sentence be rewritten as follows:

Flood studies undertaken by the Wimmera Catchment Management Authority have identified flood prone areas ~~with recommendations to include these areas in either~~ [and form the basis for the application of](#) the Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay.

The Panel concludes:

- There is clear policy support for the Amendment.
- The changes to Clause 02.02-3 (Environmental risk and amenity) are appropriate subject to the minor changes.
- The deletion of Clause 13.03-1L (Floodplain management – Horsham) is appropriate.
- The Amendment will deliver net community benefit and sustainable development as required by Clause 71.02-3.

(v) Recommendation

That Panel recommends:

1. **Amend the sentence of Clause 02.03-3 (Environmental risks and amenity) relating to the application of overlays to read:**

‘Flood studies undertaken by the Wimmera Catchment Management Authority have identified flood prone areas and form the basis for the application of the Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay.’

2.3 Relevant Planning Practice Notes

(i) The issue

The issue is whether the use and provisions of the Floodway Overlay, Land Subject to Inundation Overlay and the Special Building Overlay are appropriate.

(ii) Relevant Guidance

Advice on the application of flood overlays is provided in *Planning Practice Note 12: Applying the Flood Provisions in Planning Schemes – A guide for councils*, DELWP, June 2015 (PPN12).

(iii) Submissions

Submissions raised concerns that:

- the overlay schedules were written in a way that encouraged development in the floodplain by allowing applications to be made. For example:
 - Submission 38 considered that allowing development was inconsistent with Clauses 13.03-1S and 13.03-1L which included language that ‘discouraged’ or sought to ‘avoid’ the intensification of land use and development including landfill and dwelling extensions
 - Submission 13 stated the LSIO should be classified as a “no build zone”
 - Submission 14 stated it was impossible to achieve the LSIO purpose of maintaining the free passage and storage of floodwaters and that:
 - The flood mapping should state that no development in (the) LSIO shall remove flood storage or impede flood flows nor increase runoff.
- the overlay schedules did not accord with the DELWP *Guidelines for Development in Flood-Affected Areas*. For example, Submissions 37 stated:
 - State Govt Guidelines in Flood Affected Areas, February 2019, clearly state in respect to greenfield development, for safety reasons, the subdivided sites should be flood free.

...

Any residential-zoned land that is undeveloped and is located in a floodplain or flood area should have an FO (Floodway Overlay) over it to prevent any new development in the floodplain.

- the threshold flood level adopted for applying the FO1 (above 500 millimetres) was inconsistent with the threshold used elsewhere in the state (where 350 millimetres was used).
- The overlays should specify building flood levels. For example, Submission 29 stated:
 - ... land immediately adjacent to a flood plain should have a minimum building flood level of 500 mm above the 1% flood.

No submissions were made about the application of SBO1 or the deletion of DDO4 and DDO9.

(iv) Evidence and Council response

Mapping

Council submitted that the application of the flood overlays was informed by appropriately detailed and best practice flood studies and applied in a manner consistent with the DELWP *Guidelines for Development in Flood Affected Areas* and PPN12, with:

- the LSI01 applied on the 1% AEP and where the water is of a lower risk (pooling, rather than flowing) but floodwaters extensively submerge land
- the FO1 applied to areas where a combination of a 1% AEP flood depth greater than 0.5 metres and/or a 1% AEP flood velocity greater than 1.5 metres/second (active floodways where the water is deep, fast flowing or conveys flood waters).

It identified that the:

FO1 covers those areas where land regularly floods and water will be deep (over 500mm) and/or fast moving. This land should remain free from obstruction by buildings and structures. Most development will be discouraged from occurring on land subject to the FO1 due to the high hazard of future flooding, whilst low impact uses can still be considered such as some building extensions, replacement buildings, fences and the like subject to conditions.

LSIO1 is generally applied to the fringe of a floodplain where flooding is more shallow (less than 500mm) and does not have high flow velocity. This means flood water will be generally shallower and slower moving than the FO1. Development will be permitted where it does not expose people and property to risk or would make flooding worse elsewhere. This might include, for example, constructing the floor of a building above the established flood level.

SBO1 applies to land in urban areas liable to inundation by overland flows from the urban drainage system. SBO1 will trigger a planning permit for most buildings, works and subdivisions and assessment of floor levels will be required. There will be exemptions for certain works or structures with floor levels at specified heights above the established flood level.

Council identified that some of the flood investigations overlap geographically. Where two or more investigation areas overlap, the following approach was applied:

- FO:
 - if an area is classified as FO in all overlapping investigations, it was classified as FO
 - If an area is classified as FO in at least one investigation but not in all overlapping investigations, it was classified as LSIO
- LSIO:
 - if an area is classified as LSIO in all overlapping investigations, it was classified as LSIO.

Council explained that the LSIO1 will continue apply to land outside the flood study areas within its current extent. Properties in these areas will be affected by changes to the LSIO1 and FO1

schedules. The SBO1 replaces land affected by DDO9 as it is considered a more appropriate planning mechanism to address flooding by stormwater or overland flows from rainfall run-off.

The mapping of the FO1 and LSIO1 was generalised and simplified ('smoothed' and 'cleaned') to remove 'puddles' and 'islands' according to a process identified in Council's Part A submission Attachment C and that applied to areas less than the following minimums:

- 50 square metres for most zones
- 500 square metres in the Rural Living Zone
- 1000 square metres in the Farming Zone.

In relation to flood depth thresholds, Council advised the 500 millimetre threshold was the adopted catchment threshold for transitioning from the LSIO to the FO and represented the depth and/or velocity of water which presents a greater risk to life and property. The application of the overlays provided a trigger for flood levels to be set by the floodplain manager but it was not the role of the overlay provisions to set as minimum floor level.

Mr Hughes considered the threshold was appropriate and representative of the catchment setting which actively allows the conveyance of floodwater at lower velocities. The WCMA confirmed that a depth of 500 millimetres was the adopted level in the WCMA area. This represented a largely rural catchment, rather than a more urbanised setting where a lower level might be applied to manage more intensive flows.

Schedules

Council submitted that the existing FO1 and LSIO schedules were reviewed and redrafted having regard to:

- PPN12
- *A Practitioner's Guide to Victorian Planning Schemes* Version 1.5, April 2022 (Practitioner's Guide)
- advice from the Department of Environment, Land, Water and Planning (DELWP, now Department of Transport and Planning) and WCMA
- simplifying or clarifying requirements and reducing the circumstances in which a planning permit is required for buildings and works
- included exemptions commensurate with the level of risk of flooding.

The same approach was applied to the development of the SBO.

Council submitted that the drafting of the schedules was not designed to prohibit all development in flood prone areas but to manage the flood risk. The schedule changes would bring them in line with form and content rules with the inclusion of objectives, statement of risks, permit exemptions, application requirements and decision guidelines.

(v) Discussion and conclusion

The Panel considers the criteria used to apply the overlays in the areas subject to flooding accords with current practice and guidance including PPN12, Ministerial Directions, the Practitioner's Guide and the Planning Policy Framework.

The purpose of each of the overlays proposed appropriately reflects the potential risks to be managed. The overlay schedules are not able to change the provisions of the header clauses, but can add to them (for example objectives, permit exemptions and decision guidelines). The Panel supports the way in which Council has applied the flood overlays based on technical investigations

of flood extent and risk. The three overlays have been applied appropriately based on the identified flooding conditions and the consequent risk levels sought to be managed, consistent with the overlay purposes. The Panel supports the use of the 500 millimetre trigger to apply the FO1, which reflects localised and catchment conditions and related flood behaviour and associated risk levels.

The deletion of DDO9 (replaced by the SBO1) and DDO4 is appropriate and removes unnecessary controls that are more appropriately managed through the relevant flood overlay. Deletion of the UFZ and managing flood impact through the amended application of the FO1 and LSIO1 utilises the appropriate planning tools and removes the duplication of controls.

The exhibited schedules are considered fit for purpose and no changes are required. Considerable discussion occurred between Council, DELWP (as it then was) and WCMA on the drafting of the schedules, including the exemptions. The changes will bring them in line with form and content rules, provide greater clarity about their application, remove duplication and assist decision making. How they work operationally to support or discourage development is discussed in Chapter 3.

The Panel concludes:

- The use and application of the Floodway Overlay, Land Subject to Inundation Overlay and Special Building Overlay is appropriate.
- The overlay schedule changes are appropriate.
- The deletion of DDO4 and DDO9 is appropriate.
- The deletion of the Urban Floodway Zone is appropriate.
- Amendment should proceed subject to addressing the issues identified in this Report.

3 Threshold issues

3.1 Validity and accuracy of the modelling

(i) The issues raised in submissions

A number of submitters questioned the flood modelling and flood studies that the overlay maps are based on, including:

- the flood measurement methodology applied
- the mapping not reflecting the flood experience including observations from the 2011 flood event.

For example, in terms of the modelling:

- Submission 20 states:

How can we trust that this investigation will be reliable? I understand LiDAR is the most accurate determination tool at present, however it is not infallible. Errors can occur such as:

 - Instrument error
 - Environmental error
 - Procedural error
 - Human error.
- Submission 13 states:

How has it established as fact that this research, modelling and evidence is actually the best in the world.
- Submission 38 identified:

How do we have confidence in it?

Like all modelling- the results change depending on what data it's based on and we have heard words like "data not infallible", "sometimes not terribly accurate" by the person doing the modelling.

...we are told this modelling is based on the flood levels listed. But are they?

We were told in 2011 that it was 1:200 [flood event], then at some point during our discussions it was stated more like 1:80 at our property, now we have also heard "bit more like 1:100". How do we have any confidence in the accuracy of the modelling that the new levels are based on?

In relation to mapping:

- Submission 13 states:

In the 2011 flood event there was water across some of my front lawn only. There was no damage to our property; there was no inundation of my property; there was no need to contact our insurance agent. This was the only time water has ever touched our property in the 43 years we have owned this property.
- Submission 38 states:

There has never been water on this area of our block, in fact only about 1/3 up the nature strip. [The] Drive[way] at on the East side of our block is higher than the West side which further discredits the modelling.
- Submission 29 states:

Another concern is at what point where the levels taken from. If they are taken from very old maps then the terrain has changed. The land has since been filled and developed. Does that then mean that the survey figures are inaccurate for various areas?

(ii) Evidence

Mr Hughes' evidence set out in detail the methodology applied for each of the six flood studies including their structure, process of modelling and calibration. This included:

- the study being overseen by a Technical Reference Group with representatives from the WCMA, Council, State Emergency Services, DELWP and Grampians Wimmera Mallee Water as the relevant water authority as well as community members
- consultant site visits
- analysis of available data including:
 - previous flood studies
 - Light Distance and Ranging (LiDAR) data, where available, to understand base topography (in some instances verified against feature surveys or earlier LiDAR data)
 - recorded stream flow, height and rainfall data and flood gauge information
- flood model construction reflecting flooding over time and used to determine peak flood heights for historic and design flood events within a specified AEP
- calibration of model using historic events and collected data (stream height and flow data), surveyed peak flood height observations and aerial and ground photography
- production of study outputs identifying design flood levels at 1% AEP and flood intelligence, flood mitigation and flood warning reports
- a third-party technical review (for Wimmera River and Yarriambiack Creek Flow Investigation only)
- internal review of studies applying Quality Assurance Certified System ISO 9001
- three stages of community meeting (involving identified community leaders or community members with flood observation experience) to:
 - identify flood issues and capture community observations on flood events
 - confirm model calibration of historic events and resolve any discrepancies
 - to inform of flood study outcomes including the need for planning controls.

Mr Hughes concluded:

- the structure of the flood studies was comprehensive and consistent with that applied in other studies across Victoria and used an appropriate, best practice methodology
- all studies adopted a similar technical basis using rainfall runoff modelling and/or Flood Frequency Analysis to determine design flows
- all six studies used very sound input data
- there was a high level of accuracy and correlation between modelled levels and observed or surveyed levels
- in all cases the hydraulic model calibration demonstrated the models were fit for use in the determination of the overlays.

(iii) Council response

Council responded the modelling was consistent with historic flood levels across Horsham and the proposed controls based on the best available information, best practice modelling and techniques, developed over many years by experts in the field. The use of computer modelling is acknowledged as the only practical method to reliably map the extent of changes to the flood shape across the municipality.

Council submitted:

It cannot be assumed that flooding will not occur simply because there is no recollection of previous flooding on a particular property. The flood controls are based upon the 1% AEP Average Exceedance Probability (AEP) flood extent, which means the flood level each year has a 1% chance of occurring (this was previously referred to as a 1-in-100-year flood). This is a standard used across the industry for flood planning and management. In many cases, the 1% AEP event may only result in flooding and inundation for a short period of time, but it is capable of causing damage. The lived experiences outlined in submissions only includes smaller floods, it cannot be used to directly compare to the modelled 1% AEP.

(iv) Discussion and conclusion

The Panel accepts the validity of the flood modelling. It has been carried out in accordance with accepted methodologies. The WCMA has supported the study methodology and use of LiDAR technology for establishing flood controls.

The Panel accepts that the LiDAR data will be the most accurate method for determining topography. Unless there has been a change in topography since the LiDAR data was obtained there is no reason to believe the topography input into the flood models is not accurate. As identified by Mr Hughes, LiDAR data can be extremely precise at measuring vertical height even to the degree of differentiating the height of cereal crops or direction of sowing.

At some scales the LiDAR data will not always pick up small features such as small levees. The adjustment of mapping to account for smaller localised features for some submitter sites is an appropriate response and does not point to more systemic issues associated about the reliability of LiDAR or other data inputs. The lack of absolute certainty is not a reason to not apply flooding controls. This is particularly the case when the calibration of a range of data sets informing the modelling and flood mapping has identified a high correlation between the modelled and observed levels obtained by survey or gauges.

Properties are not uniformly affected by flooding and the impact may depend upon a range of factors. The designation of an area as 'subject to inundation' does not cause or change the likelihood of flooding, but recognises the existing condition of land and its potential to be inundated.

Council submitted the overlay maps are based on 1 % AEP as required by the State Government. AEP is a term which expresses the likelihood of a flood of a given size or larger occurring in a given year. 1% AEP means a flood has a one in 100 probability of occurring in any given year, the same as a 1 in 100 year event. Reliable local knowledge of flood extents does not usually extend back 100 years.

It was apparent that information about the 2011 floods has been communicated to the community in an inconsistent manner and there is confusion about whether or not it was a 1 in 100 year event. In responses to Panel questions, Mr Hughes advised that the 2011 flood event was the largest "*in living memory*" and closely represented the modelled 1% AEP. The WCMA advised the 2011 flood was a 1 in 100 year event for the catchment but was higher or lower in other parts of the catchment, for example in Warracknabeal where it was a 1 in 200 event. Around Horsham it was estimated that levels were approximately 100 millimetres below a 1 in 100 year event.

The Panel concludes:

- The methodology of the flood modelling is appropriate and provides an appropriate basis for the FO mapping.
- The LiDAR data can be relied upon as an accurate measure of topography at the time the flood models were run.

3.2 Impacts from development within the floodplain

(i) The issue raised in submissions

Many submitters raised the theme of impacts from development within the floodplain and the potential exacerbation of existing flood activity and extent. For example:

- Submission 28 stated:
Too much HRCC approved development in LSIO land is causing flood levels to rise and affect existing homes.
- Submission 33 stated:
Residents in Southbank within Agnew Court, that were not in the LSIO are now going to be affected by the LSIO all due to the removal of flood storage.
- Submission 36 stated:
My building was not inundated in the last flood, however I observe that new buildings on the flood plain have foundations with a far greater height than mine. I believe this will push flood waters further onto my property.
- Submission 38 was supported by a detailed submission identifying development activity in the Dooen Road/Sunnyside area and stated:
Too much HRCC [Council] approved development in LSIO land over the years which raised or impeded flows and/or restrict flow and water storage and is causing flood levels to rise and affect existing homes – we have watched continual development between our location and the River during the last 30 years living in Olga Ave, and had concerns re the ongoing affect on existing buildings being surrounded by new – raised developments.
Development in floodplains will always impede flood flows and always a loss of flood storage.

Submissions opposed further development in the floodplain, including Greenfields development. For example:

- Submission 16 stated:
[Council] must stop approving residential and industrial developments which do not accord with the Infrastructure Design Manual.⁵
- Submission 37 stated:
The WCMA should abide by the state guidelines and refuse development in floodplain areas.
- Submission 16 stated:
...in respect to greenfield development sites, for safety reasons, the subdivided sites should be flood free
- Submission 13 stated:
I genuinely don't understand why it is more important to protect homes in that area [undeveloped growth areas to north] from low level flooding, at 1:100 year flooding at the expense of my own property which is already likely to flood.

⁵ The Infrastructure Design Manual, Version 5.40 IDM2022 (Local Government Infrastructure Design Association, 1 September 2022)

I definitely don't understand why homes that have not been built yet, are of greater significance than our established home (early sixties) in Rennison Street.

(ii) Council response

Council submitted:

- it had applied the controls based on the threshold of managing risk identified in the flood studies and consistent with PPN12
- the purpose of the controls was to define what is considered an acceptable threshold for managing risk. They are not designed to prohibit all development in flood prone areas, but to manage the flood risk
- the LSIO provisions consider the impact of development on the floodplain to ensure it does not obstruct floodwater, stormwater or drainage water and does not affect or reduce flood storage, or increase flood levels and flow velocities
- potential displacement of water resulting from development was among the key considerations for the WCMA in its referral responses
- future development proposals *“are required to meet the requirements of the flood controls, such as constructing above the designated flood level. Future development should be designed to not adversely impact adjoining properties”*
- development is allowed on LSIO land under the *Guidelines for Development in Flood Affected Areas* which include conditions for development in the floodplain. These were applied by the WCMA when providing recommendations to Council consistent with the *Victorian Floodplain Management Strategy*.

Council advised that greenfield development must address potential flood impacts and that due to the land being undeveloped, it was often possible to incorporate flood mitigation measures through stormwater retention systems and local drainage schemes. It submitted the WCMA requires development to be outside the floodplain unless it can be demonstrated through detailed flood modelling that no impact on neighbouring properties will occur.

(iii) Discussion and conclusion

There is a clear concern from submitters in established areas of Horsham that development activity (both infill and from future greenfield development) is or has the potential to further exacerbate flooding through displacement of floodwaters. The inference in many submissions is that unfettered development has created the need to apply controls, which was considered unfair. Whether this is the case or not is difficult to say, and it is not the role of the Panel to comment on prior decisions to allow development in potentially flood prone areas.

Several submissions were of the view that the wording of the controls enabled rather than controlled or restricted develop in the floodplain, and that decision makers should more tightly regulate development within the areas affected by the overlays. The Panel observes that what the overlays permit is confined by the provisions of the respective head clauses. A schedule to the FO or LSIO cannot, for example, prohibit buildings and works for which a permit is required (and can be applied for). In this instance the proposed schedules provide for appropriate application requirements and enhance the decision guidelines (including adding a reference to the *Guidelines for Development in Flood-Affected Areas* for the FO1 and LSIO1) of the respective overlays in a manner which:

- assists decision making
- retains the referral role of the floodplain manager

- complements the overlay purposes and decision guidelines
- is consistent with the relevant planning policies.

The Panel considers applying the suite of flood controls as proposed is a balanced approach and maintains a rigorous, merits based assessment pathway to ensure risks are managed or avoided. The overlay exemptions have been deliberately designed to allow minor buildings and works that have minimal impacts on floodplain storage or the movement of floodwaters. They have been informed through discussions with the floodplain manager, PPN12 and are reflective of the anticipated potential risk.

The Panel concludes:

- The Amendment provides an appropriate decision making pathway for the assessment of flood risk including the impacts on flood storage and impact on existing properties.

3.3 Floodplain management

(i) The issue raised in submissions

A common theme in submissions was that potential flood impacts and flood mapping extent were the result of the way in which the floodplain was managed during flood events including:

- the closure of culverts during flooding events
- the late removal of boards from the Horsham Weir
- impacts from stormwater and the need for stormwater infrastructure improvement.

Some submitters queried whether consideration has been given to whether the management of culverts and the Horsham Weir had exacerbated flooding impacts or not in the flood mapping. For example:

- Submission 13 stated:

Diverting the flow as a treatment for low level flooding 2 kilometres away in a 1:100 year flood means that our home, which has been there for an equivalent amount of time, is more greatly impacted with a higher flood level impact than it would have at a very large flood event. If the box culverts are permanently blocked, it will impact me on every flood.
- Submission 14 identified concerns that weir boards were not removed or removed late during the 2011 event and modelling did not reflect this artificially raising the flood levels.

In relation to stormwater infrastructure capacity issues, submissions considered Council should implement drainage strategies and invest in new or upgraded drainage infrastructure to prevent the risk of flooding rather than apply planning controls or designate areas as flood prone. For example:

- Submission 38 stated:

The Flood amendment does nothing to reduce the 1% levels. Council needs to undertake a serious investigation into the drainage and stormwater.
- Submission 13 stated:

If the drains – sewerage and stormwater – in the HRCC area were improved generally, and to accommodate the additional buildings added to it, they would be less likely to not cope in any likely flood event. I believe the drainage systems servicing the wider Sunnyside area are sub-optimum.

(ii) Evidence and Council response

Mr Hughes was of the view that the Horsham Weir boards were removed prior to the peak flooding during the 2011 flood event. However, the level of the spillway and flood storage meant

that its management (removing or retaining weir boards) had minimal impact on downstream flooding, principally due the large volume and speed of floodwater extending well beyond the Wimmera River's banks. It indicated that the issue of culvert management during flood events had been factored into the mapping and was a broader issue outside the consideration of the Amendment.

Council acknowledged that improvements could be made to the stormwater and drainage infrastructure in older urban flood prone areas. However, it said this was beyond the scope of the Amendment, which was *"implementing only one aspect being the land use planning aspect of the flood studies"*. It submitted:

Land use planning was a cost effective way to reduce future impacts of flooding particularly by ensuring floor levels of new or replacement dwellings are above the flood level. By requiring a planning permit it also allows some consideration of flood issues prior to approving significant buildings and works (such as dwellings). The matter of stormwater and drainage is the responsibility of Horsham Rural City Council who have a program of maintenance and upgrades.

Council noted the *Horsham and Wartook Valley Flood Investigation* included urban flood modelling which will be used to develop a Drainage Strategy. The timing, outcomes and any identified works could not be confirmed at this stage and remained a matter for future funding and priorities but were likely to be focused within the SBO1 area.

(iii) Discussion and conclusion

The submissions of several landowners identified a concern from the community about the impacts on flood levels within established areas resulting from the management of the floodplain during or in the lead up to flood events. This included impacts from the management of the Horsham Weir and culverts as well as the adequacy of the stormwater drainage network generally.

While it is not the Panel's role to make recommendations relating to floodplain management during flood events, the Panel observes that there is confusion in the community about why some culverts are blocked off. Improved communication to the community about roles and responsibilities of culvert and weir management during flood events and coordination between Council and the WCMA on this issue may go some way to addressing these concerns.

Applying flood controls is only one measure to address flooding impacts. There may well be merit in reviewing floodplain management responses in flood events or improving drainage in areas, if this is possible from an engineering perspective. However, until such reviews are undertaken, or works are completed, land will still be subject to inundation and development ought to be appropriately managed. Changes to floodplain management practices or the completion of drainage or other flood mitigation works may change the behaviour of floodwater and provide the basis for reviewing flood mapping, but this is a matter for the future.

The Panel concludes:

- The fact that floodplain management actions or engineering works could change flood impacts is not a reason to remove overlays from land ahead of those works.

3.4 Impact on property insurance and values, and the ability to develop

(i) The issue raised in submissions

Many opposing submissions identified the potential increase in insurance premiums or difficulty in obtaining insurance coverage because of properties now being either designated as flood prone. For example, Submission 36 stated:

I am concerned that insurance premiums will rise exponentially, and the value of my property will decrease. ...Repairing any damage caused by rising waters would be an unwelcome and inestimable cost. Information arising from recent the recent floods along the Murray River and elsewhere in Australia indicate that insurance companies are rethinking their attitude to paying for flood insurance.

Submission 24 questioned:

Why is Council extending LSIO over residential areas that will increase flood insurance premiums by up to 5 times, and in future maybe no flood insurance is obtainable there by homeowners.

Other submissions identified concerns about property devaluation or on the impact to use and develop. For example:

- Submission 32 states:

The Amendment will have serious financial, social and devaluation ramifications to the property.

- Submission 35 states:

No idea what amendment means for our land but very concerned for our investment.

Other submissions identifies concerns about the potential ability to develop individual sites. These are discussed in Chapter 4.

(ii) Evidence and Council response

Mr Hughes identified that the six flood studies used to develop the LSIO and FO layers were completed a minimum of four years ago and have been available over this time to the insurance industry and public. The Amendment:

... does not make this information more accessible to insurance companies. Rather the overlays inform the community in respect of flood risk. The underlying flood risk exists whether the overlays are implemented or not. Incorporating this flood information into the planning scheme provides transparency to the community and should reduce exposure to flood risk and damage in the future.

Council responded that insurance companies will base their premiums on their assessment of risk. Insurance was not a direct relevant planning matter that Council or the Panel can take into account when deciding whether or not to apply a flood control. It submitted implementing flood controls based on recent studies was a strategic responsibility. Direct financial impacts and impacts on property values were not relevant planning matters while social impacts must be considered in a broader context. It referred to the Stonnington Amendment C221 Panel Report which states at page 26:⁶

⁶ Stonnington C221 (PSA) [2018] PPV 113

Previous panels have consistently found that there is no justification for setting aside planning scheme amendments of this type on the basis that property values might be affected, or insurance premiums might increase.

Council identified that Greater Geelong Amendment C339 Part 2 Panel Report referred and supported the Stonnington Amendment C221 finding.⁷ Council submitted that the Amendment should have a positive social benefit on the basis that flood damage can disrupt communities and in extreme cases, cause extensive and costly damage to public and private assets, agricultural loss, personal hardship and loss of life. Ensuring development in flood prone areas responds appropriately to the risks should reduce the impacts of future flood events.

(iii) Discussion and conclusion

The Panel has previously concluded that the overlays are justified and that the flood controls provide an appropriate basis for managing risk in flood prone areas. The fact that designating a property as flood prone in a planning scheme may increase its insurance premium or reduce its value is not a reason to refrain from such designation.

The Panel concludes:

- Impacts on property values or insurance premiums or the ability to develop land in a particular way are not reasons to remove the proposed overlays from a property.

⁷ Greater Geelong C339ggee Part 2 (PSA) [2023] PPV 42

4 Site-specific submissions

In the Figures in this Chapter:

- yellow represents the extent of land from which the current LSIO is proposed to be removed
- orange represents the extent of land from which the current FO1 is proposed to be removed
- light blue represents the extent of land to which the LSIO1 is proposed to be applied
- dark blue represents the extent of land to which the FO1 is proposed to be applied.

4.1 Council approach to site-specific submissions

(i) The issues

A number of submitters provided specific information about their property or raised more complex issues than the more generic themes and objections.

(ii) Council's approach

Council advised that it undertook a review and analysis of all submissions. This included:

- Council officer discussions with submitters (in some instances with WCMA in attendance), with follow up correspondence
- in some instances, on-site inspections conducted by Council, WCMA and Water Technology and the modelling reviewed to account for a range of factors including localised topography and existing structures
- in some instances, WCMA providing written flood advice
- for the Market Lane area, flood level surveys to compare finished floor levels with 1% AEP levels.

As a result, Council proposed mapping changes to the extent of the FO1 and LSIO1 to several properties based on further assessment undertaken by Water Technology and consultation with WCMA. This resulted in the withdrawal of five submissions (refer Appendix E). The proposed mapping changes for the three submissions that were not withdrawn (discussed below) were supported by Mr Hughes and the WCMA.

(iii) Discussion and conclusion

The Panel has reviewed Council's approach to site-specific issues. Council has been thorough and diligent in assessing submissions, including further assessment and review of flood modelling and mapping for specific sites with technical input from Water Technology, and in partnership with the WCMA. While the Panel accepts that some property owners do not want the overlays applied to their land, they have been applied in a methodical and rigorous fashion.

As identified in Chapter 1.4, the Panel has not considered the withdrawn submissions, however the Panel accepts the basis on which those mapping changes have been proposed, as well as the additional mapping changes made in response to other submissions. The mapping changes to the extents of the FO1 and LSIO1 are modest and strike an appropriate balance between practicality and avoiding unnecessary controls and the appropriate management of risk and flood impact. The basis of the proposed mapping changes is well documented in Council's Part A submission

(including Attachment E) and in all cases accords with the evidence of Mr Hughes and are supported by the WCMA who instigated the six flood studies.

The Panel concludes:

- Council's approach to site-specific objections, and the proposed mapping changes in response, are appropriate.

(iv) Recommendation

For the reasons set out in this Chapter the Panel recommends:

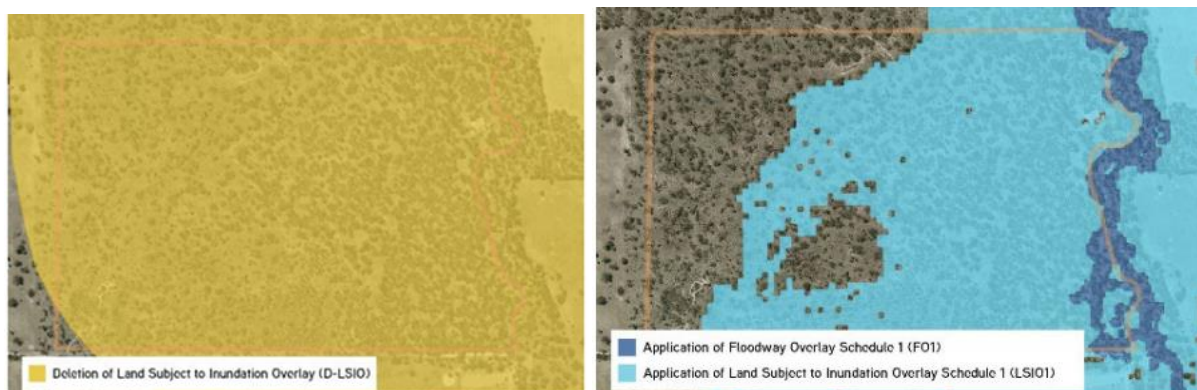
2. Remove from the Floodway Overlay Schedule 1 and Land Subject to Inundation Schedule 1 from the following properties to the extent identified in Council's post-exhibition mapping changes identified in Appendix E and F:

- 55 Baille Street, Horsham
- 1-9 Eastgate Drive, Horsham
- 12 Madden Street, Horsham
- 1-12 Market Lane, Horsham
- 1-12 Rushbrook Close, Horsham
- 5 Sloss Street, Horsham
- 14 Wotonga Drive, Horsham
- 503 Bridges Road, Lower Norton
- 3912 Henty Highway, McKenzie Creek
- Berry Lane, Natimuk
- 378 Lake Road, Natimuk
- 767 Three Chains Road, Natimuk
- 173 Hughes Road, Quantong.

4.2 Dadswells Bridge

4.2.1 401 Fulbrooks Road, Dadswells Bridge

Figure 3 401 Fulbrooks Road, Dadswells Bridge (proposed)



Source: Council's Part A submission (Document 8) Attachment E 'Submissions Response Table'

(i) Evidence and submissions

The landowner:

- considered the flood modelling inaccurate and had not reflected topography or observed flood conditions and would place unnecessary restrictions on building
- sought deletion of the LSIO1 from the south-east corner which includes a house pad and sand ridge.

Council submitted that the extent of the LSIO1 had in fact been reduced and excluded the features identified in the submission which were above the identified flood level. This position was supported by Mr Hughes' evidence.

(ii) Discussion and conclusion

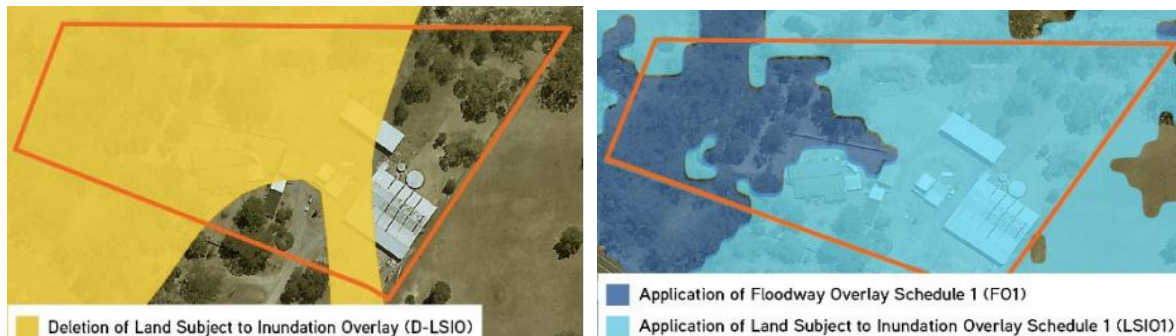
The Panel is satisfied that the modelling, which has been calibrated against the 2011 flooding event, accurately reflects localised conditions and appropriately identifies the level of potential flooding impact.

The Panel concludes:

- The proposed application of FO1 and LSIO1 to 401 Fulbrooks Road, Dadswells Bridge is appropriate.

4.2.2 5802 Western Highway, Dadswells Bridge

Figure 4 5802 Western Highway, Dadswells Bridge



Source: Council's Part A submission (Document 8) Attachment E 'Submissions Response Table'

(i) Evidence and submissions

The landowner was concerned the implications of the Amendment had not been properly explained. It was unclear if the Amendment would prevent subdividing an existing dwelling from the business operating on the property.

Council submitted flood controls did not prohibit the subdivision of land. However, any future subdivision would need to meet the requirements of the flood controls including on the placement of fill and ensuring adjoining properties were not adversely impacted.

(ii) Discussion and conclusion

The Panel is satisfied that the flood modelling is sufficiently robust to support the application of the FO1 and LSIO1 as proposed.

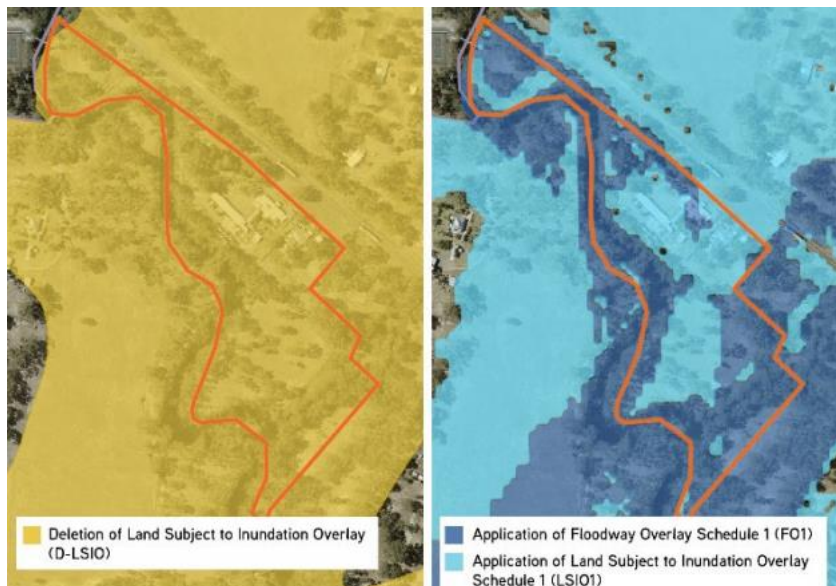
While the proposed controls do not impact existing use rights, the issue of future subdivision or further site development is more appropriately considered at the permit stage and when potential flood impacts from development can be considered in greater detail.

The Panel concludes:

- The proposed application of FO1 and LSIO1 to 5802 Western Highway, Dadswells Bridge is appropriate.

4.2.3 5835 Western Highway, Dadswells Bridge

Figure 5 5835 Western Highway, Dadswells Bridge (proposed)



Source: Council's Part A submission (Document 8) Attachment E 'Submissions Response Table'

(i) Evidence and submissions

The landowner opposed the Amendment because the implications were unclear including the ability to use and develop a service station on the property.

Council submitted the modelling results were verified by calibrating them against observed flooding in 2011 and the overlays accurately represent the level of flood risk in Dadswells Bridge and provide a sound basis for development control. Future site development was a matter for future permit application.

(ii) Discussion and conclusion

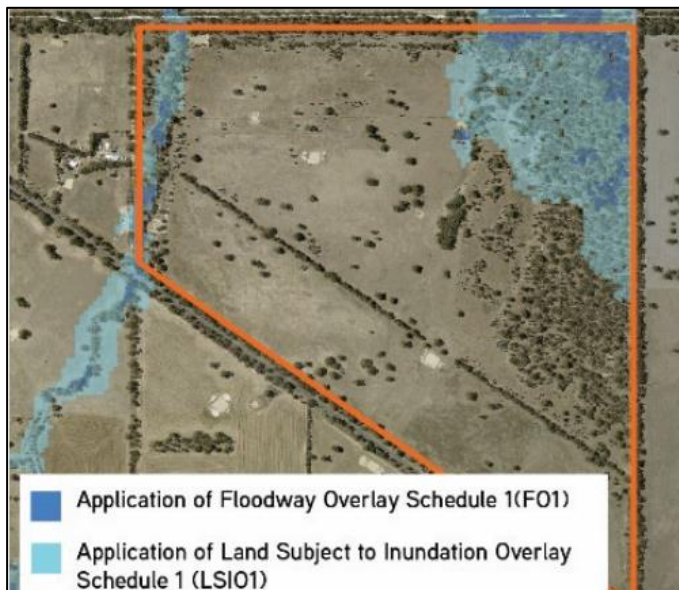
As previously stated, the Panel supports the methodology applied to the relevant flood study and the resultant mapping of the FO1 and LSIO1. Almost the entire site is currently affected by flood controls, and the Amendment refines the controls to more accurately identify the extent of flood risk on different parts of the site. Existing developed areas remain within the LSIO. Issues relating to future development are not determinative of the flood risk or appropriate application of controls to reflect the potential risk. Future development of the property is properly a matter of the permit application process.

The Panel concludes:

- The proposed application of FO1 and LSIO1 to 5835 Western Highway, Dadswells Bridge is appropriate.

4.2.4 CA 190, 191 and 192 Western Highway, Dadswells Bridge

Figure 6 CA 190, 191 and 192 Western Highway, Dadswells Bridge (proposed)



Source: Council's Part A submission (Document 8) Attachment E 'Submissions Response Table'

(i) Evidence and submissions

The landowner disputed that the land was subject to flooding, submitting that it had not been flooded in over 50 years of ownership. They submitted the northern portion of the site comprised a geological formation known as 'crab holes' comprising a series of small mounds and depressions. The submission proposed that the overlays not apply beyond the northern and western boundaries of the property.

Mr Hughes' evidence was that the flood control layers for this area were determined based on modelling undertaken for the *Mt William Creek Flood Investigation* study and applied best practice and were considered accurate. He identified that 'crab holes' were a typical topographic formation in the Wimmera region in wet areas which can maintain water for lengthy periods.

Council submitted the flood modelling was consistent with historic flood levels across Dadswells Bridge. The proposed flood controls were based on the best available information, and best practice modelling and techniques. It said the use of computer modelling is acknowledged as the only practical method to reliably map the extent of changes to the flood shape across the municipality.

(ii) Discussion and conclusion

A significant portion of the property remains free of the proposed flood controls with only a small portion of the site proposed to be affected by the FO1. As previously stated, the Panel supports the methodology applied to the relevant flood study and the resultant mapping of the FO1 and LSI01 throughout Dadswells Bridge.

The Panel concludes:

- The proposed application of the FO1 and LSI01 to CA 190, 191 and 192 Western Highway, Dadswells Bridge is appropriate.

4.3 Dooen

4.3.1 Riverside Road, Dooen

(i) The affected land

The Amendment deletes the FO that currently applies to the entirety of the subject land and replaces it with the new FO1 to the same extent.

(ii) Evidence and submissions

The landowner indicated support for the Amendment although identified challenges associated with obtaining approval to build a house and shed on the property. Council advised that the submitter had subsequently indicated the application of the FO1 over the entirety of the property was opposed and that mitigation measures should be implemented instead.

Council identified that the modelling undertaken for the *Horsham and Wartook Valley Flood Investigation* on the Wimmera River floodplain upstream of Horsham was well calibrated and provided an accurate representation of flood risk. Council explained that a range of mitigation options were considered in the flood investigation, but they were costly and would impact many landowners.

(iii) Discussion and conclusion

The Panel is satisfied that the relevant flood study supports the application of the FO1 over the subject land. While the future implementation of mitigation options may impact flood levels, there is no guarantee that they would be undertaken or undertaken in the short-medium term, or what impact they would have on individual properties. In the interim, the potential flood risk remains and the controls are appropriate.

The Panel concludes:

- The proposed application of the FO1 to Riverside, Dooen is appropriate.

4.4 Horsham

4.4.1 Agnew Court, Horsham

(i) The affected land

The affected land is shown in Figures 7 to 11 below.

Figure 7 1 Agnew Court, Horsham (proposed)



Figure 8 3 Agnew Court, Horsham (proposed)



Figure 9 7 Agnew Court, Horsham (proposed)



Figure 10 8 Agnew Court, Horsham (proposed)



Source: Council's Part A submission (Document 8) Attachment E 'Submissions Response Table'

Figure 11 9 Agnew Court, Horsham (proposed)



Source: Council's Part A submission (Document 8) Attachment E 'Submissions Response Table'

(ii) Evidence and submissions

Five landowners within Agnew Court opposed the Amendment on the basis of the threshold issues discussed in Chapter 3 including the associated impacts arising from development permitted within the floodplain. The submissions also identified that the 2011 flood had not impacted privately owned properties and only affected the road reserve, suggesting the modelling did not accurately reflect terrain changes.

Submission 18 identified that the flooding experienced in 2011 within Agnew Court did not extend beyond the road and was from stormwater and not from the Wimmera River.

Mr Hughes's evidence was the January 2011 flood event was somewhere between a 1 per cent and 2 per cent event. His evidence included an aerial image of the 2011 flood which showed the extent of flooding was slightly less than the proposed LSIO1 mapping, which was based on a 1% AEP event and therefore slightly larger than the 2011 flood extent. He considered the basis of the LSIO1 mapping appropriate for a 1 % AEP event.

Council submitted the LSIO1 mapping for Agnew Court was appropriate and based on best practice flood modelling and acceptable risk thresholds.

(iii) Discussion and conclusion

The threshold issues raised in submissions are discussed in Chapter 3. As previously stated, the Panel supports the basis on which the flood investigations were undertaken and the proposed flood mapping.

The Amendment either:

- reduces the extent of the existing LSIO1 (1 and 3 Agnew Court) to a small portion of the front setback garden area
- applies the LSIO1 to a small portion of the front setback garden area (8 and 9 Agnew Court)
- does not extend the LSIO beyond the road reserve (7 Agnew Court).

Council and the WCMA representatives accepted that potential flooding in Agnew Court (and some other locations within Horsham) could be from stormwater rather than riverine flooding, but considered the LSIO1 remained the appropriate tool to manage flood risk. This was particularly the case where there was no current commitment to future drainage mitigation measures and

works. While the Panel understands that Council is preparing a Drainage Study, the timing, the nature and costing of any mitigation works and timeframe for delivery remains uncertain. In the interim it is appropriate to manage potential flood risks by applying the controls as proposed.

The Panel concludes:

- The proposed application of the LSI01 in Agnew Court, Horsham is appropriate.

4.4.2 Barnes Boulevard, Horsham

(i) The affected land

The Amendment affects nine privately owned properties located on the south side of Barnes Boulevard, Horsham together with an adjoining reserve. These properties are currently zoned LDRZ and UFZ (Figure 12) and a portion of the adjoining reserve is zoned PPRZ. Both the FO1 and LSI0 already apply to this land and duplicate the UFZ provisions.

The Amendment proposes to apply the LDRZ to the entirety of the privately owned land and the PPRZ to the portion of public land (Figure 13).

Figure 12 Existing Zoning – Barnes Boulevard, Horsham

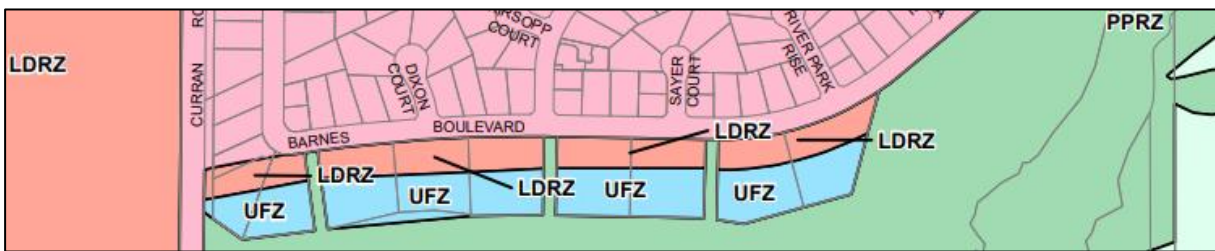
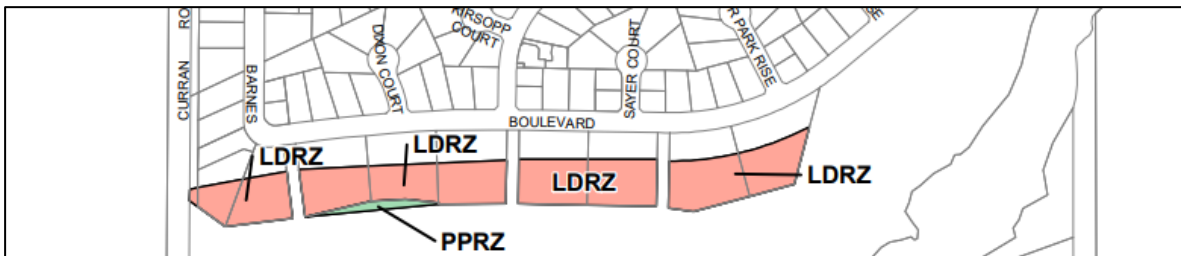


Figure 13 Proposed Zoning – Barnes Boulevard, Horsham



The proposed FO changes in relation to 149 Barnes Boulevard are shown in Figure 14.

Figure 14 149 Barnes Boulevard, Horsham (proposed)



Source: Council’s Part A submission (Document 8) Attachment E ‘Submissions Response Table’

(ii) Submissions

The landowner of 149 Barnes Boulevard, Horsham did not support the removal of the UFZ submitting that this portion of land still flooded and that the Amendment could have insurance implications or would encourage building in flood prone areas.

Council identified that:

The UFZ generally applies to areas where the potential flood risk is very high and places restrictive controls over land uses. Applying flood overlays (i.e. FO1 and LSIO1) in conjunction with an appropriate zone (LDRZ) will enable the primary use of land to be recognised whilst acknowledging and addressing flooding characteristics. The FO extent is proposed to be reduced on the land and will control development on the land rather than use of the land. A planning Permit will still be required for any buildings and works and will be referred to the Wimmera CMA for comment.

(iii) Discussion and conclusions

The Panel considers the function of the former UFZ will now be achieved through the application of the FO1 and LSIO1 based on more detailed flood analysis. These overlays will provide the appropriate tools to manage the different flooding impacts to the subject and adjoining properties along the Wimmera River.

There were no other submissions from landowners of Barnes Boulevard about the proposed zone and overlay changes. The Panel considers that the zone changes in tandem with the application of the FO1 and LSIO1 is logical and an appropriate use of the Victorian Planning Provisions.

The Panel concludes:

- The replacement of the UFZ with the LDRZ to the balance of private properties on the south side of Barnes Boulevard and the PPRZ to public land is appropriate.
- The proposed application of the FO1 and LSIO1 to private properties on the south side of Barnes Boulevard is appropriate.

4.4.3 9 Centenary Road, Horsham**(i) The affected land**

The Amendment proposes to delete the existing DDO9. It does not propose to apply any flood controls.

(ii) Evidence and submissions

The landowner submission was unclear whether it supported or opposed the Amendment. Council advised it had made a number of attempts to contact the landowner to clarify their submission.

(iii) Discussion and conclusion

The Amendment removes an existing control no longer fit for purpose and does not impose any additional controls as a result of flood analysis. On this basis the proposed approach is considered sound and appropriate.

The Panel concludes:

- The removal of DDO9 from 9 Centenary Road, Horsham is appropriate.

4.4.4 1 Culliver Street, Horsham

(i) The affected land

The Amendment retains the LSIO over the entire property.

(ii) Submissions

The landowner was concerned about threshold issues discussed in Chapter 3 of this Report relating to insurance impacts, flood water depth thresholds for the overlays and the impacts of development.

(iii) Discussion and conclusion

While the submission does not specifically address the impact of the Amendment on their property the Panel observes that the Amendment effectively replicates the existing LSIO mapping extent across 1 Culliver Street. The proposed extent is supported by updated flood studies. The other submitter concerns are discussed in Chapter 3.

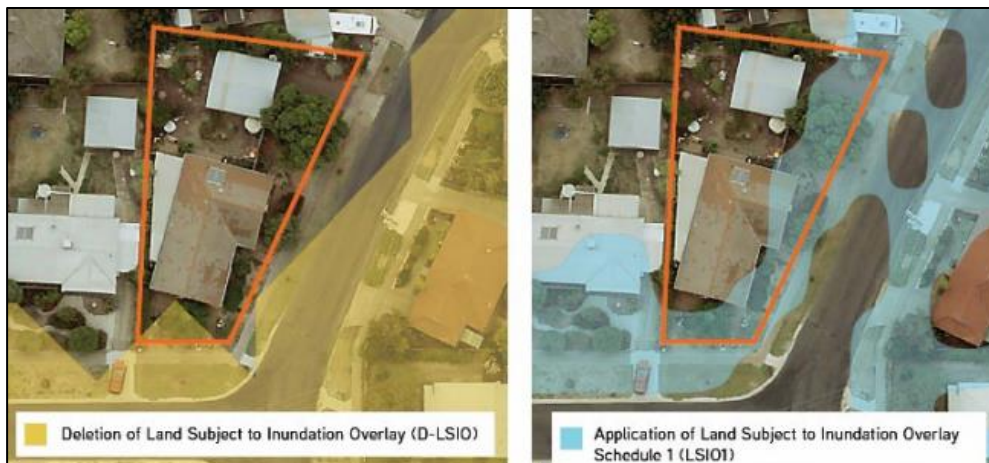
The Panel concludes:

- The application of LSIO1 to 1 Culliver Street, Horsham is appropriate.

4.4.5 10 Lewis Street, Horsham

(i) The affected land

Figure 15 10 Lewis Street, Horsham (proposed)



Source: Council's Part A submission (Document 8) Attachment E 'Submissions Response Table'

(ii) Evidence and submissions

The landowner opposed the Amendment because it:

- would result in further development in areas prone to flooding, impeding the course of flood waters and removing flood storage
- was inconsistent with guidelines that did not support greenfield development in flood affected areas and would expose residents to flood hazards
- would increase insurance premiums and potentially decrease property values
- was not feasible to raise existing dwelling floor levels.

Mr Hughes' evidence and Council's response to these issues is discussed in Chapter 3.

(iii) Discussion and conclusion

The Panel has addressed issues raised in relation to insurance, property values and floodplain development in Chapter 3.

For 10 Lewis Court the Amendment more accurately identifies the LSIO1 extent which includes a greater portion of the front and side/rear yards. The Panel considers that the proposed flood controls have been applied based on a sound flood analysis and modelling approach. The Panel agrees with Council's observation that the flood controls do not require the floor levels of existing dwellings to be lifted. As identified for other properties impacted from stormwater drainage, potential future drainage mitigation measures may assist but do not diminish the potential short to medium term risks and the strategic planning rationale for applying the LSIO1 remains sound.

The Panel concludes:

- The application of the LSIO1 to 10 Lewis Street is appropriate.

4.4.6 2/31 and 69 Major Mitchell Drive, Horsham**(i) The affected land**

Figure 16 2/31 Major Mitchell Drive, Horsham (proposed)



Source: Council's Part A submission (Document 8) Attachment E 'Submissions Response Table'

Figure 17 69 Major Mitchell Drive, Horsham (proposed)



Source: Council's Part A submission (Document 8) Attachment E 'Submissions Response Table'

(ii) Evidence and submissions

The landowners were concerned the Amendment would impact insurance premiums, would support development in the LSIO1 and apply the LSIO1 at a depth greater than in other areas of Victoria.

Council's response to these issues is summarised in Chapter 3. It submitted the application of the LSIO1 was an appropriate response to the level of risk and based on the flood study analysis and relied on the evidence of Mr Hughes.

(iii) Discussion and conclusions

The Amendment reduces the LSIO1 extent over 2/31 and 69 Major Mitchell Drive based on more detailed analysis of potential flooding events and local area attributes. The LSIO1 now extends over a very small portion of front setback garden of both properties excluding all existing buildings.

The Panel has addressed issues raised in relation to insurance, overlay application methodology and floodplain development in Chapter 3.

The Panel concludes:

- The proposed application of the LSIO1 to 2/31 and 69 Major Mitchell Drive is appropriate.

4.4.7 Market Lane, Madden Street, Rushbrook Close and Eastgate Drive precinct**(i) The affected land**

The Amendment proposes to replace the existing LSIO which extends across a residential precinct to the south of the Horsham Central Business District including properties in Market Lane, Rushbrook Close, Eastgate Drive and Madden Street with:

- the FO1 generally extends across waterways, some roadways and other lower lying areas
- the extent of the LSIO1 refined to a slightly reduced extent than the existing LSIO.

Figure 18 Market Lane and Rushbrook Close, Horsham (existing LSIO extent)

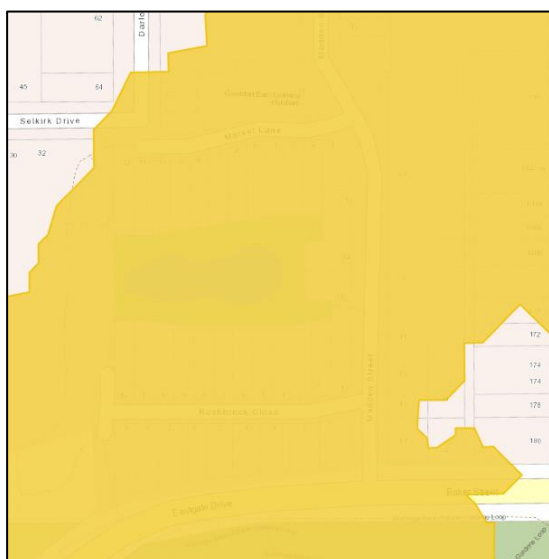


Figure 19 Market Lane and Rushbrook Close, Horsham (proposed)



Source: Interactive Flood Planning Controls Map, on the Horsham Rural City Council website project page and for Figure 23: Council's Part A submission (Document 8) Attachment E 'Submissions Response Table'

(ii) Evidence and submissions

Submissions were received from the landowners of 2, 3, 7, 8, 10 and 11 Market Lane and 7 Rushbrook Close, Horsham. Concerns raised many of the threshold issues discussed at Chapter 3 including the accuracy of modelling and the potential impacts of floodplain development and management (including of the Horsham Weir) on established areas.

The owner of 2 Market Lane provided a detailed submission to the Panel on the concerns of submitters within this precinct. In particular the submission was seeking to ensure that the LSIO1 was removed from the building footprint of 2 Market Lane and its neighbours consistent with floor level surveys and the subsequent review of flood levels by Water Technology and Council.

The evidence of Mr Hughes set out the basis on which flood levels were modelled and calibrated in the *Horsham and Wartook Valley Flood Investigation* and mapped including for the areas around Market Lane and Rushbrook Close. His evidence identified that for 7 Rushbrook Close, the flood height noted by the landowner matched modelling within 1 centimetre and confirmed that independent floor level surveys were undertaken to identify those above the 1% AEP flood level. He recommended removing the building footprints of those buildings (which were between 100 and 200 millimetres higher than the 1% AEP level) from the LSIO1 (as shown in the mapping changes in Appendix F) given their close proximity to each other, high site coverage (density) and limited opportunities for flood water movement between them. This position was supported by Council and the WCMA.

(iii) Discussion and conclusion

The dwellings in the Market Lane and Rushbrook Close area were generally built from 2007 after the 2006 flood study. The review of the proposed flood levels and controls were informed by independent floor level surveys, and their dense distribution provides a reasonable approach to reviewing the application of the LSIO1. It is an approach that appropriately balances the modelling with the existing built condition and the lower flood risk levels.

The Panel concludes:

- The LSIO1 should be removed from the building footprints on the following properties so no flood control applies, as proposed by Council and supported by the evidence of Mr Hughes (and included in Appendix F of this Report):
 - 1-12 Market Lane, Horsham
 - 12 Madden Street, Horsham
 - 1-12 Rushbrook Close, Horsham
 - 1-9 Eastgate Drive, Horsham.

4.4.8 62A McPherson Street, Horsham**(i) The affected land**

The Amendment removes DDO9 from the subject land. No other flood controls are proposed to apply.

(ii) Evidence and submissions

The landowner raised threshold issues discussed in Chapter 3 relating to insurance premiums, the threshold depth for the LSIO1 and that the proposed controls supported development.

(iii) Discussion and conclusions

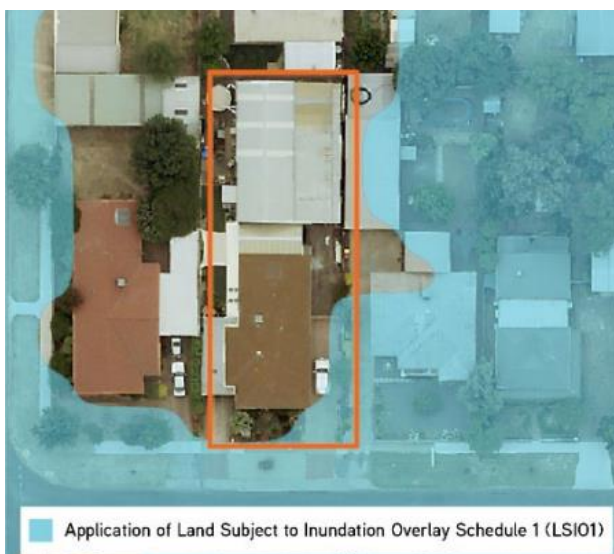
The Panel has addressed the issues raised in the landowner submission in Chapter 3. While the submission does not specifically address the impact of the Amendment on their property the Panel observes the Amendment removes an inappropriate tool to manage flooding, and in this instance based on flood modelling has not applied new flood controls to the property.

The Panel concludes:

- The removal of DDO9 from 62A McPherson Street, Horsham is appropriate.

4.4.9 3 Olga Avenue, Horsham**(i) The affected land**

Figure 20 10 Olga Avenue, Horsham (proposed)



Source: Council's Part A submission (Document 8) Attachment E 'Submissions Response Table'

(ii) Evidence and submissions

The landowner provided a detailed submission to the Panel which addressed threshold issues discussed in Chapter 3 including the localised flooding impacts resulting from floodplain development and management (including of stormwater). The submission was also concerned about the accuracy of modelling, noting that their property had been outside the 1% AEP in previous flood studies but was now identified as being included.

Council supported the basis of the flood modelling and mapping and proposed no changes in relation to the property.

(iii) Discussion and conclusion

The threshold issues identified in the submission are discussed in Chapter 3. The Panel supports the basis on which the flood modelling has been undertaken and LSIO1 mapping has been applied.

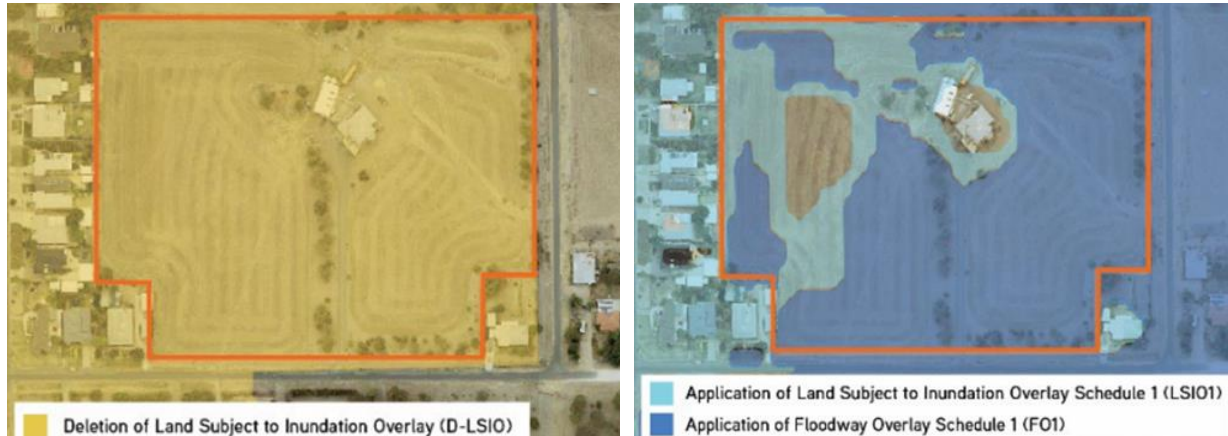
The Panel concludes:

- The proposed application of the LSIO1 to 10 Olga Avenue, Horsham is appropriate.

4.4.10 61 Pryors Road, Horsham

(i) The affected land

Figure 21 61 Pryors Road, Horsham (proposed)



Source: Council's Part A submission (Document 8) Attachment E 'Submissions Response Table'

(ii) Evidence and submissions

The landowners were concerned about the impact of the Amendment on a planning permit issued some 20 years ago for the staged subdivision of the site, 9 lots of which had already been created off Peppertree Lane. The landowner identified that financial contributions for headworks to enable the subdivision had already been paid and a pump installed but that they had been advised by Council that the planning permit may have lapsed. The landowners submitted they wished to work with Council to facilitate the subdivision of the balance of the land, which might involve reducing the number of lots.

The landowner raised concerns about flooding activity and extent resulting from the closure of the culvert under the railway line at Peppertree Lane to Police Paddock in Horsham North.

The evidence of Mr Hughes did not address the specific flood issues relating to the site. The culvert closure was considered necessary during flood events to avoid extensive flooding in Horsham North, an established and developing residential area.

Council advised that the exiting LSIO covering the site was:

- based on a 1981-82 flood study
- in place in the 1999 new format version of the Horsham Planning Scheme (Document 15)
- likely in place when the planning permit for subdivision was approved.

(iii) Discussion and conclusion

The Panel notes that 61 Pryors Road is roughly split in half between the General Residential Zone to the west and LDRZ to the east (which includes the existing dwelling). The Amendment mapping proposes the FO1 and LSIO1 cover a substantial portion of the property with the exception of two more elevated areas, one including the existing dwelling.

The Amendment retains the current LSIO requirement for a planning permit for development, subdivision and works and the consideration of flood impact for the property, although the Panel acknowledges that the application of the FO1 identifies a higher potential flood risk and contains more onerous requirements than the LSIO.

The basis for issuing the earlier subdivision planning permit and its legal status is outside the Panel's scope. The issue relating to impacts of the Amendment on development and floodplain management are discussed in Chapter 3.

The Panel supports the basis on which the flood mapping has been developed and its application to this property. The Amendment provides an appropriate basis for considering any future development on the property requiring a planning permit based on the consideration of:

- associated flood impacts
- other planning policies and provisions in the Horsham Planning Scheme, including those related to housing and settlement growth.

The Panel concludes:

- The proposed application of the FO1 and LSIO1 to 69 Pryors Road, Horsham is appropriate.

4.4.11 33 Rennison Street, Horsham

(i) The affected land

The Amendment retains the LSIO extent over the entire site.

(ii) Evidence and submissions

The landowners provided a submission to the Panel which included photographs of the property and Rennison Street following the 2011 floods. Their experience was that the flood reached their front porch but did not enter the house, carport or backyard and did not extend to the same extent it did for the adjacent property which had a lesser LSIO1 extent proposed.

The landowners submitted that the flooding impacts experienced in 2011 were a result of stormwater flooding and the closing of culverts to Police Paddock and Rasmussen Road in Horsham North, and the management of Horsham Weir.

Council supported the proposed LSIO1 mapping extent based on the flood modelling approach and evidence of Mr Hughes. Its response to threshold issues is discussed in Chapter 3.

(iii) Discussion and conclusions

The Amendment does not change the flooding controls currently applying other than simplifying them, reducing duplication and reducing the need for permits for more minor works. Application of the LSIO1 is considered an appropriate response to the modelled flood risk at a 1% AEP event.

Threshold issues are discussed in Chapter 3.

The Panel concludes:

- The proposed application of the LSIO1 to 33 Rennison Street, Horsham is appropriate.

4.4.12 3 and 5 Sloss Street, Horsham

(i) The affected land

Figure 22 3 and 5 Sloss Street, Horsham (proposed)



Source: Council's Part A submission (Document 8) Attachment E 'Submissions Response Table'

(ii) Evidence and submissions

Submitter 10 opposed the Amendment because of the potential impacts on the future site development for a factory or warehouse and associated impacts on land value. The submitter proposed stormwater flooding issues be dealt with by Council, and the land could be developed through raised floor levels or fill.

The evidence of Mr Hughes identified:

Submission 10 raised concerns around developability at 5 Sloss Street, Horsham, particularly around a small portion of FO at this address. No concerns were raised about the potential for the site to be inundated by a flood event. I reviewed the modelled 1% AEP depths, which were marginally over the 0.5m depth threshold and agreed the use of LSIO was more appropriate. It was agreed with Horsham Rural City Council to remove the FO and replace it with LSIO; ...

This change was supported by Council and the WCMA (refer mapping changes in Appendix F).

(iii) Discussion and conclusion

The proposed Council changes based on Mr Hughes' analysis of the marginal difference in the modelled flood depth threshold between applying FO1 and LSIO1 is considered a reasonable and balanced approach. Replacing the FO1 with the LSIO1 across 5 Sloss Street ensures that flood impacts from any future development of the land can be considered in a balanced way with other planning considerations at the permit stage.

The Panel concludes:

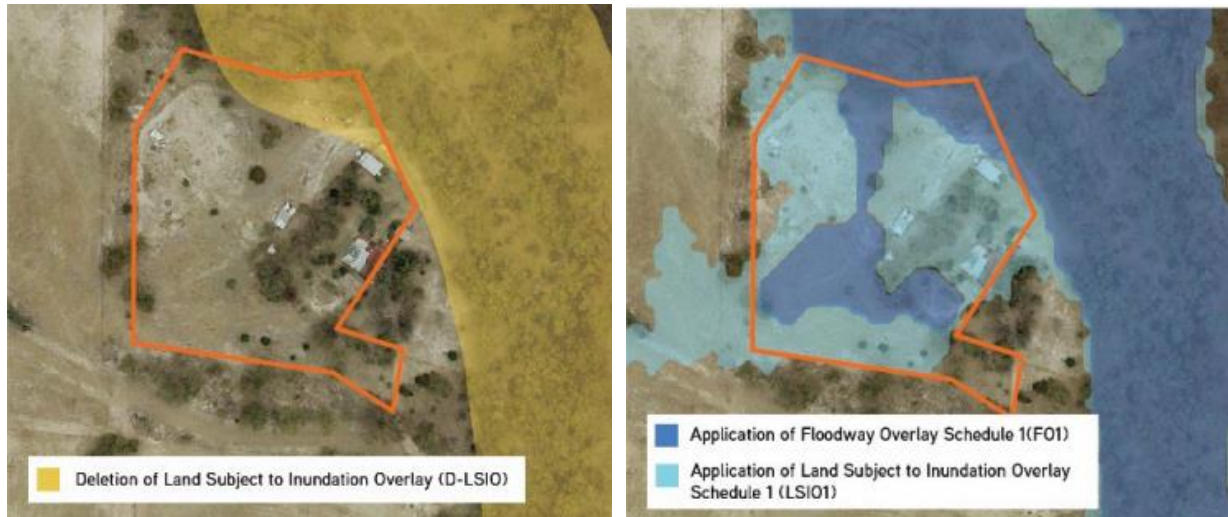
- The Panel supports substituting the FO1 on 5 Sloss Street with the LSIO1 proposed by Council and supported by the evidence of Mr Hughes and included in Appendix F of this Report.

4.5 Lower Norton

4.5.1 503 and 593 Three Bridges Road, Lower Norton

(i) The affected land

Figure 23 503 and 593 Three Bridges Road, Lower Norton (proposed)



Source: Council's Part A submission (Document 8) Attachment E -Submissions Response Table'

(ii) Evidence and submissions

The landowner considered:

- the Amendment had applied incorrect flood mapping to the property, with the house never having been flooded
- from the flood risk on the property was increased because of the condition of McKenzie Creek, including from wattle trees.

Council advised that a site inspection identified a levee protecting the buildings which had not been included in the modelling. Water Technology had subsequently reviewed the modelling and proposed amending the LSIO1 mapping to exclude land inside the levy bank around the existing dwelling. This approach was confirmed and supported by the evidence of Mr Hughes (who identified that the scale of grid mapping did not always pick up smaller features) and the WCMA (refer mapping changes in, Appendix F).

Council advised the landowner about the proposed refinement to the LSIO1 mapping. The landowner requested further modifications to the mapping extent, which were not supported by Water Technology. The further areas requested for exclusion were identified as being considerably lower than the areas previously identified as appropriate for removal and were prone to flooding and should therefore remain within the designated mapping areas.

Council submitted that issues related to vegetation within the river potentially contributing to flooding was a matter for the WCMA. Its submission set out the technical assessment and approval process by which works could be undertaken in a waterway, consistent with the *Victorian Floodplain Management Strategy*.

(iii) Discussion and conclusion

The proposed Council changes to the flood control extent on this property to reflect on ground conditions is an appropriate response and is supported. The further exclusions sought by the landowner have not been justified through the provision of appropriate information and are not supported.

The current condition of the waterway is matter that may be subject of future works, but it is not the basis for reducing the extent of potential flood prone area mapping (which is based on current conditions).

The Panel concludes:

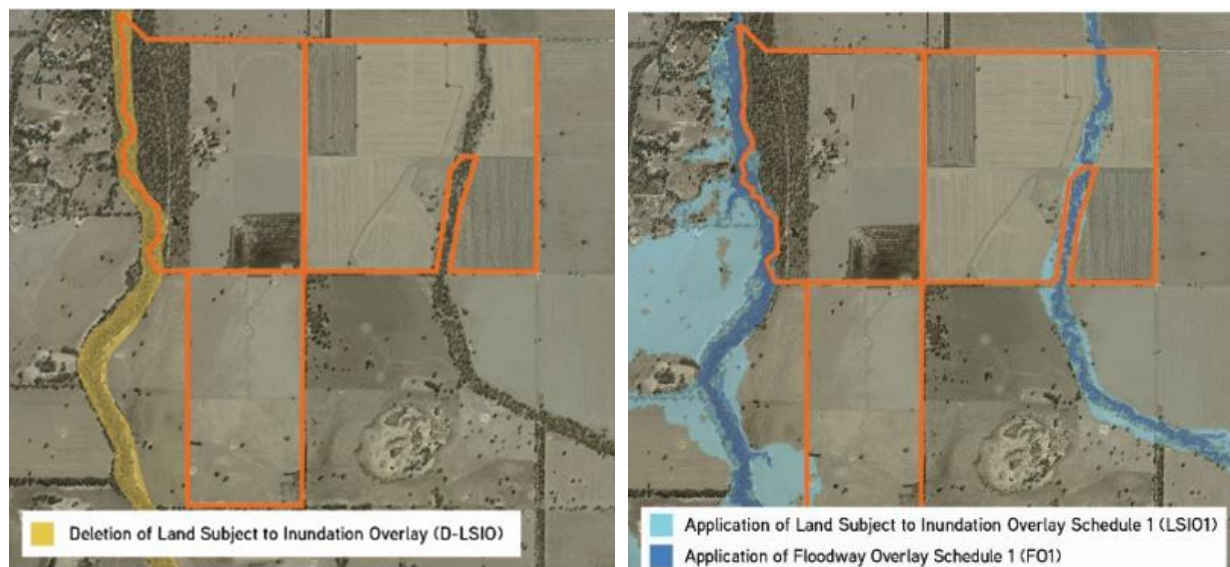
- The Panel supports Council's proposed changes to the LSIO1 mapping on 503 and 593 Three Bridges Road, Lower Norton. The changes are supported by the evidence of Mr Hughes and included in Appendix F of this Report.

4.6 McKenzie Creek

4.6.1 101 McKenzie Creek Reserve Road, McKenzie Creek and 820 Grahams Bridge Road, Bungalally

(i) The affected land

Figure 24 101 McKenzie Creek Reserve Road and 820 Grahams Bridge Road, Bungalally (proposed)



Source: Council's Part A submission (Document 8) Attachment E 'Submissions Response Table'

(ii) Submissions

The landowner identified potential future insurance impacts and impacts on farmers from the displacement of flood waters resulting from future development upstream in the floodplain. He also questioned the impact of the Amendment on the ability to construct an additional dwelling on the property although acknowledged that the proposed extent of the FO1 and LSIO1 was unlikely to impact this.

Council advised that the issue of a second dwelling should be managed through the planning permit process which would enable the consideration of an application taking into account flooding and other issues.

(iii) Discussion and conclusion

The Amendment has a marginal impact on the subject land with:

- a small area of FO1 extending from McKenzie Creek to the south-east corner
- the FO1 and LSIO1 extending along Bungalally Creek.

The Amendment is unlikely to have any material impact on the ability to construct buildings related to the rural land use outside the identified flood prone areas subject to the permit process. The construction of additional dwellings on the property is a planning permit matter and not relevant to the application of the proposed flood overlays.

The Panel has addressed common issues relating to insurance in Chapter 3.

The Panel concludes:

- The proposed application of the FO1 and LSIO1 to 101 McKenzie Creek Reserve Road, McKenzie Creek and 820 Grahams Bridge Road, Bungalally is appropriate.

4.7 Natimuk

4.7.1 333 Natimuk Hamilton Road, Natimuk

(i) The affected land

Figure 25 333 Natimuk Hamilton Road, Natimuk (proposed)



Source: Council's Part A submission (Document 8) Attachment E 'Submissions Response Table'

(ii) Evidence and submissions

The landowner sought the removal of the FO1 and LSIO1 from a disused dam that was obsolete.

Mr Hughes explained:

The submitter notes the layers include a dam which has been filled in, this dam was previously supplied with water through the GWMWater Stock and Domestic supply system. It was agreed with Horsham Rural City Council the LSIO and FO layers should be removed.

These changes to the extent of the FO1 and LSIO1 mapping were supported by Council and the WCMA (refer mapping changes in Appendix F).

(iii) Discussion and conclusions

The Panel supports the basis on which Council has proposed to amend the mapping extent of the FO1 and LSIO1 in response to the submission and further analysis by Mr Hughes.

The Panel concludes:

- The Panel supports Council's proposed changes to the LSIO1 and FO1 mapping on 333 Natimuk Hamilton Road, Natimuk. The changes are supported by the evidence of Mr Hughes and included in Appendix F of this Report.

4.7.2 767 Three Chain Road and 378 Lake Road, Natimuk**(i) The affected land**

Figure 26 767 Three Chain Road, Natimuk (proposed)

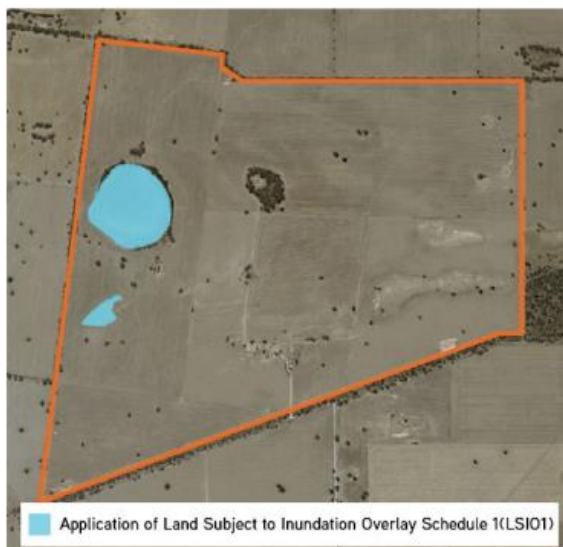
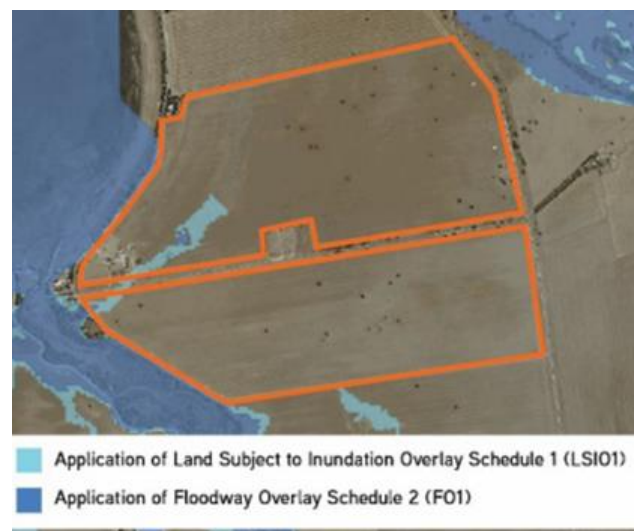


Figure 27 378 Lake Road, Natimuk (proposed)



Source: Council's Part A submission (Document 8) Attachment E 'Submissions Response Table'

(ii) Evidence and submissions

The landowner disputed the proposed flood mapping extent based on topography, observations over 47 years and removal of the Wimmera Mallee Channel system.

Mr Hughes reviewed the submission in relation to 767 Three Chain Road and identified:

It is important to note there are no proposed changes to the LSIO layer on the property, just an amendment to Schedule 1. However, review of the available topographic data does indicate the highlighted portion of the LSIO is not representative of an area likely to be

flooded. This area has been recommended for removal from the LSIO layer, and agreed by Horsham Rural City Council.

Council adopted Mr Hughes's evidence, but did not include reference in its submissions about the mapping change recommended by Mr Hughes to remove the LSIO1 over the small area to the south of the larger dam (identified in Appendix F) for 767 Three Chain Road.

In relation to 378 Lake Road, Mr Hughes identified that Council had agreed to remove a section of the LSIO1 and small portion of FO1 (refer to Appendix F) which he supported. This was confirmed in Council's submission and supported by the WCMA.

(iii) Discussion and conclusions

The Panel supports the process undertaken by Council to review submissions with input from Mr Hughes and the WCMA. It is unclear to the Panel why Council's submission did not include the mapping change supported by Mr Hughes for 767 Three Chain Road. The Panel is of the view that this was likely an oversight given:

- Council adopted the evidence of Mr Hughes and supported the methodology applied by him and Water Technology in the review of submissions
- Council did not ask him questions about this recommendation in his evidence
- Mr Hughes did not identify this recommended change was not supported by Council.

The Panel supports the evidence of Mr Hughes and the technical basis for his recommended changes for both 767 Three Chain Road and 378 Lake Road, Natimuk.

The Panel concludes:

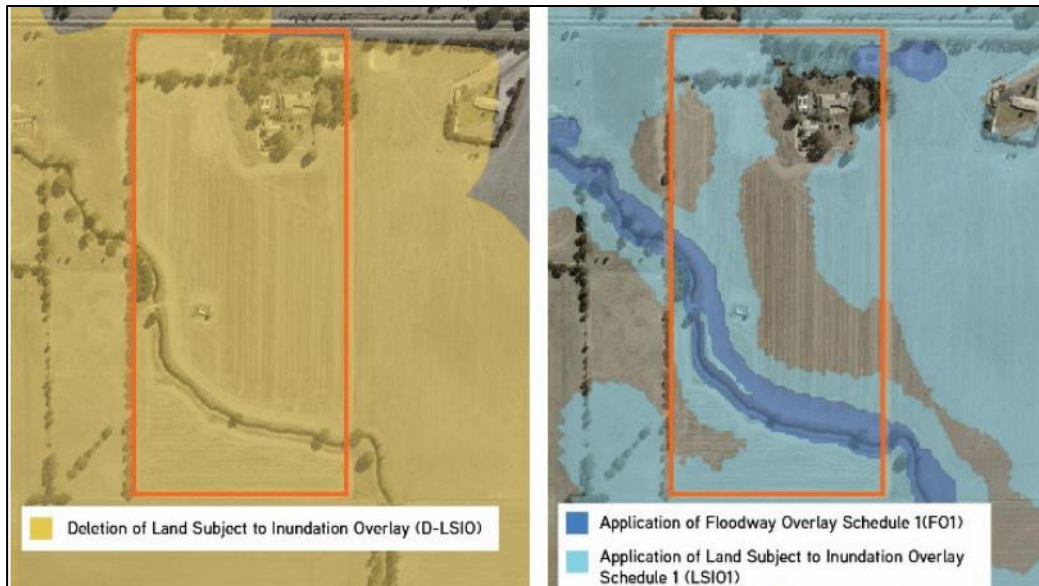
- The proposed application of the flooding controls to 767 Three Chain Road, Natimuk and 378 Lake Road, Natimuk is appropriate subject to the changes to the FO1 and LSIO1 supported by the evidence of Mr Hughes and included in Appendix F of this Report.

4.8 Riversdale

4.8.1 102 Horsham Lubeck Road, Riverside

(i) The affected land

Figure 28 102 Horsham Lubeck Road, Riverside



Source: Council's Part A submission (Document 8) Attachment E 'Submissions Response Table'

(ii) Submissions

The landowner's key concerns related to financial impacts relating to land value and future utilisation of the subject land. Council's submission to these issues is included in Chapter 3 and not repeated here.

(iii) Discussion and conclusion

As set out in Chapter 3 the Panel considers the basis for the flood controls is well considered and based on a robust approach to flood modelling. While the submission does not specifically address the impact of the Amendment on their property, the Panel observes that in relation to 102 Horsham Lubeck Road, Riversdale the mapping is more accurate and has resulted in a reduction of the existing LSIO1 extent including adjacent to the existing dwelling and limited the extent of FO1 to adjacent to the waterway.

The Panel has addressed common issues relating to insurance in Chapter 3.

The Panel concludes:

- The proposed application of the FO1 and LSIO1 to 102 Horsham Lubeck Road, Riversdale is appropriate.

Appendix A Submitters to the Amendment

No.	Submitter	No.	Submitter
1*	Acestarcom Pty Ltd	24	Rodney and Jenny Clarke
2*	Grampians Wimmera Mallee Water	25	Eric and Leanore Hedt
3	Uliana Ondrik	26	Ross Warrick
4	David Sudholz	27	Diane Hayes
5*	Kellie and Rohan Mann	28	Peter Hayes
6*	Lindsay and Susan Smiths	29	Colleen Dumesny
7*	Chris Schirmer	30	Michelle Rethus
8	Fuyuko Lehmann	31	Ken Shepherd
9	Michael Crook	32	Andrew Harrington
10	Barry and Kaye Hahne	33	Steve and Gloria McRae
11	Noel Maslamoney	34	Neville McIntyre
12	Helena Lindorff	35	Wayne and Maria Beddison
13	Angela Munn	36	Frances MacDonald
14	Brian and Pam Hedt	37	Lynley MacDonald
15	Beverley Bell	38	Dianne Bell
16	Greg Munn	39	Brian and Faye Eastwell and Patricia Brooksby
17	Brian Klowss	40*	Matt Perry and Kerry Friend
18	Tracey O'Callaghan	41	Jennifer Thomson
19	Beverley Shalders	42	Robin Barber
20	Denise Hobson \	43*	McKenzie Creek Quarrying Company
21	Katie Taylor	44	Department of Energy, Environment and Climate Action (DEECA)
22	Robyn Creek	45	VicTrack
23	Robyn Creek	46	Bipin Abraham

* Withdrawn submission

Appendix B Document list

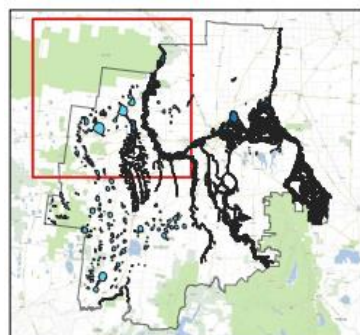
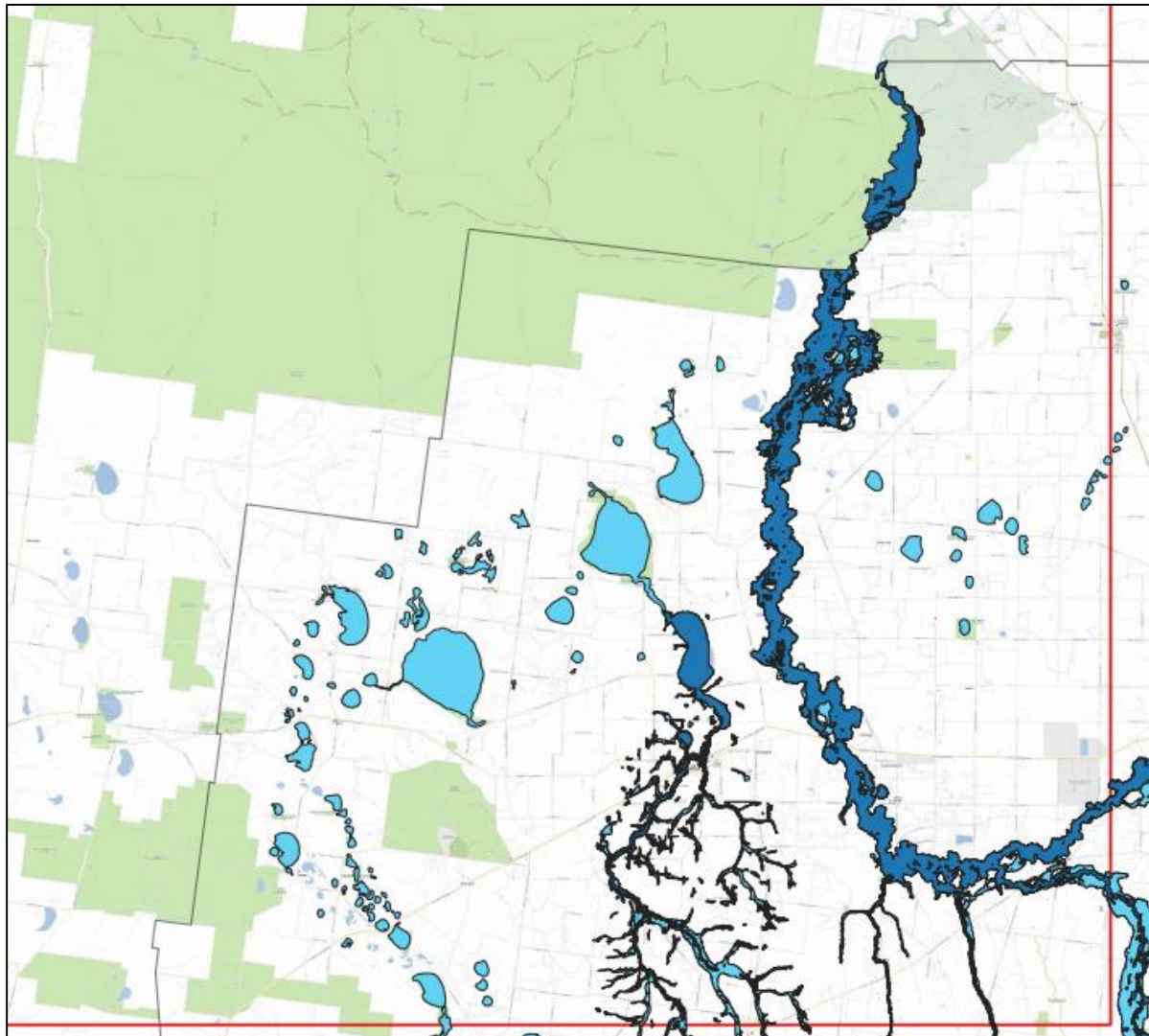
No.	Date	Description	Provided by
1	22 Aug 23	Panel Directions and Hearing Timetable (version 1)	Planning Panels Victoria (PPV)
2	22 Aug 23	Council report 24 July 2023	Horsham Rural City Council (Council)
3	1 Sep 22	Links to flood studies	Council
4	1 Sep 22	Consolidated overlay change maps (Maps 1-4)	Council
4	13 Sep 23	Site inspection route - table and maps	Council
5	13 Sep 23	Correspondence regarding WCMA attendance at Panel	Di Bell
6	27 Sep 22	Ben Hughes expert witness statement	Council
7	27 Sep 23	Updated Hearing Timetable (version 2) and distribution list	PPV
8	28 Sep 23	Council Part A submission and attachments	Council
9	28 Sep 23	Denise Hobson submission	Denise Hobson
10	2 Oct 23	Wayne and Maria Beddison submission	Wayne and Maria Beddison
11	4 Oct 23	Council Part B submission and attachments	Council
12	4 Oct 23	PowerPoint presentation of Mr Hughes	Council
13	5 Oct 23	Greg and Angela Munn submission	Greg & Angela Munn
14	5 Oct 23	Dianne and Melvin Bell submission and attachments	Dianne & Melvin Bell
14	6 Oct 23	Link to Bell submission photos and USB	Dianne & Melvin Bell
15	12 Oct 23	Additional information requested by Panel following Council submission: <ul style="list-style-type: none"> - citations for Panel reports referred to - extent of LSIO in August 1999 relating to Pryor Road area 	Council

Appendix C Proposed flood controls and study extents

C:1 Proposed overlay changes

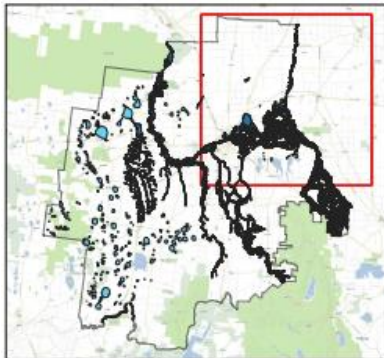
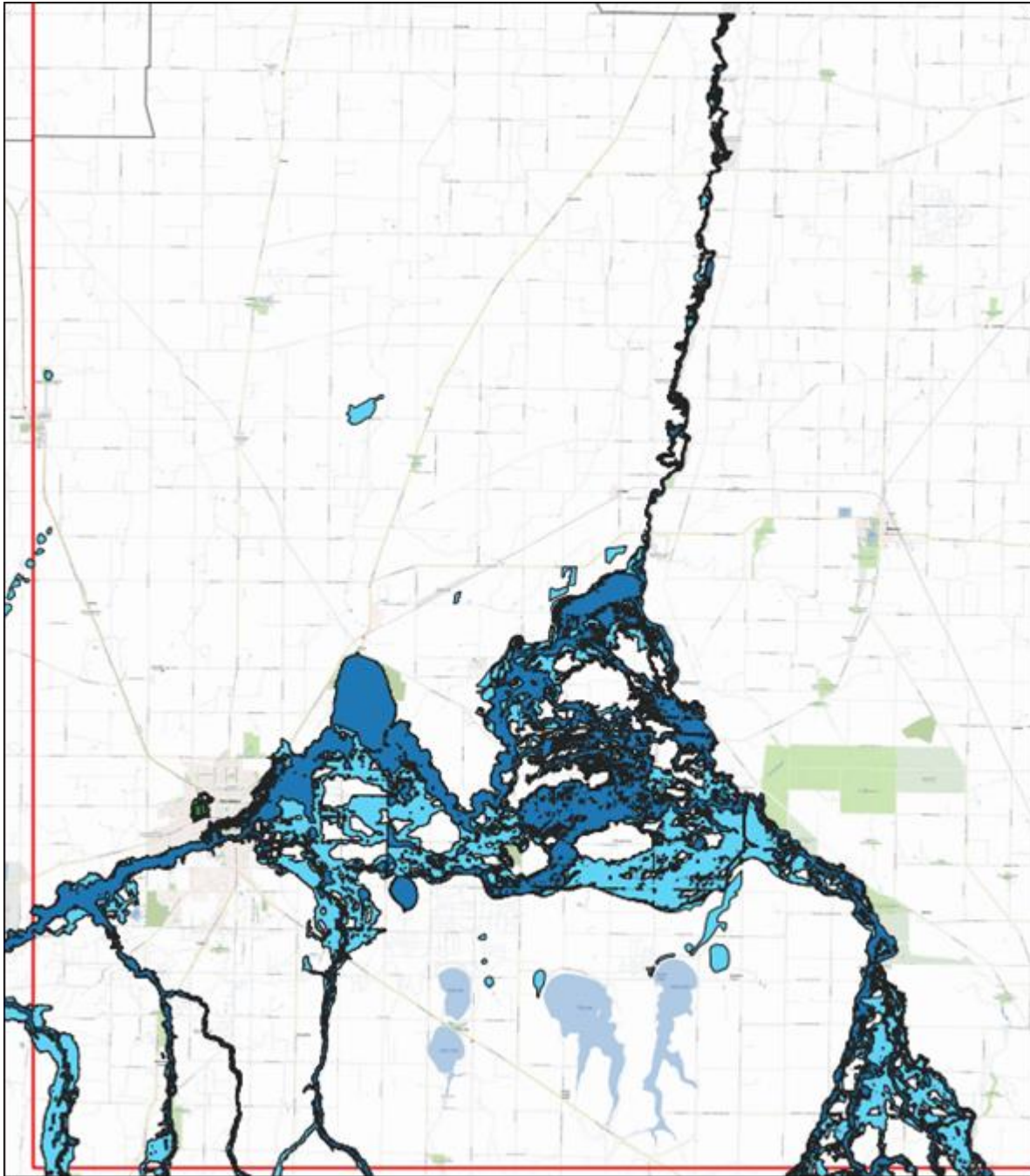
Note: Maps 1–4 include existing LSIO areas outside the flood study extents but which are to be retained unchanged. These areas are affected by the changes to the LSIO1 schedule. These maps were provided by Council (Document 4) in addition to the SBO1 mapping.

Land affected by Amendment (Map 1)



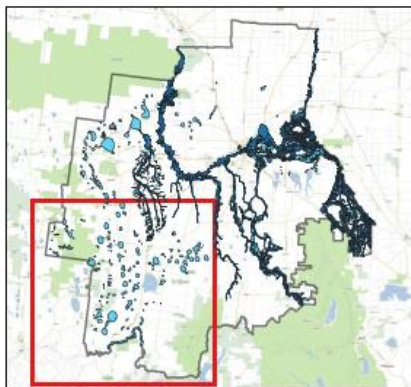
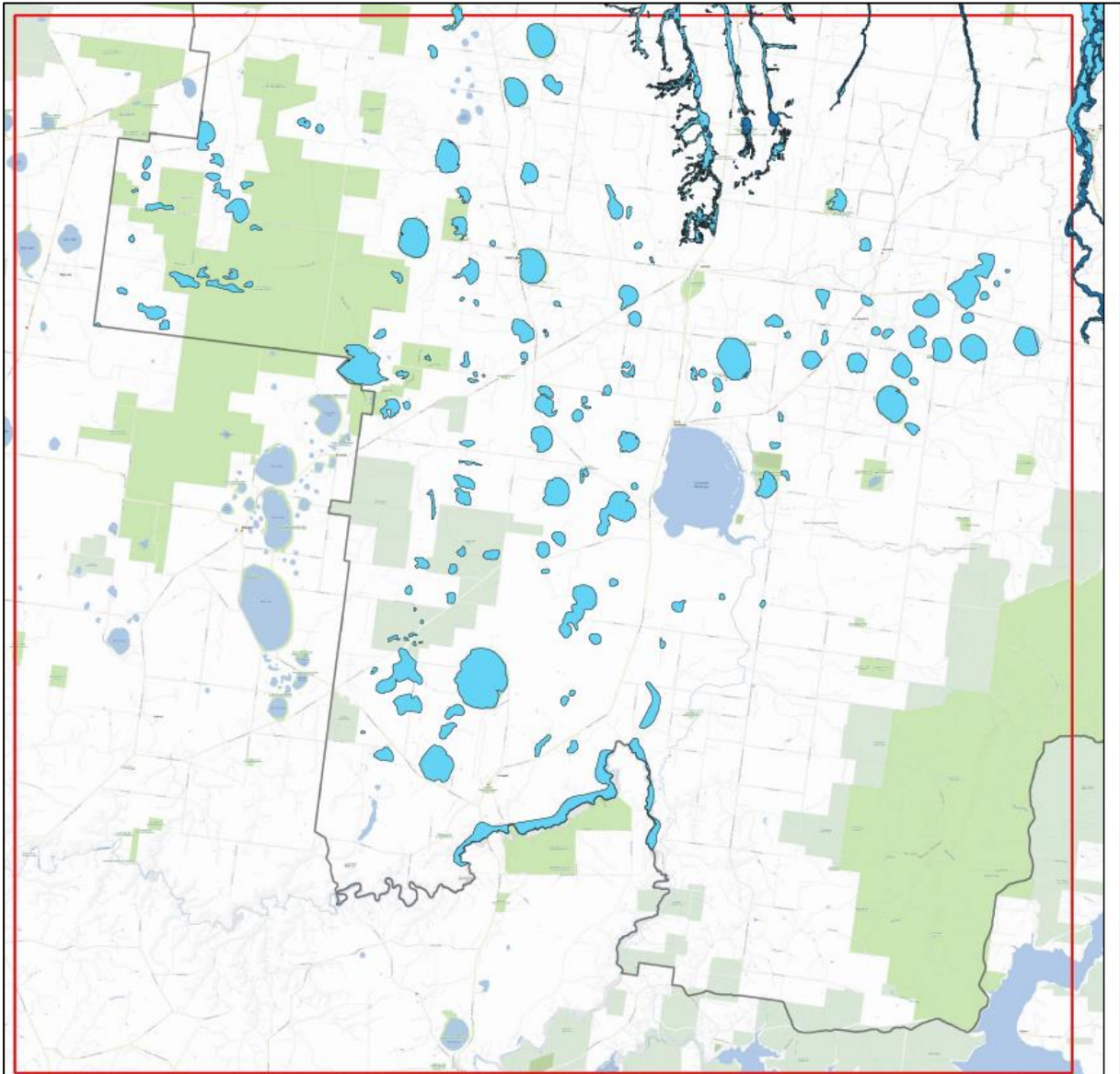
- New Floodway Overlay (FO1)
- New Land Subject to Inundation (LSIO1)
- HRCC Boundary

Land affected by Amendment (Map 2)



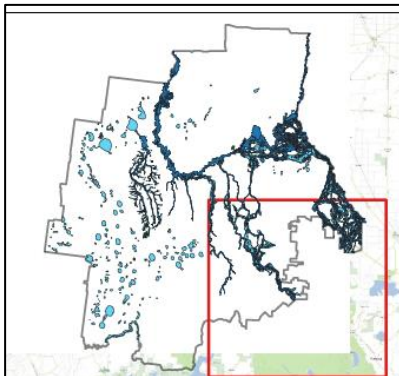
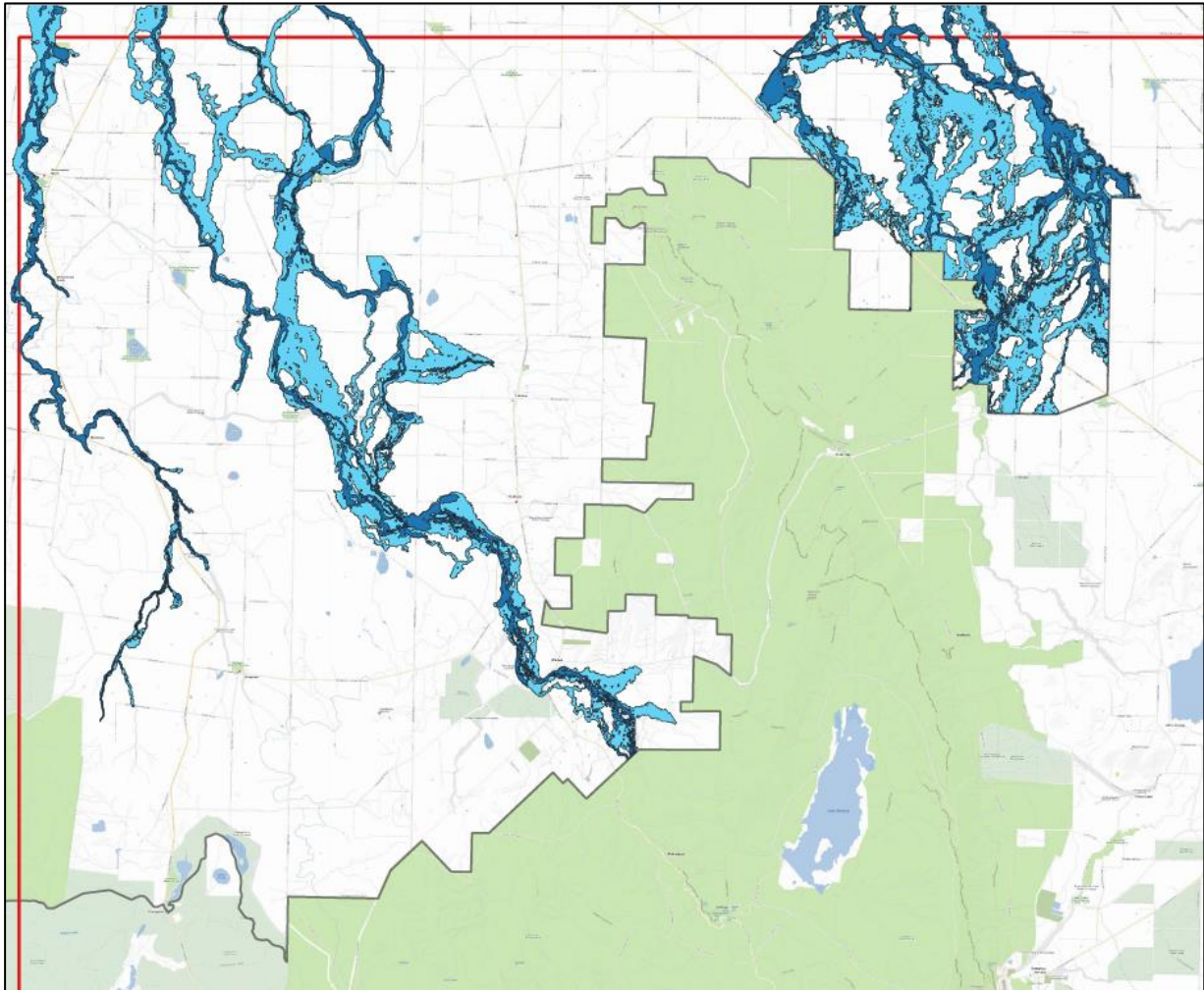
- New Floodway Overlay (FO1)
- New Land Subject to Inundation (LSIO1)

Land affected by Amendment (Map 3)



- New Floodway Overlay (FO1)
- New Land Subject to Inundation (LSIO1)

Land affected by Amendment (Map 4)



- New Floodway Overlay (FO1)
- New Land Subject to Inundation (LSIO1)

Proposed SBO1 mapping extent



Source: Council's Part A submission Attachment A (Document 8)

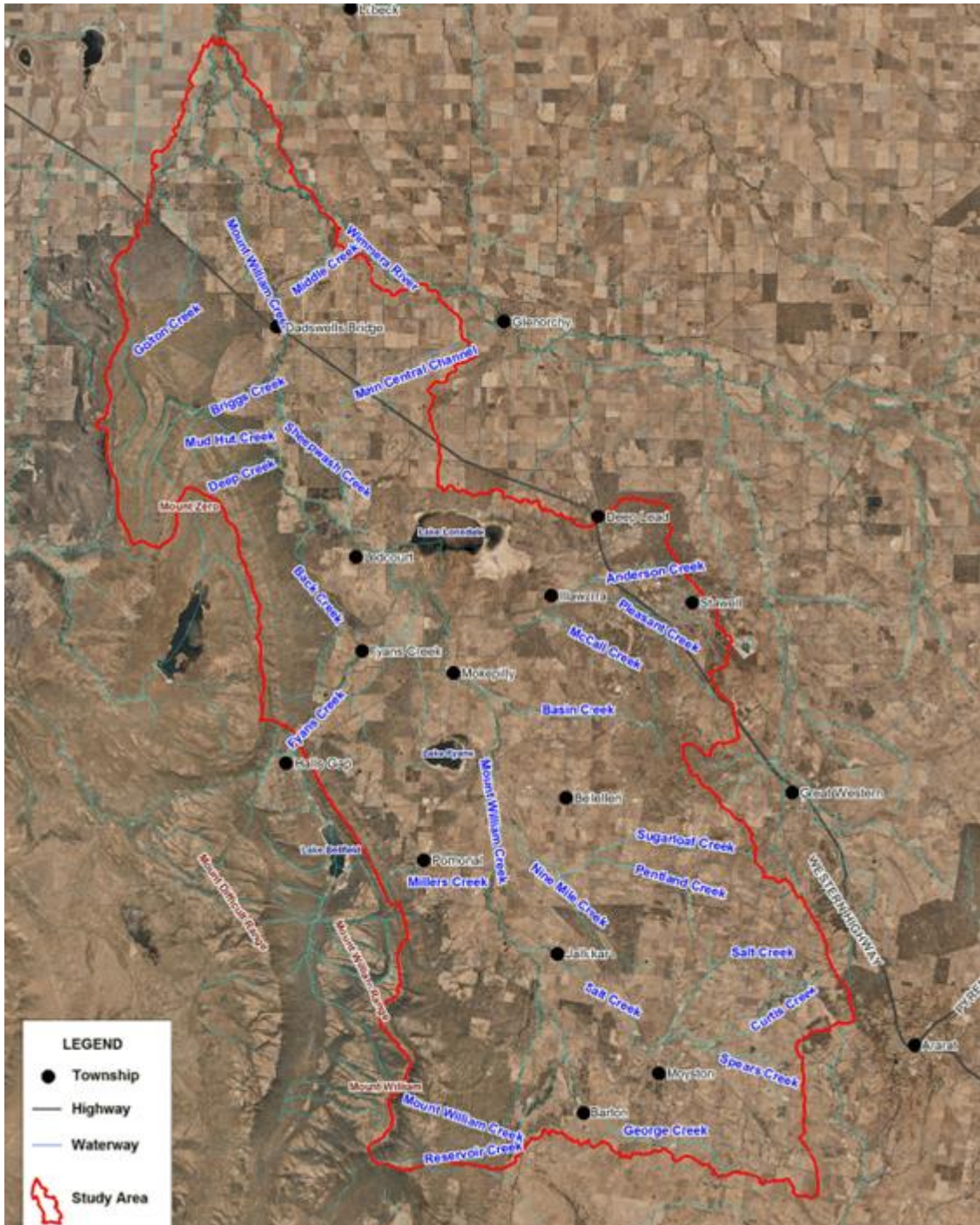
C:2 Flood studies

Horsham and Wartook Valley Flood Investigation study area



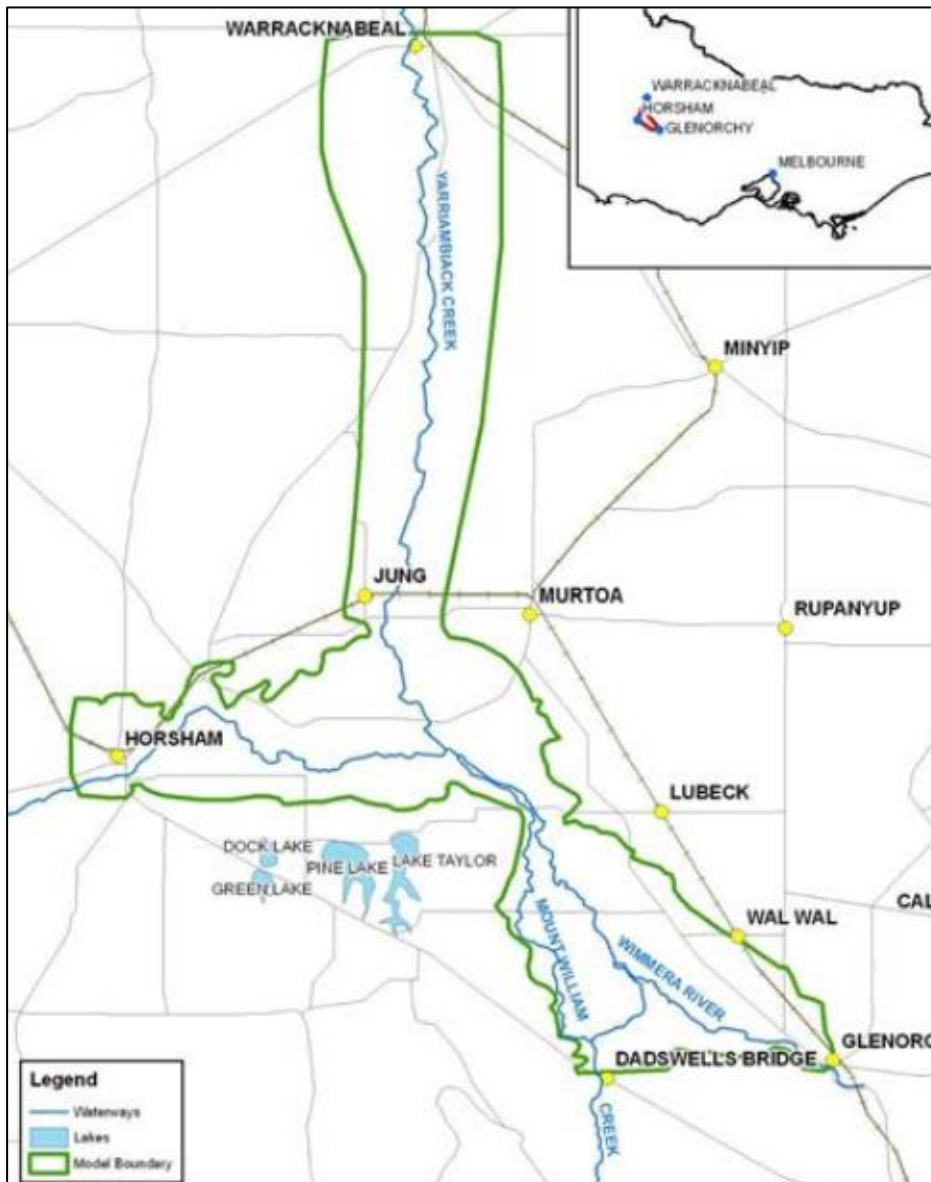
Source: Horsham and Wartook Valley Flood Investigation

Mount William Creek Flood Investigation study area



Source: Mount William Creek Flood Investigation

Wimmera River - Yarriambiack Creek Flow Investigation study area



Source: Wimmera River - Yarriambiack Creek Flow Investigation

Appendix D Planning context

D:1 Planning policy framework

Council submitted that the Amendment is supported by various clauses in the Planning Policy Framework, which the Panel has summarised below.

Victorian planning objectives

The Amendment:

- will assist in implementing State policy objectives set out in section 4 of the PE Act particularly:
 - To provide for the fair, orderly, economic and sustainable use, and development of land;
 - To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
 - To balance the present and future interests of all Victorians.
- is consistent with section 6 of the PE Act which identifies that planning schemes can provide for, among other things, the ability to regulate or prohibit any use or development in areas which are in or likely to become hazardous areas.

The Amendment responds to these objectives and responsibilities by:

Identifying flood related hazards within the municipality, and putting in place a decision making framework to manage use and development to ensure all people are provided with a safe environment, assets are appropriately designed and located, and future development does not compromise natural systems.

Assist[ing] landowners in understanding potential hazards and guiding development on their land and will assist Council and the Wimmera Catchment Management Authority in making more informed and effective decisions on development of land affected by flooding.

Consistent with Clause 71.02-1, the Amendment provides clear policy direction to ensure that development within the areas identified as flood prone from catchment and riverine sources are regulated in order to avoid hazard to human life and property and impacts on floodplain behaviour.

Clause 2 (Municipal Planning Strategy)

The Amendment supports the Municipal Planning Strategy by:

- protecting and promoting the municipality as a safe place to live, respecting and protecting the natural environment and considering the impacts of climate change consistent with Clause 02.02 (Vision)
- minimising flood risk and maintaining the capacity of the floodplain consistent with Clause 02.03-3 (Environmental risks and amenity).

Clause 11 (Settlement)

The Amendment supports Clause 11 by documenting the extent of flooding and the degree of risk from its impacts by using the FO for areas that are at risk of faster flood flows and depths and the LSIO for overflow areas. The SBO applies to land in urban areas liable to inundation by overland flows from the urban drainage system. This will ensure the planning of settlements has regard to health and safety and documenting the extent of flooding and the degree of risk from its impacts by using appropriate overlay controls.

Clause 13 (Environmental Risk and Amenity)

The Amendment supports Clause 13 by:

- providing a framework for the inclusion of flood provisions
- being consistent with the objectives of Clause 13.03-1S (Floodplain Management) by:
 - protecting life, property and community infrastructure from flood hazard
 - maintaining the natural flood carrying capacity of rivers, streams and floodways
 - protecting the flood storage function of floodplains and waterways
 - providing an improved basis for minimising flood damage
 - continuously improving the planning scheme with the best available information of this environmental risk
- implementing Clause 13.03-1L (Floodplain management – Horsham) which supports the application of the FO1, LSIO and DDO9 and associated strategies and policy guidelines. The Amendment proposes to delete this policy on the basis the policy guidelines can be included as policy objectives or decision guidelines in the schedules.

D:2 Planning scheme provisions

The existing FO1 and LSIO apply to 12,816 properties within the municipality.

A common overlay purpose is to implement the Municipal Planning Strategy and the Planning Policy Framework.

i) Floodway Overlay

The purposes of the FO are:

To identify waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding.

To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.

To reflect any declarations under Division 4 of Part 10 of the *Water Act, 1989* if a declaration has been made.

To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

The FO allows a schedule to contain:

- floodway management objectives to be achieved
- a statement of risk.

The FO requires a permit to construct a building or to construct or carry out works (unless a schedule states that a permit is not required).

Where a local floodplain development plan has not been prepared a permit application must be accompanied by a flood risk report.

Permit applications must be referred to the relevant floodplain management authority.

The current FO1 contains no floodway objectives or statement of risk. It includes exemptions for a range of buildings and works and includes application requirements for:

- a flood risk report
- site description
- elevation and construction details
- report demonstrating fences will not obstruct flood flows.

The Amendment proposes extensive changes to FO1.

ii) Land Subject to Inundation

The purposes of the LSIO are:

To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To minimise the potential flood risk to life, health and safety associated with development.

To reflect a declaration under Division 4 of Part 10 of the *Water Act, 1989*.

To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.

The LSIO allows a schedule to contain:

- floodway management objectives to be achieved
- a statement of risk.

The LSIO requires a permit to construct a building or to construct or carry out works (unless a schedule states that a permit is not required).

Permit applications must be referred to the relevant floodplain management authority.

The current LSIO schedule contains no floodway objectives or statement of risk. It includes exemptions for a range of buildings and works and includes application requirements consistent with the FO.

The Amendment proposes extensive changes to the LSIO schedule.

iii) Special Building Overlay

The Amendment proposes to introduce the SBO. The purposes of the SBO are:

To identify land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

The SBO allows a schedule to contain:

- floodway management objectives to be achieved
- a statement of risk.

The Special Building Overlay requires a permit to construct a building or to construct or carry out works (unless a schedule states that a permit is not required).

Permit applications must be referred to the relevant floodplain management authority.

The proposed Schedule 1 to the Special Building Overlay contains no floodway objectives or statement of risk. It includes exemptions for a range of buildings and works and includes application requirements consistent with the FO1 and LSIO1.

It includes within the decision guidelines consideration of the *Guidelines for Development in Flood-Affected Areas* DELWP, 2019. The same guidelines are proposed to apply to the amended FO1 And LSIO1.

iv) Background documents

The following flood studies are background documents identified in the Schedule to Clause 72.08 (Background documents):

- Mount William Creek Flood Investigation (BMT WBM, December 2014)
- Natimuk Flood Investigation Study Report (Water Technology, 2013)
- Wimmera River - Yarriambiack Creek flow modelling Study report (Water Technology, June 2009).

The Amendment proposes to add three additional flood studies to the schedule.

v) Further strategic work

The Schedule to Clause 74.02 (Further strategic work) identifies the following strategic work to be undertaken:

Complete flood investigations and develop provisions to protect areas from flood hazards and support floodplain function as recommended in:

- *East Horsham Drainage Recommendation Report* (2013).
- *East Horsham Flood Intelligence Report* (2013).
- *Horsham Flood Study (Wimmera Catchment Management Authority, 2003)*.
- *Natimuk Flood Investigation* (Water Technology, 2013).
- *Mount William Creek Flood Investigation* (Water Technology, 2014).
- *Wimmera Floodplain Management Strategy* (Wimmera Catchment Management Authority, 2012).

Identify the full extent of areas where overland flooding and stormwater management issues occur to inform application of the Special Building Overlay.

The Amendment proposes to delete references to all but the East Horsham Drainage Recommendation Report flood studies and retain the Special Building Overlay work.

vi) Victorian Floodplain Management Strategy

The *Victorian Floodplain Management Strategy*, DELWP, 2016 sets the direction for floodplain management in Victoria. The relevant parts relating to flood mapping and the application of planning controls are:

- 'Assessing flood risks and sharing information', which provides the technical basis for assessing flood risk and commits to sharing flood risk information. It sets the framework to prioritise flood mitigation activities based on the level of flood risk.

- ‘Avoiding or minimising future risks, through the use of planning controls to manage the potential growth in flood risk’. It sets accountabilities in land use planning to avoid increased stormwater runoff from new developments.

Clause 13.03-1S requires consideration of the Strategy. Council identified that while some of the flood studies undertaken on behalf of the WCMA were completed prior to the final *Victorian Floodplain Management Strategy* in 2016, each study identifies appropriate flood response based on risk using widely accepted methodology.

D:3 Ministerial Directions, Planning Practice Notes and guides

i) Ministerial Directions

The Explanatory Report states the Amendment meets the relevant requirements of Ministerial Direction 11 (Strategic Assessment of Amendments) and the Ministerial Direction on the Form and Content of Planning Schemes (section 7(5) of the Act) through the drafting of the overlay schedule provisions, the use of the Municipal Planning Strategy and the mapping.

Council submitted:

The FO and LSIO schedules were completely re-written to ensure compliance with the Ministerial Direction on the Form and Content of Planning Schemes. The Department of Energy, Environment and Climate Change (DEECA) were consulted in the preparation of all amendment documentation and authorised the amendment subject to conditions which has been complied with.

ii) Planning Practice Notes

The Explanatory Report states the Amendment has considered the relevant requirements of *Planning Practice Note 46: Strategic Assessment Guidelines, August 2018 (PPN46)*. That discussion is not repeated here.

Planning Practice Note 12: Applying the flood provisions in planning schemes

This practice note provides guidance about applying the flood provisions in planning schemes including the preparation of policy, identifying land affected by flooding, preparing a local floodplain development plan and the application and operation of the flood provisions, including the preparation of schedules:

Which flood zone or overlay should apply?

The nature of the flood risk and the type of flood information available will determine how and to what extent the flood provisions are applied in the planning scheme. The flood zone and overlay provisions ensure that the use and development of land subject to inundation is made compatible with the level of flood risk through the planning permit process. The UFZ applies to urban areas where the potential flood risk is high and strict controls over land use are required. The three overlays (FO, LSIO and SBO) cover a range of situations in both urban and rural areas where the potential flood risk is less than in the UFZ, and where control over development (buildings, works and subdivision) and not land use, is sufficient. One or more of these tools can be applied to cover a particular flooding situation.

Urban Floodway Zone

The UFZ applies to mainstream flooding in urban areas where the primary function of the land is to convey active flood flows. It applies to urban floodway areas where the potential flood risk is high due to the presence of existing development or to pressures for new or more intensive development. The UFZ restricts the use of such land, as the risk associated with flooding renders it unsuitable for any further intensification of use or development. The land use is therefore restricted to activities such as apiculture, animal husbandry and

recreational activities. Most other uses are prohibited ,, Sometimes the UFZ can cover the full extent of land subject to inundation, including situations where the floodplain is relatively narrow and deep. The UFZ is not widely used due to its restrictive nature. As an alternative, a flood overlay can be used in conjunction with an appropriate zone (such as the Floodway Overlay and the Public Park and Recreation Zone) to enable the primary use of the land to be recognised at the same time as acknowledging its flooding characteristics.

Floodway Overlay

The FO applies to mainstream flooding in both rural and urban areas. These areas convey active flood flows or store floodwater in a similar way to the UFZ, but with a lesser flood risk. The FO is suitable for areas where there is less need for control over land use, and the focus is more on control of development. As with the UFZ, in some cases the FO can cover the full extent of land subject to inundation, for example, in situations where the floodplain is relatively narrow and deep. The FO can be applied in three situations ... [diagrams referred to]

Land Subject to Inundation Overlay

The LSIO applies to mainstream flooding in both rural and urban areas. In general, areas covered by the LSIO have a lower flood risk than UFZ or FO areas. The LSIO can be applied in three situations ... [diagrams referred to]

Special Building Overlay

The SBO applies to stormwater flooding in urban areas only. Before 1975, drainage systems were designed to a lower standard than those used today. Often they were designed for a five-year ARI storm capacity, and sometimes for a lesser standard. Usually no provision was made for overland flows, so land is often flooded when the capacity of the underground drainage system is exceeded. With the redevelopment of existing urban areas and the proposed development of new areas, there will be pressure to develop within overland flowpath areas. The purpose of the SBO is to manage development in these areas. While the SBO is primarily intended for overland flow path areas in the Melbourne metropolitan area, it can also be applied to urban areas affected by stormwater flooding in regional towns.

Planning Practice Note 11: Applying for a planning permit under the flood provisions

This practice note provides a guide for councils, referral authorities and applicants, including explanation of the requirements of the flood provisions and about making an application for a planning permit where flooding is a consideration and about how an application will be assessed.

iii) Guidelines for Development in Flood-Affected Areas

The *Guidelines for Development in Flood-Affected Areas*, DELWP, 2019 provide an assessment framework and method to assist decisions on development in flood affected areas. The purpose of the guidelines is to provide a clear, consistent and transparent process for managing land use and development in flood affected areas in Victoria. They are intended to be used with the land use planning and development system.

The guidelines comprise three parts:

- Part One introduces the guidelines, plus basic information on flood risk management and climate change
- Part Two contains information on the regulatory framework used in decision-making and the administrative processes for preparing, assessing and reviewing planning permits
- Part Three provides the methodology used by floodplain management authorities when assessing development proposals referred to them based on four objectives:
 - safety
 - flood damage
 - off-site impacts
 - waterway and floodplain protection.

iv) Practitioner's Guide

The Practitioner's Guide sets out key guidance to assist practitioners when preparing planning scheme provisions. The guidance seeks to ensure:

- the intended outcome is within scope of the objectives and power of the PE Act and has a sound basis in strategic planning policy
- a provision is necessary and proportional to the intended outcome and applies the VPP in a proper manner
- a provision is clear, unambiguous and effective in achieving the intended outcome.

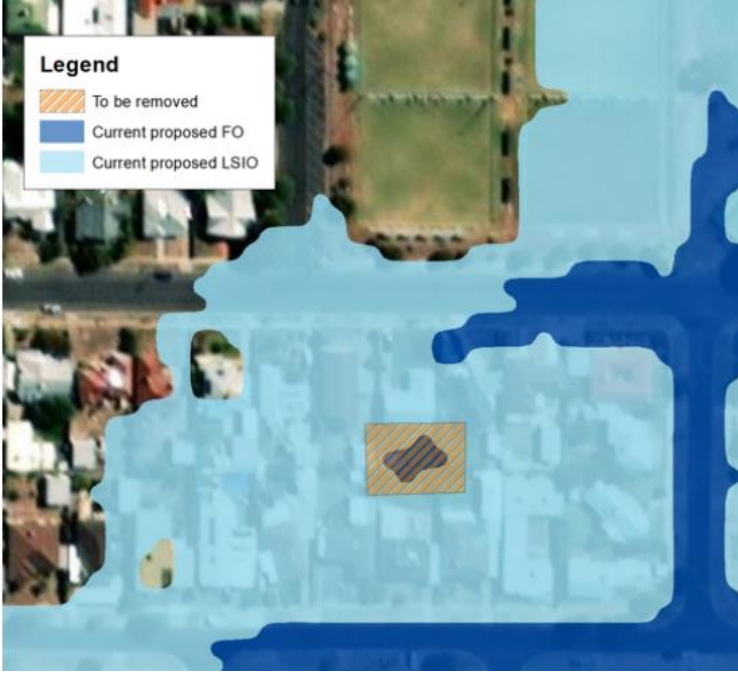

Council submitted the Amendment documentation is consistent with the Practitioner's Guide.

D:4 Other amendments and strategic projects

Council advised that the Amendment did not have any impact on the following amendments or strategic projects:

- Amendment C82hors correcting errors and anomalies in the Horsham Planning Scheme
- review of the Horsham Planning Scheme
- Horsham South Structure Plan.

Appendix E Council proposed post-exhibition mapping changes (Withdrawn submissions)

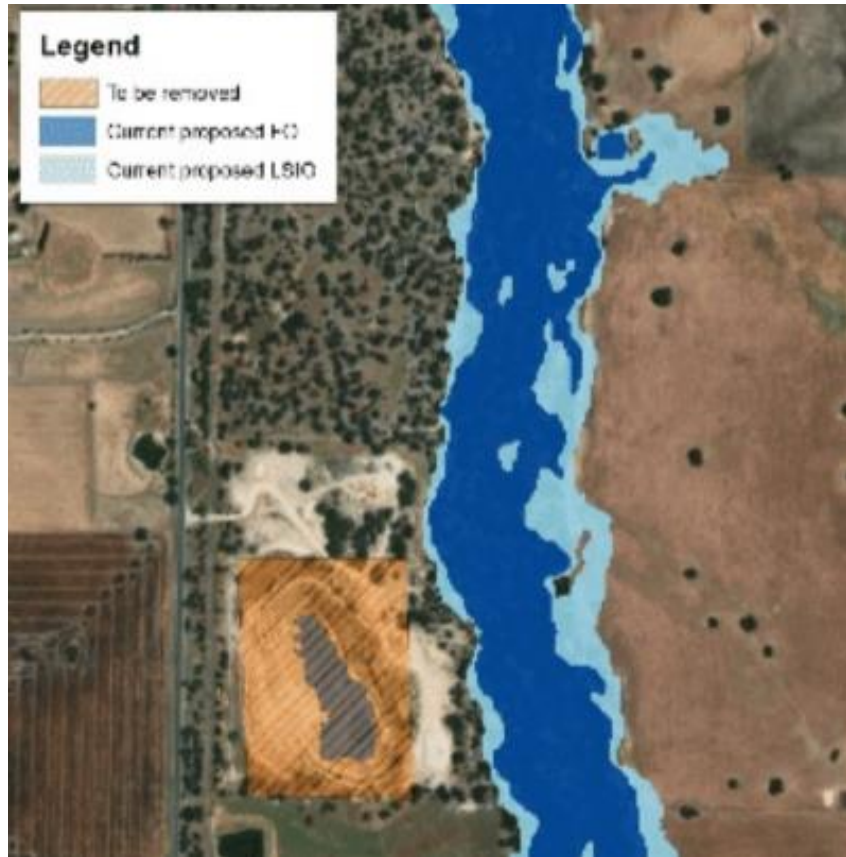
Property	Summary of Council’s proposed mapping changes
55 Baille Street, Horsham	<p data-bbox="507 495 863 521">Remove FO1 from the backyard</p> 
14 Wotonga Drive, Horsham	<p data-bbox="507 1223 1086 1249">Remove section of LSIO1 from east side of property</p> 

Property

Summary of Council’s proposed mapping changes

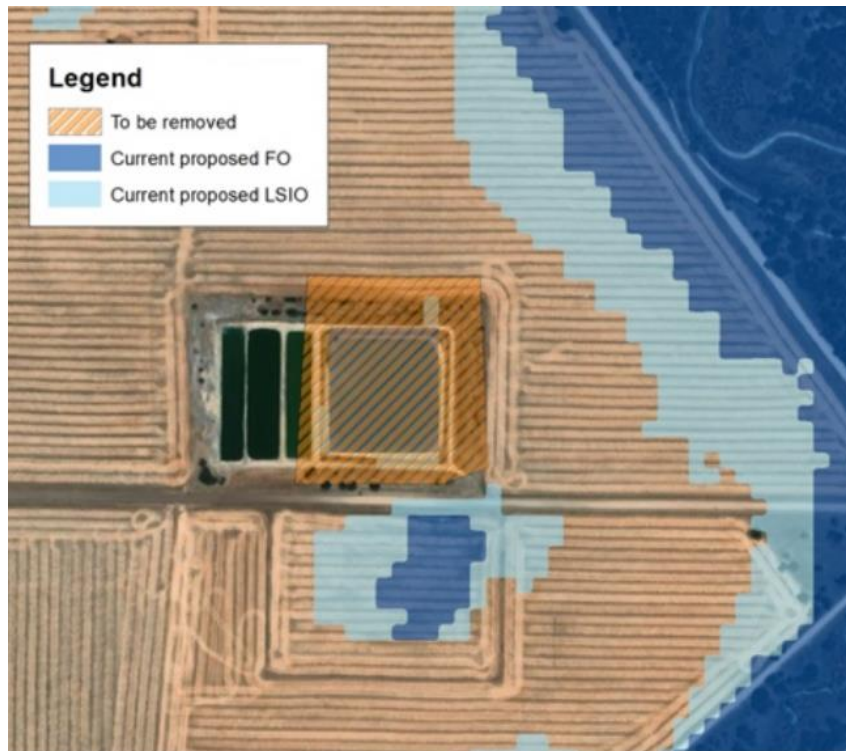
3912 Henty Highway,
McKenzie Creek

Remove FO1 from quarry hole



Berry Lane, Natimuk

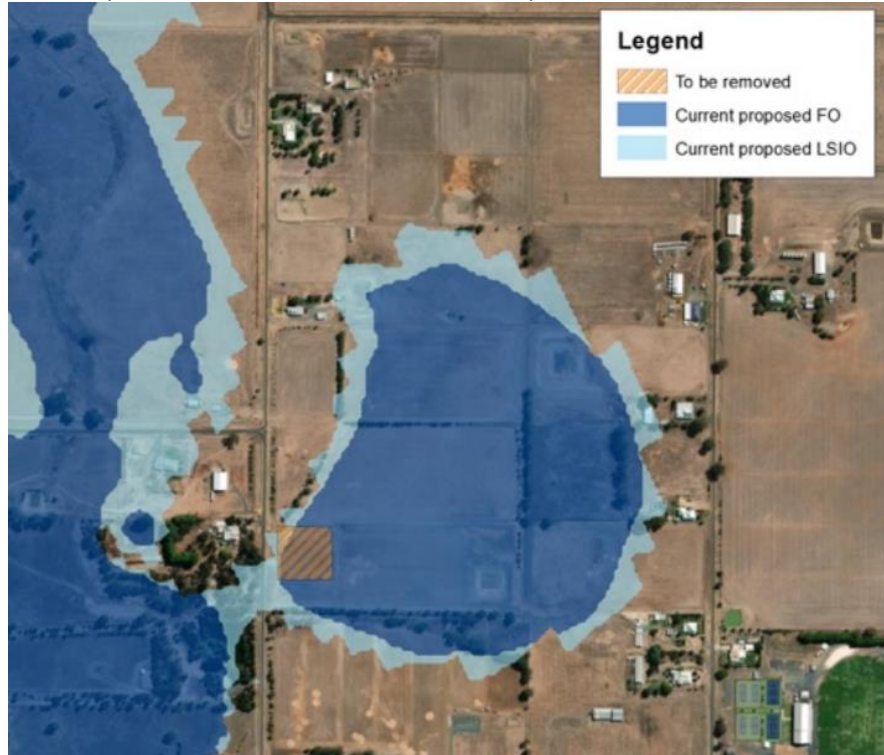
Remove FO1 and LSIO1 from wastewater storage basin north of Berry Lane



Property **Summary of Council’s proposed mapping changes**



173 Hughes Road,
Quantong

Remove portion of FO1 and LSIO1 from house pad



Note: Maps included with Council’s Part A submission Attachment E (Document 8)

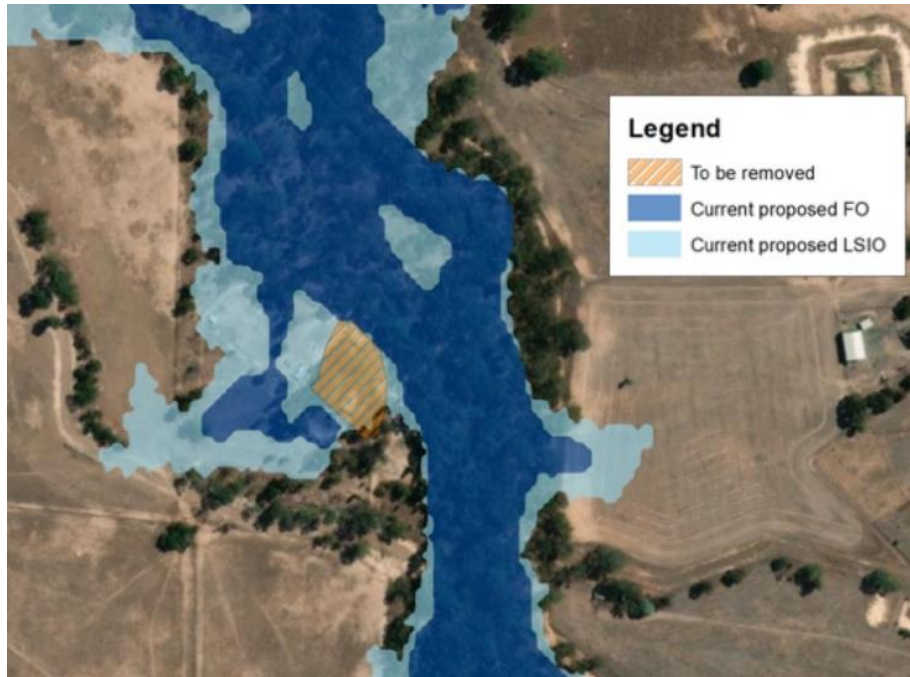
Appendix F Council proposed post-exhibition mapping changes (other submissions)

Property	Summary of Council’s proposed mapping changes
<p>1-12 Market Lane, Horsham, 12 Madden Street, Horsham, 1-12 Rushbrook Close, Horsham and 1-9 Eastgate Drive, Horsham</p>	
<p>5 Sloss Street, Horsham</p>	

Property

Summary of Council’s proposed mapping changes

503 Bridges Road,
Lower Norton



333 Natimuk Hamilton
Road, Natimuk

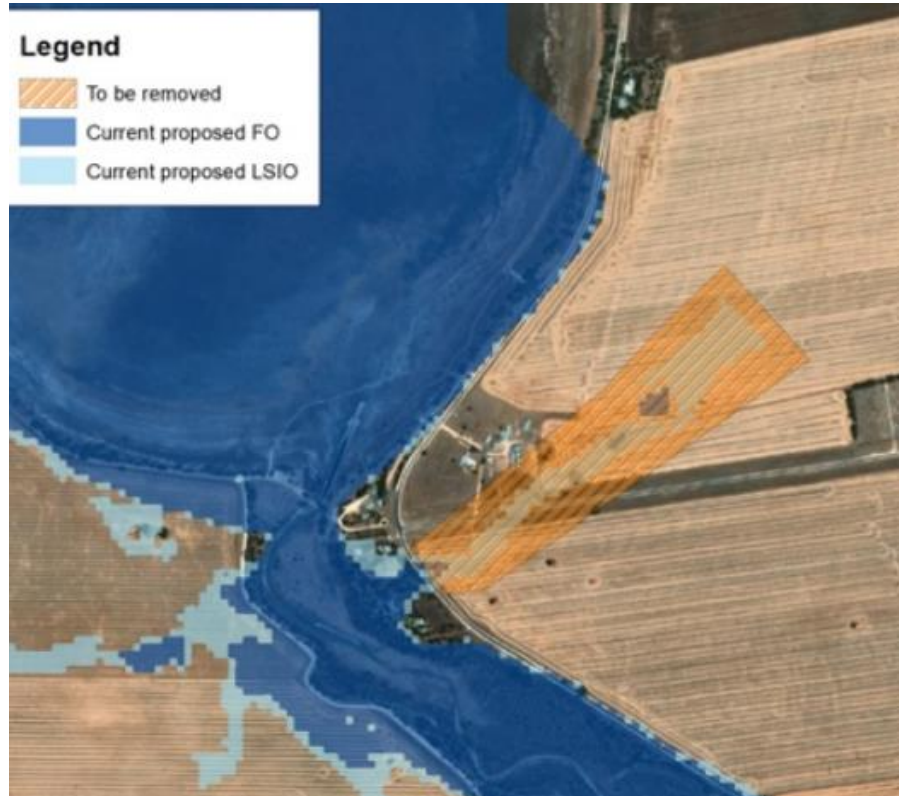


Property **Summary of Council’s proposed mapping changes**

767 Three Chains Road,
Natimuk Delete LSIO1 from area within black box



378 Lake Road, Natimuk



Note: Maps included with Council’s Part A submission Attachment E (Document 8) and Figure 8-5 in the evidence statement of Mr Hughes (Document 6) for 767 Three Chains Road, Natimuk



COUNCIL MEETING DATES 2024

Month	Date	Day	Meeting	Venue	Time
January	29	Monday	Council Meeting	Civic Centre Horsham	5:30pm
February	26	Monday	Council Meeting	Civic Centre Horsham	5:30pm
March	25	Monday	Council Meeting	Civic Centre Horsham	5:30pm
April	22	Monday	Council Meeting	Civic Centre Horsham	5:30pm
May	27	Monday	Council Meeting	Civic Centre Horsham	5:30pm
June	24	Monday	Council Meeting	Civic Centre Horsham	5:30pm
July	22	Monday	Council Meeting	Civic Centre Horsham	5:30pm
August	26	Monday	Council Meeting	Civic Centre Horsham	5:30pm
September	23	Monday	Council Meeting	Civic Centre Horsham	5:30pm
October	21	Monday	Council Meeting	Civic Centre Horsham	5:30pm
November	21	Thursday	Meeting to Elect the Mayor	Civic Centre Horsham	5:30pm
November	25	Monday	Council Meeting	Civic Centre Horsham	5:30pm
December	16	Monday	Council Meeting	Civic Centre Horsham	5:30pm

*Adopted by Council: 18 December 2023

1. PURPOSE

The Horsham Rural City Council (HRCC) Community Grants Program helps groups in the local government area to improve community facilities and work together for more engaged and healthy communities.

This policy provides the framework for the delivery of Council's four community grants streams. This policy should be read in conjunction with the guidelines for each stream:

1. Community Development (*insert hyperlink*)
2. Community Events (*insert hyperlink*)
3. Youth (*insert hyperlink*)
4. Quick response small grants (*insert hyperlink*)

2. INTRODUCTION

The HRCC Community Grants Program allocates grants to local not-for-profit organisations each year, across four streams. This policy outlines the funding priorities, eligibility, application requirements, assessment criteria, grant approval and payment processes, timelines and reporting process, and general information relating to the four funding streams.

3. SCOPE

This policy is applicable to grant applications from community not-for-profit groups who operate in or provide activities for the benefit of residents of Horsham Rural City Council.

4. PRINCIPLES

The HRCC Community Grants program is allocated to not-for-profit community organisations as part of Council's yearly budget process. The amount allocated for each stream is determined as part of the yearly budget process and may vary from year to year.

4.1 Funding Priorities

4.1.1 Community Development Grants and Community Events Grants

The funding priorities for the Community Development Grants and Community Events Grants streams align with the key priorities of the current Council Plan, Youth Strategy, Community Inclusion Plan and Age Friendly Communities Implementation Plan. Applicants are asked to indicate which priorities their applications support on the application form.

The maximum allocation per organisation is \$10,000, although the majority of successful applications range between \$500 and \$5,000. Council may consider a larger project staged over a number of years for an application in excess of \$10,000.

Projects which have a significant cash and/or in-kind contribution by the applicant organisation are encouraged.

4.1.2 Youth Grants

Youth grants aim to support activities and projects that benefit young people who live, work or study in our municipality.

Minimum grant request is \$200 and the maximum grant request is \$2,500.

The funding priorities for the Youth Grants stream align with Council's Youth Strategy. Applications must therefore identify project priorities relevant to Council's [Youth Strategy](#) (more than one priority area might apply).

4.1.3 Quick Response Small Grants

The Quick Response Small Grants stream aims to support urgent and short-term requests for funding support from not-for-profit groups within our community.

Applicants should first consider if they can apply within the timelines of other grant programs (refer Section 4.7). If these timelines are restrictive, applicants may apply for a Quick Response Small Grant.

Minimum grant request is \$200 and the maximum grant request \$1,000.

The funding priorities for the Quick Response Small Grants stream align with the key priorities of the current Council Plan, Youth Strategy, Community Inclusion Plan and Age Friendly Communities Implementation Plan. Applicants will be asked to indicate which priorities their applications support as part of the application form.

4.2 Eligibility

The funding guidelines for each stream provide full details of eligibility and what will and won't be funded for each stream

4.2.1 Community Development Grants, Community Events Grants and Quick Response small grants streams

All not-for-profit organisations, groups and associations based within Horsham Rural City Council may apply for these Grants.

The project must be delivered within the Horsham municipality and include direct benefits for residents of the municipality.

4.2.2 Youth Grants stream

Applicants must be between 10 and 24 years of age, or the application must be for the sole benefit of young people between 10 and 24 years of age that live, work, or study in the Horsham municipality.

The applicant must be auspiced by an incorporated not-for-profit community organisation.

4.3 Incorporation and Public Liability Insurance

All applicants or auspice organisations must be incorporated as a not-for-profit organisation and have public liability insurance that covers the proposed project.

Council wants to ensure that all projects can be delivered safely and that community groups are protected from potential compensation claims if something goes wrong. Applicant organisations have a legal responsibility to provide a safe environment for participants and the general public in any activity, event or service being delivered by the proposed project. Public Liability Insurance

financially protects not-for-profit organisations against claims of third party property damage or injury.

As part of the application process, applicants (or auspice) will be asked to confirm that they are an incorporated not-for-profit organisation that has public liability insurance. During the assessment process, applicants may be required to provide evidence of incorporation and public liability insurance, depending on the nature of the project and perceived risk.

4.4 Application Process

Applications to all four funding streams are to be lodged on-line. The Guidelines and on-line application forms can be found at <https://www.hrcc.vic.gov.au/Community-Services/Grant-Information/Community-Development-Grants-Program>.

Council's Customer Service Team and Community Grants Team can provide assistance to community organisations to lodge an application on-line if required.

All applications must include:

- Completed details of what the grant funds will be spent on
- An indication of other funds that will be put towards the project
- An estimate of volunteer in-kind support for the project
- A quote for all goods and services over \$1,000 (if applicable)
- A copy of the organisation's most recent audited financial statements where the application shows a cash contribution from the organisation of >\$5,000 (Community Development and Community Events streams only)
- A copy of any permits required for the project i.e. planning/building
- Land owner consent for all building works and activities on land not owned by the project applicant, including private and Crown Land
- Endorsement of all groups/organisations who will use or benefit from the project.

Stream Guidelines provide details of specific requirements for each stream.

4.4.1 Quick Response Small Grants

The application process and form is simpler for this stream.

To receive a quick response grant, applicants must:

- a. Discuss the project with the Community Grants Team (contact Customer Service on 5382 9777)
- b. Complete the short version application form and lodge on-line.

4.5 Assessment Criteria

The assessment criteria is different for the four Community Grants streams and is detailed in the stream Guidelines.

4.6 Assessment Process

- All applications are received on-line by the Information Team and saved electronically.
- The Community Grants Team prepares a grants summary by funding stream and provides administration support for the assessment panels.

- All applications relating to building works and activities on Crown Land or Council Owned Land are reviewed by the Co-ordinator Property Management, the Co-ordinator of Recreation and Open Space Planning and the Co-ordinator Facilities Management. This will include assessment of project risk and requirement for applicant to provide additional documentation such as proof of public Liability insurance.

4.6.1 Community Development Grants Assessment

- Initial assessment panel consisting of:
 - One representative from Corporate Services – Chief Financial Officer (or delegate).
 - Two representatives from Infrastructure – Co-ordinator Projects Office and Manager Operations (or delegate).
 - Three representatives from Communities and Place – Managers (or delegates) of Investment Attraction and Growth, Community Services and Safety and Arts Culture and Recreation.
- The initial assessment panel makes recommendations to the Executive Management Team who endorse the final grants list.
- Final approval by Council.

4.6.2 Community Event Grants Assessment

- Initial assessment panel consisting of:
 - Two representatives of the Investment and Business Development Team
 - Co-ordinator Community Relations and Advocacy
- Recommendations approved by the Executive Management Team
- Final approval by Council.

4.6.3 Youth Grants Assessment

- Initial assessment panel consisting of:
 - Two representatives of the Youth Team
 - Co-ordinator Community Relations and Advocacy
- Recommendations approved by the Executive Management Team
- Final approval by Council.

4.6.4 Quick Response Small Grants Assessment

- The application will be assessed by the Community Grants Team.
- The grant allocation will be approved by the Chief Executive Officer.

For all funding streams:

- Council may only allocate part funding for a project rather than the full amount requested in the application.
- A grant allocation by Council does not mean any ongoing funding commitment or obligation by Council.
- HRCC assistance should be acknowledged on any promotional material or media coverage relating to the successful project.

4.7 Timelines

Funding Stream	Funding cycle	Open dates	Grant allocation
Community Development	Annual	February	From July 1
Community Events	Six monthly	May/November	From approval date
Youth	Ongoing	Until funding exhausted	From approval date
Quick Response	Ongoing	Until funding exhausted	From approval date

4.8 Grant Payment

Payment of grants will be made upon receipt of invoices or evidence of project payments by the organisation. These invoices and payments must coincide with the grant period as detailed in the four stream guidelines.

4.9 Grant Reporting

Successful applicants are required to complete a Community Grants Project Report upon completion of the project. The template for the Project Report can be downloaded on the HRCC website at: <https://www.hrcc.vic.gov.au/Community-Services/Grant-Information/Community-Development-Grants-Program>

5. COMMUNICATION

The Community Grants program has a dedicated area on the HRCC website at: <https://www.hrcc.vic.gov.au/Community-Services/Grant-Information/Community-Development-Grants-Program>.

The annual Community Development Grants Program is promoted during February each year across all Council media platforms. Community information sessions are co-ordinated by the Community Grants Team in February each year.

Other grant streams are promoted regularly throughout the year across all Council media platforms.

6. RESPONSIBILITY

Policy Owner: Co-ordinator Community Relations and Advocacy

This Policy will be reviewed annually or as required by changed circumstances including changes to legislation and plans, strategies or policies of HRCC.

7. SUPPORTING DOCUMENTS

Document	Location
HRCC Community Grants Program – Funding Guidelines	Internet
HRCC Community Grants Program – Application template	Internet
HRCC Community Donations Policy (C04/025)	Internet

8. DOCUMENT CONTROL

Version Number	Approval Date	Approval By	Amendment	Review Date
01	3 March 2014	Council	New Policy	
02	February 2017	Council	<ul style="list-style-type: none"> Disability Access Criteria Revised notification month Inclusion of project ranking Inclusion of Grants Information Session 	
03	19 March 2017	Council	Changes to funding categories	
04	N/A	N/A	Change in Departmental titles only	
05	16 Dec 2019	Council	<ul style="list-style-type: none"> Addition of Youth category References to new strategies and plans Removal of S86 reference Copy of any permits required for project Projects that require ongoing funding from Council Projects seeking funding for religious assets 	
06	14 December 2020	Council	<ul style="list-style-type: none"> A number of minor changes to reflect organisational changes Assessment criteria – extent of previous assistance, shortened to be more readable 	December 2021
07	24 January 2022	Council	<ul style="list-style-type: none"> Assessment Criteria – changes to reflect the new Council Plan Project Assessment Team Crown Land Assessment Requirements 	December 2023
08	Nov 2022	N/A	<ul style="list-style-type: none"> Minor administrative changes only 	31 December 2023
8.1	March 2023	N/A	<ul style="list-style-type: none"> New logo 	31 December 2023
09	December 2023	Council	<ul style="list-style-type: none"> Major re-write for inclusion of new streams 	31 December 2024



Outstanding Council Resolutions Action List

MONDAY 27 NOVEMBER 2023			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
9.5	<p><u>Kerbside Service Review</u></p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Endorse the amended Kerbside Waste Collection Policy (Appendix 9.5A) and the new Solid Waste Code (Appendix 9.5B). 2. Allow residents to upsize and/or get additional bins in line with the Solid Waste Code. 3. Support a further review of rural kerbside service in the first half of 2024 following an initial period of implementation of the State Government's container deposit scheme (CDS). 4. Review the establishment of additional glass drop-off points when further data is available to measure the impact of container deposit scheme (CDS) on kerbside collected glass. 5. Allows for sharing and downsizing of bins for multi-unit dwellings (MUDs). 6. Conduct further engagement with residents of Haven to determine whether the 4-bin service should be extended in the closer residential areas of Haven. 7. Allow residents to place odorous food waste in the general waste stream during summer months in cases where refrigeration of these wastes is not practicable. 8. Continue its waste education program through the most effective and popular communication channels in the community. 9. Support the extension of kerbside food organics and garden organics (FOGO) and glass services to commercial and non-residential properties. 	Rehan	<ol style="list-style-type: none"> 1. Completed 2. Completed 3. To be done May 2024 4. To be done May 2024 5. Completed 6. To be done January 2024 7. Completed 8. Completed (/ongoing) 9. Completed



Outstanding Council Resolutions Action List

<p>15.1 <i>Brought into Open Council</i></p>	<p><u>CONFIDENTIAL ITEM</u> That Council award contract 24-001 Provision of Plant and Machinery Hire to the following suppliers at the rates nominated in their tenders:</p> <ul style="list-style-type: none"> • PJM Pty Limited • HED Industries Pty Ltd • Glover Earthmoving Pty Ltd • DSM Equipment • HK Diesel & Equipment Pty Ltd • Porter Excavations Pty Ltd 	<p>LM</p>	<p>Contracts currently being finalised for signing</p>
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MONDAY 23 OCTOBER 2023			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
9.4	<p><u>Horsham City Oval Grandstand Heritage Findings</u> That Council include the City Oval Grandstand citation as part of the Heritage Study Review 2023.</p>	FG	
15.1	<p><u>CONFIDENTIAL</u> <u>Audit & Risk Committee Updates & Annual Appointment of Chair</u> <i>Refer to Confidential Outstanding Council Resolutions</i></p>	KH	



Outstanding Council Resolutions Action List

MONDAY 25 SEPTEMBER 2023			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
9.1	<p><u>Parking Management Plan</u></p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Receive and note the petition submitted by Ms Kath Dumesny on behalf of the petitioners. 2. Note Ms Kath Dumesny's request to Council to consider the petition as part of the current parking review. 3. Having considered the community feedback and the concerns expressed in the petition, make the following changes to the 2021 Parking Management Plan: <ol style="list-style-type: none"> a. Introduce 30-minute free parking in the Central Activity District applicable to the current 2P metered parking bays. b. Introduce all day free parking and 4-hour free parking in the following locations: 4 hours unmetered, east end of Roberts Avenue on southern side between Urquhart Street and end of old Kindergarten site, all day parking unmetered , between old Kindergarten site and Whitehart Hotel; all day unmetered parking McLachlan Street (middle section), between Firebrace Street and Darlot Street (start at Bradbury Carpark); 4 hour unmetered parking in the middle section of Hamilton Street (eastern boundary of Grampians Community Health and Darlot Street); all day unmetered, middle section of Hamilton Street between Firebrace Street and Madden Street; all day unmetered parking, northern section of Darlot Street between McLachlan Street and May Park. c. Relocate low demand meters, no longer required due to the introduction of either 4 hour unmetered or all day unmetered parking, to ensure where practicable there is no more than 30 metres between parking meters in the Central Activity District. 	KOB	1&2 25/09/23 3a completed 12/10 3b completed 5/11 3c completed 20/11 3d completed 10/10 3e completed 5/11 3f completed 28/11 3g completed 4/10 3h partially completed 3i completed 6/11



Outstanding Council Resolutions Action List

	<ul style="list-style-type: none"> d. Free parking be made available for those with Accessible Parking Permits (Blue or Green), without having to enter the number plate into the meter or Blinky App., noting these are time limited as sign-posted. e. Establishment of long vehicle bays (x2) in Ward Street in close proximity to the Horsham Town Hall to allow another space for caravans to park to access Visitor Services at the Horsham Town Hall. f. Introduce 30-minute unmetered parking in front of the Post Office (4 bays). g. Non-removal of on street fleet vehicle spaces (notably GMMWater and Council) to off street locations. h. Investigate the introduction of tap and go and weekly/monthly/ yearly permit. i. Request an investigation for additional parking options in the Town Hall car park for visitors and information seekers. 		
15.1	<p><u>Rural Councils Corporate Collaboration (RCCC) tender outcome for the content manager records management solution</u></p> <p><i>Refer to Confidential Outstanding Council Resolutions</i></p>	GH	



Outstanding Council Resolutions Action List

MONDAY 26 JUNE 2023			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
9.9	<p><u>City Oval Community Facility Funding Strategy</u> That Council:</p> <ol style="list-style-type: none"> 1. Submit an application to the Commonwealth Government's Growing Regions Fund Round 1 to complete the Community Facility project – Total Budget \$9,611,110, Grant request of \$4,805,000 (noting maximum of 50%). 2. Allocate Council expenditure of \$4,806,110 funded through borrowings and inclusion in the CAPEX budget over two financial years: 2023-2024 and 2024-2025. 3. Submit an application to SRV if a timely funding opportunity arises before the end of the year, noting that State funding programs under SRV are yet to be announced following the May State budget and the maximum grant opportunity is likely to be \$800,000 which could offset some of Council's co-contribution. 	SS	<p>1 & 2 completed</p> <p>3. Application to SRV cannot be made until co-funding from Federal Government is confirmed. Timing of this may prohibit an application to SRV</p>
15.2	<p><u>Land Acquisition</u> <i>Refer to Confidential Outstanding Council Resolutions</i></p>	KH	

MONDAY 12 DECEMBER 2022			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
15.3 Brought into Open Council	<p><u>DERRY PARADE ROAD ALIGNMENT</u> That Council declare the easement of approx. 8 metres width on the south side of Derry Parade, from Cameron Road west for a distance of approx. 610 metres, to be a road under the provisions of the Local Government Act 1989 and to be incorporated into the Derry Parade road.</p>	JM	Sits with developer



Outstanding Council Resolutions Action List

MONDAY 13 DECEMBER 2021			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
9.1	<p><u>COMMITTEE FRAMEWORK POLICY AND COMMITTEE REVIEW UPDATE</u></p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Adopt the Horsham Rural City Council Committee Framework Policy (Appendix 9.1A). 2. Adopt the Horsham Rural City Council Committee Structure (Appendix 9.1B) with the establishment or continuation of all committees listed within the List of Committees (Appendix 9.1C). 3. Adopt the Terms of Reference templates for the Advisory Committees and the Community Reference Groups (Project Committees) (Appendices 9.1D & 9.1E). 4. Note that the composition, Terms of Reference and the associated engagement process for the Strategic Planning Committee will be the subject of a separate report to a future meeting of Council. 5. Note that this Committee Structure replaces all previous committees and that the creation of any further new committees will be by Council Resolution. 6. Undertake a review of the new structure at the conclusion of the first annual Council planning process following implementation. 7. Acknowledge the enthusiasm, commitment and hard work of all volunteer members of the committees (past and present) and thank them for their valuable contribution to the workings of Council. 8. Note that Councillors have the option to attend committee meetings in an ex-officio capacity. 	SS	<ol style="list-style-type: none"> 1. 13/12/21 2. 13/12/21 3. 13/12/21 4. 4. 24/1/22 5. 13/12/21 6. _____ 7. 13/12/21 8. 13/12/21



Outstanding Council Resolutions Action List

MONDAY 22 NOVEMBER 2021			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
9.1	<p><u>Concept Plan for the City Oval and Sawyer Park Precinct Stage 2 of the City to River Master Plan</u></p> <p>That Council:</p> <ol style="list-style-type: none"> Note the outcomes and community sentiment captured by the City Oval and Sawyer Park Community Engagement (Appendix "9.1A"). Receive and note the prioritisation and precinct development, as proposed by the Community Reference Group and remain flexible if needs change or new information becomes available. Endorse the Concept Plan for City Oval and Sawyer Park Precinct (Appendix "9.1B"). Seek funding opportunities from the State and Federal Governments to achieve all of the components of the Concept Plan, as presented to the community and supported by the Community Reference Group. That any funding applications for this project come back to council to discuss the co-funding financial implications before submitting. 	CH/SS	<p>(1,2,3) 22/11/21 4. Partially completed (Stage 1) 24.1.22 5. 24.1.22</p> <p>Completed – funding application submitted for Community Facility (final unfunded component of precinct). Awaiting outcome (Sep 23)</p>

MONDAY 27 MAY 2019			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
9.1	<p>Horsham Performing Arts Future Services Demand Assessment</p> <p>That Council:</p> <ol style="list-style-type: none"> Note the findings and recommendations of the Horsham Performing Arts Service Demand Assessment Report. Note the Wesley PACC committee's commitment to the <i>Alternative Option</i> outlined in the report i.e. to undertake required structural and compliance works to enable the facility to be reopened, funded from proceeds of the sale of the Music Academy in McLachlan Street. 	KOB	<ol style="list-style-type: none"> 27/5/19 27/5/19 1/7/20 27/5/19 Still to occur Still to occur Still to be determined 27/5/19 Still to be determined



Outstanding Council Resolutions Action List

	<ol style="list-style-type: none"> 3. Provide the necessary project management support/expertise to the Wesley PACC committee to undertake required structural and compliance works to enable the facility to be reopened, noting that the estimated cost for project management support/expertise is \$60,000. 4. Note that the Wesley PACC committee's preference is to cease ownership and management of the facility, and transfer these responsibilities to Council. 5. Take on the ownership and management of Wesley PACC once the structural and compliance works are completed and all regulatory requirements are met, including issuing of necessary permits. 6. After transfer of ownership, manage the building for the use of performing arts and community based events and activities. 7. Note that any remaining proceeds from the sale of the Music Academy, after works are completed will be provided to Council and placed into a reserve for future expenditure on the Wesley PACC. 8. Note that the net annual operating cost of the Wesley PACC under Council management and ownership, once these works are completed and the facility is reopened is estimated to be \$35,300. 9. Support the above recommendations on the basis that the Wesley PACC has sufficient funds to complete the required works. 		
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MONDAY 5 FEBRUARY 2018			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.2.3	<u>Community Development Grants Program Partnership with ESCO</u> <ol style="list-style-type: none"> 1. That Council allow Esco Pacific to provide partner funding for the annual Community Development Grants Program; 2. That Council adopt the draft MOU as the framework for the delivery of the new partnership; and 3. That Council develop a Sponsorship Policy to facilitate future corporate sponsorship and co-funding of the Community Development Grants Program and other possible Council/Community projects. 	KH/SS	1 & 2 28/02/18 3. Pending.



Outstanding Council Resolutions Action List

MONDAY 15 MAY 2017			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.5.2	<p><u>Speed Limits - Various</u> That:</p> <ol style="list-style-type: none"> 1. Negotiations be held with VicRoads regarding an increased speed limit in Rasmussen Road, Horsham, to 80 km/h, but only to within 200 m of the urban area. 2. Victoria Police be contacted seeking a greater enforcement of speed limits in the lower speed limit zones of Rasmussen Road, in particular the school zone. 3. The speed limit in Remlaw Road, Horsham not be increased. 4. Negotiations be held with VicRoads regarding a decrease of the speed limit in Hunts Road, Haven to either 60 or 70 km/h. 	JM	Being actioned by Eng Coordinator

MONDAY, 17 OCTOBER 2016			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
10.2.4	<p><u>Revocation of the Instrument of Delegation for the Committee of management for the Camerons Oval Reserve</u></p> <ol style="list-style-type: none"> 1. That the Instrument of Delegation established for the Camerons Oval Committee of Management be revoked. 2. That a licence be developed with Laharum Sports Inc for the governance of the Camerons Oval precinct. 	KH	<ol style="list-style-type: none"> 1. 17/10/16 2. To be addressed as part of policy adoption
10.2.5	<p><u>Revocation of the Instrument of Delegation for the Committee of Management of the Quantong Recreation Reserve</u></p> <ol style="list-style-type: none"> 1. That the Instrument of Delegation established for the Quantong Recreation Reserve Committee of Management be revoked. 2. That a licence be developed with Quantong Recreation Reserve Inc for the governance of the Quantong Recreation Reserve. 3. That all funds currently in the bank account for the Quantong Recreation Reserve Committee of Management be transferred to the Quantong Recreation Reserve Incorporated (A0049172Z). 	KH	<ol style="list-style-type: none"> 1. 17/10/16 2. To be addressed as part of policy adoption 3. Completed



COMPLETED Council Resolutions Action List

MONDAY 27 NOVEMBER 2023			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
8.	Public Questions – Angela Munn	FK	29.11.23
9.1	<u>Quarterly Performance Report: July – September 2023</u> That Council receive and note the Quarterly Performance Report for Quarter 1, comprising 1 July to 30 September 2023 (Appendix 9.1A) .	SMcl	28.11.23
9.2	<u>Draft Horsham South Structure Plan</u> That Council: <ol style="list-style-type: none"> 1. Receive and note the amended Draft Horsham South Structure Plan - Future Urban Structure (Appendix 9.2A). 2. Release the amended Draft Horsham South Structure Plan – Future Urban Structure for public consultation and feedback (Appendix 9.2A). 	JB	1. 27.11.23 2. 28.11.23
9.3	<u>Horsham City Urban Renewal Project</u> That Council: <ol style="list-style-type: none"> 1. Receive and note the draft Horsham City Urban Renewal Project Redevelopment Options and Implementation Plan November 2023. (Appendix 9.3A) 2. Make the draft Horsham City Urban Renewal Project Redevelopment Options and Implementation Plan November 2023 publicly available and seek the feedback of key stakeholders including businesses, landholders, residents and the broader community. 	JH	1. 27.11.23 2. 28.11.23
9.4	<u>Fair Access Policy</u> That Council endorse the Fair Access Policy (Appendix 9.4A) and Action Plan (Appendix 9.4B) .	DS	27.11.23



COMPLETED Council Resolutions Action List

9.6	<u>Investment Attraction & Growth Department Report</u> That Council receive and note the IA&GR for September 2023	FG	27.11.23
9.7	<u>CEO Operational Report</u> That Council receive and note the CEO Operational Report for November 2023	FK	27.11.23

MONDAY 23 OCTOBER 2023

AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
9.1	<u>2022-23 Annual Report</u> That Council adopt the attached 2022-2023 Horsham Rural City Council Annual Report (Appendix 9.1A).	SMCI	23/10/23
9.2	<u>Disability Advisory Committee</u> That Council: <ol style="list-style-type: none"> 1. Approve the establishment of a Disability Advisory Committee; and 2. Approve the Terms of Reference for the Disability Advisory Committee as per Appendix 9.2A. 	DR	23/10/23
9.3	<u>City Oval Precinct – Detailed Design Funding Strategy</u> That Council: <ol style="list-style-type: none"> 1. Support the application for Regional Precincts and Partnerships Program– Precinct development and planning (Stream 1) for the detailed planning for the College Oval precinct. 2. Approve a Council co-contribution of \$150,000 to be funded through the monies allocated for project planning in the 2023-2024 budget. 	SS	23/10/23
9.5	<u>Investment Attraction & Growth Department Report</u> That Council receive and note the IA&GR for August 2023	FG	23/10/23
9.6	<u>CEO Operational Report</u> That Council receive and note the CEO Operational Report for October 2023	FK	23/10/23



COMPLETED Council Resolutions Action List

15.1 <i>Brought into Open Council</i>	<u>CONFIDENTIAL</u> <u>Audit & Risk Committee Updates & Annual Appointment of Chair</u> 2. <u>Confirm appointment of Mark Knights as the Independent Chair of the Audit and Risk Committee for a one year term.</u>	KH	23/10/23
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MONDAY 25 SEPTEMBER 2023			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
9.2	<u>Public Art Policy 2023-2027</u> That Council adopt the Public Art Policy 2023-2027 (Appendix 9.2B).	MR	25/09/23
9.3	<u>Creative Horsham Strategy 2023-2026</u> That Council adopt the Creative Horsham Strategy 2023-2026 (Appendix 9.3A).	MR	25/09/23
9.4	<u>2023 Community Satisfaction Survey Action Plan</u> That Council receive and note the action plan to address community concerns raised in the 2023 Community Satisfaction survey results.	KH	25/09/23
9.5	<u>Proposed Common Seal and Conduct at Meetings Local Law No.1 2023</u> That Council: <ol style="list-style-type: none"> 1. Receive and note the proposed Common Seal and Conduct at Meetings Local Law 2023. 2. Endorse the release of the proposed Local Law and Local Laws Community Impact Statement to the community for a period of four (4) weeks in accordance with Council's Community Engagement Policy. 	KH	25/09/23



COMPLETED Council Resolutions Action List

9.6	<u>2024 Community Leadership Program</u> That Council endorse the 2024 Community Leadership Program Guideline in preparation for implementation of the program (Appendix 9.6A).	JP	25/09/23
9.7	<u>Council Election Period Policy 2024</u> That Council adopt the revised Council Election Period Policy 2024 (Appendix 9.7A) noting the updated policy will be included as a replacement Chapter 7 in the Governance Rules 2023.	AC	25/09/23
9.8	<u>Delegations Update</u> In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation (Appendix 9.8A), Horsham Rural City Council (Council) resolves that: <ol style="list-style-type: none"> 1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached <i>S6 Instrument of Delegation to members of Council staff</i>, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument. 2. The instrument comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer. 3. On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked. 4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt. 	AC	25/09/23



COMPLETED Council Resolutions Action List

9.9	<p><u>Annual Financial and Performance Statements 2022-23</u> That Council:</p> <ol style="list-style-type: none"> 1. Provide in-principle approval of the Financial and Performance Statements for 2022-23 and authorise their submission to the Victorian Auditor-General's office [VAGO]. 2. Authorise Mayor Cr Robyn Gulline and Cr Les Power to certify the Statements in their final form after any changes recommended or agreed to by VAGO or their sub-contractors, Crowe, have been made, pursuant of section 99 of the <i>Local Government Act 2020</i>. 	Ramki	<ul style="list-style-type: none"> • Adopted in principle on 25/09/23 • Signing occurred on 9/10/23
9.10	<p><u>Investment Attraction & Growth Department Report</u> That Council receive and note the IA&GR for July 2023</p>	FG	25/09/23
9.11	<p><u>CEO Operational Report</u> That Council receive and note the CEO Operational Report for September 2023</p>	FK	25/09/23
15.2 <i>Brought into Open Council</i>	<p><u>CONTRACT VP344941 SUPPLY AND DELIVERY OF TWO NEW DUAL CONTROL 6x4 SIDE LOADER GARBAGE TRUCK WITH NO TRADE-IN</u> That Council accepts the tender of Ballarat Isuzu for supply and delivery of two, new dual-control 6x4 side loader garbage trucks at a cost of \$910,329.60 excluding GST.</p>	KS	Ordered. Delivery due Mar 2024

MONDAY 28 AUGUST 2023			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
8	Public Question from Neville McIntyre and Angela Munn	FK	29/08/2023
9.1	<p><u>Policy Review – Updated Rates & Charges Financial Hardship Policy and Rates and Charges Debt Collection Policy</u> That Council:</p> <ol style="list-style-type: none"> 1. Adopt the revised Rates and Charges Financial Hardship Policy (Appendix 9.1A). 2. Adopt the revised Rates and Charges Debt Collection Policy (Appendix 9.1B). 3. Rescind the COVID-19 Rates and Charges Financial Hardship Administrative Policy. 	AC	30/08/2023



COMPLETED Council Resolutions Action List

9.2	<u>Quarterly Performance Report: April – June 2023</u> That Council receive and note the Quarterly Performance Report for Quarter 4, 1 April to 30 June 2023 (Appendix 9.2A).	SMcl	31/08/2023
9.3	<u>Footpath Upgrade Plan</u> That Council include provision of funding for upgrading missing footpaths across Horsham and Natimuk in the Long Term Capital Expenditure Plan, in accordance with the plans in Appendix 9.3A and Appendix 9.3B, to be completed over the next five years.	KS	Completed – added to LTCP for budget discussions
9.4	<u>Corrections Amendment Post Exhibition</u> That Council: 1. Adopt Amendment C82hors to the Horsham Planning Scheme and; 2. Submit the adopted Amendment together with the prescribed information to the Minister for Planning requesting final approval.	JH	30/08/2023
9.5	<u>Approval Of Chief Executive Officer’s Annual Leave And Appointment Of Acting Chief Executive Officer</u> That Council: 1. Approve CEO Sunil Bhalla’s leave request from 29 September 2023 to 5 November 2023. 2. Appoint Kevin O’Brien, Director Communities & Place as Acting CEO from 29 September 2023 to 5 November 2023 (inclusive).	KH	29/08/23
9.6	<u>Investment Attraction and Growth Department Report</u> That Council receive and note the Investment Attraction and Growth Department Report for June 2023.	FG	28/08/23
9.7	<u>CEO Operational Report</u> That Council receive and note the Chief Executive Officer’s Operational Report for August 2023.	FK	28/08/23



COMPLETED Council Resolutions Action List

15.1 <i>Resolution Brought into Open Council</i>	<u>Flood Recovery Road Works Package 10 Contract 23-044</u> That Council accept the tender submitted by Grampians Excavations Pty Ltd for the lump sum amount of \$400,195 ex GST for the Flood Recovery Road Works Package 10 under Contract 23-044.	DB	28/08/23
15.2 <i>Resolution brought into Open Council</i>	<u>Flood Recovery Road Works Package 13 Contract 24-002</u> That Council accept the tender submitted by Millers Civil Pty Ltd for the lump sum amount of \$262,146 ex GST for the Flood Recovery Road Works Package 13 under Contract 24-002.	DB	28/08/23
15.3 <i>Resolution brought into open Council</i>	<u>CEO Employment And Remuneration Committee Report: August 2023</u> That Council: 2. Appoint Amanda Stevens as Independent Chair of the CEO Employment and Remuneration Committee for a further 3 years until October 2026.	Mayor	28/08/23
15.3	<u>CEO Employment And Remuneration Committee Report: August 2023</u> <i>Refer to Confidential Outstanding Council Resolutions Action List</i>	Mayor	28/08/23



COMPLETED Council Resolutions Action List

MONDAY 24 JULY 2023			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
8	Public Question from David McDonald, Anna Hawkins, Brian Basham, Dean Hurlston, Suzanne Agiejew	FK	25/07/23
9.1	<p><u>PA2200431 – LOT 247 0 LINDNERS ROAD, QUANTONG</u></p> <p>That Council having considered all the matters required under Section 60 of the <i>Planning and Environment Act 1987</i> decides to refuse to Grant a Permit under the provisions of the Horsham Planning Scheme in respect of the land known and described as Lot 247C 0 Lindners Road Quantong VIC 3400, for the Use and Development of a Waste Treatment Facility (Processing of brine waste, a food manufacturing by-product and construction of two evaporative ponds) in accordance with the endorsed plans.</p> <p>For the following reasons:</p> <ul style="list-style-type: none"> ▪ The proposal is inconsistent with the objectives and policies of the Horsham Planning Scheme ▪ The proposal will permanently remove agricultural land from production ▪ There is significant potential for environmental and amenity impacts on the neighbouring properties ▪ The location is inconsistent with surrounding rural residential land use ▪ The use of the land for waste treatment facility may limit future review and application of rural zones. 	JH	24/07/23
9.2	<p><u>Flood Amendment Post Exhibition</u></p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Receive and consider all submissions received to Amendment C81hors to the Horsham Planning Scheme, including the two late submissions. 2. Having considered all submissions to Amendment C81hors, approve to: <ol style="list-style-type: none"> a. Request the Minister for Planning to appoint an Independent Planning 	KM & SH	07/08/23



COMPLETED Council Resolutions Action List

	<p>Panel under Part 2 8B of the <i>Planning and Environment Act 1987</i> to review all submissions to Amendment C81hors; and</p> <p>b. Refer all submissions to the Independent Planning Panel to be appointed by the Minister for Planning including addendums to existing submissions whilst continuing to resolve or improve submitter issues up until the Panel Hearing.</p>		
9.3	<p><u>2023 Community Satisfaction Survey</u> That Council receive and note the 2023 Horsham Rural City Council Community Satisfaction survey results.</p>	KH	25/07/2023
9.4	<p><u>2023 Councillor Code of Conduct</u> That Council adopt the 2023 Councillor Code of Conduct (Appendix 9.4A).</p>	KH	25/07/2023
9.5	<p><u>Robins Road Upgrade</u> That Council endorse the gravelling of a 900 metre section of Robins Road, starting from the already gravelled area and extending north up to the intersection with Wail-Kalkee Road.</p>	KS	24/07/23
9.6	<p><u>Advocacy Priorities</u> That Council:</p> <ol style="list-style-type: none"> 1. Adopt the HRCC Advocacy Priorities as detailed in Appendix 9.6A. 2. Adopt the HRCC Investment Ready Priorities as detailed in Appendix 9.6B. 	SS	25/07/2023
9.7	<p><u>Road, Feature and Locality Naming Policy</u> That Council adopt the Road, Feature and Locality Naming Policy (Appendix 9.7A).</p>	AC	25/07/2023
9.8	<p><u>Audit and Risk Committee Biannual Report – 1 January to 30 June 2023</u> That Council receive and note the Biannual Report of the Audit and Risk Committee for the period January to June 2023.</p>	AC	25/07/2023
9.9	<p><u>Tourism Events and Festivals Promotional Sponsorship Policy Review</u> That Council approve the rescission of the Tourism Events and Festivals Promotional Sponsorship Policy (Appendix 9.9A).</p>	AM	26/07/2023



COMPLETED Council Resolutions Action List

9.10	<u>Investment Attraction and Growth Department Report</u> That Council receive and note the Investment Attraction and Growth Department Report for May.	FG	24/07/23
9.11	<u>CEO Operational Report</u> That Council receive and note the CEO Operational Report for July.	FK	24/07/23
15.1	<u>Audit and Risk Committee Update</u> <i>Refer to Confidential Outstanding Council Resolutions Action List</i>	AC	25/07/2023
15.2 <i>(Resolution brought into Open Council)</i>	<u>Contract 23-034 Provision of Cleaning Services for various council buildings</u> That Council award the Contract 23-034 Provision of Cleaning Services for Various Council Buildings to Peopleworks Cleaning Service for both Parts A and B for the total sum of \$837,597.50 (including GST) for a one year period plus a further two, one-year terms from 1 September 2023 to 30 June 2026. Part A Year 1 – Financial Year 23-24 \$226,275.80 Year 2 – Financial Year 24-25 \$233,296.64 Year 3 – Financial Year 25-26 \$241,461.64 TOTAL <u>\$701,033.66</u> Part B Year 1 – Financial Year 23-24 \$43,964.58 Year 2 – Financial Year 24-25 \$45,503.33 Year 3 – Financial Year 25-26 \$47,095.93 TOTAL <u>\$136,563.84</u> Parts A & B = <u>\$837,597.50</u>	BE	MP issued letter of acceptance to Peopleworks. Contract documentation currently being prepared.
15.3	<u>CEO Employment and Remuneration Committee Report July 2023</u> <i>Refer to Confidential Outstanding Council Resolutions Action List</i>	Mayor	24/07/23



COMPLETED Council Resolutions Action List

MONDAY 26 JUNE 2023			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
8	Public Question from David McDonald, Adrian and Shayne Keenan	FK	28/06/23
9.1	<u>Quarterly Performance Report January - March 2023</u> That Council receive and note the Quarterly Performance Report for Quarter 3, 1 January to 31 March 2023 (Appendix 9.1A).	SMcI	30/06/2023
9.2	<u>Fraud & Corruption Control Policy</u> That Council: <ol style="list-style-type: none"> 1. Adopt the 2023 Fraud and Corruption Control Policy and Framework (Appendix 9.2A). 2. Formally rescinds the administrative Fraud and Corruption Control Procedure (P04/018), and discontinues the draft Fraud and Corruption Control Plan previously tabled. 	AC	27/06/2023
9.3	<u>Governance Rules (Revisions 2023)</u> That Council: <ol style="list-style-type: none"> 1. Note the summarised consultation feedback (Appendix 9.3B) and detailed submissions (Appendix 9.3C). 2. Adopt the revised Governance Rules (2023) (Appendix 9.3A). 	DMcD	27/06/2023
9.4	<u>Creative Horsham 2023-2026 HRCC Arts & Cultural Strategy</u> That Council: <ol style="list-style-type: none"> 1. Receive and note the draft Creative Horsham Strategy 2023-2026. 2. Make available the draft Creative Horsham Strategy 2023-2026 for public feedback for a period of 4 weeks. 	MR	01/07/23



COMPLETED Council Resolutions Action List

9.5	<u>Investment Attraction Policy Review</u> That Council adopt the revised Investment Attraction Policy as attached in Appendix 9.5B .	FG	27/06/23
9.6	<u>Wimmera Regional Multi Sport Feasibility Study</u> That Council: <ol style="list-style-type: none"> 1. Endorse the Wimmera Regional Multi-Sport Precinct Feasibility Study (Appendix 9.6A). 2. Prioritise the development of an indoor sporting stadium and precinct at College Oval (Dimboola Road) as presented in the Study. 3. Advance the development of schematic plans for the three precincts (Dimboola Road, Haven Recreation Reserve and Dudley W Cornell Park). 	MK	<ol style="list-style-type: none"> 1. 26 June 2023 2 and 3: Planning has commenced for development of schematic plans for 3 sites.
9.7	<u>Road Management Plan Amendment</u> That Council adopt the amended Road Management Plan (Appendix 9.7A).	KS	26/06/23
9.8	<u>Budget 2023-2024 and Updated Revenue and Rating Plan 2021-2024</u> That Council: <ol style="list-style-type: none"> 1. Adopt Horsham Rural City Council Budget 2023-2024 and the subsequent 3 financial years, as attached in Appendix 9.8A pursuant to Section 94 of the <i>Local Government Act 2020</i>. 2. Declare the following rates and charges for the 2023-2024 financial year: <ol style="list-style-type: none"> (a) Amount intended to be raised: An amount of \$32,636,457 (or such other amount as is lawfully raised as a consequence of this resolution) be declared as the amount which Council intends to raise by general rates and the annual service charge, which is calculated as follows: General Rates \$25,140,682, Municipal Charge \$2,292,200, Waste Management Charge \$4,663,575, Supplementary Rates \$220,000, Interest on Rates \$40,000 and Revenue in lieu of rates \$280,000. (b) Rates Information: 	SR/ZG	26/06/2023



COMPLETED Council Resolutions Action List

	<p>General Rates - A general rate be declared in respect of the 2023-2024 rating year, being the period 1 July 2023 to 30 June 2024.</p> <p>3. Declare that the general rate be raised by the application of differential rates for rateable land having the respective characteristics specified in 4.1.1(n) of the budget document.</p> <p>4. Declare each differential rate will be determined by multiplying the Capital Improved Value of each rateable land by the relevant rate in the dollar as indicated as follows:</p> <table data-bbox="560 598 1108 790"> <tr> <td>Residential</td> <td>\$0.004058</td> </tr> <tr> <td>Farm</td> <td>\$0.002029</td> </tr> <tr> <td>Commercial</td> <td>\$0.003855</td> </tr> <tr> <td>Industrial</td> <td>\$0.004058</td> </tr> <tr> <td>Cultural and Recreation</td> <td>\$0.002029</td> </tr> </table> <p>5. Declare a Municipal Charge for 2023-2024 of \$200.00 for each rateable land (or part) in respect of which a municipal charge may be levied.</p> <p>6. Declare an Annual Service Charge for the collection and disposal of refuse in respect of the 2023-2024 Financial Year and set out below:</p>	Residential	\$0.004058	Farm	\$0.002029	Commercial	\$0.003855	Industrial	\$0.004058	Cultural and Recreation	\$0.002029		
Residential	\$0.004058												
Farm	\$0.002029												
Commercial	\$0.003855												
Industrial	\$0.004058												
Cultural and Recreation	\$0.002029												



COMPLETED Council Resolutions Action List

	Urban Bin Service	\$	497.00		
	Rural Bin Service	\$	348.00		
	Additional General Waste Bin	\$	140.00		
	Additional Recycling Bin	\$	140.00		
	Additional Organics Bin	\$	140.00		
	Additional Glass Bin	\$	80.00		
	Commercial Bin Service (weekly general waste/fortnightly recycling)	\$	480.00		
	Additional/Standalone Commercial General Waste Bin (weekly)	\$	300.00		
	Additional/Standalone Commercial Recycling Bin	\$	180.00		
	Additional Commercial Organics Bin	\$	180.00		
	Additional Commercial Glass Bin	\$	90.00		
	<p>7. Declare the Setting of interest rate on unpaid rates and charges. The Council will charge interest for rates and charges which have not been paid by the due dates, as specified under Section 167 of the Local Government Act 1989.</p>				
	<p>8. Declare the payment of rates and charges that a person can pay a rate or charge (other than a special rate or charge) by: Four (4) instalments which are due and payable on the dates fixed by the Minister by notice published in the Government Gazette; or paid in full on 15 February 2024.</p>				
	<p>9. Notes that the fees and charges in the Budget have been updated from the Draft Annual Budget with the following changes:</p>				
	<p>a. Statutory Fees and Charges have been increased by 4% per cent due to the fees and fines being set as part of the Victorian State Budget and gazette 23 May 2023;</p>				
	<p>b. Changed the wording in Rates and Property Management to better reflect the service.</p>				
	<p>c. Changed Urban and Rural Bin service unit of measure to “per property”.</p>				



COMPLETED Council Resolutions Action List

	<p>d. Changed cat registrations unit of measure to “per cat”.</p> <p>10. Authorise borrowings of \$400,000 for the City Oval Capital works project.</p> <p>11. Note that the Burnt Creek Industrial Estate Capital Expenditure approved in the 2022-2023 financial year changes the income funding the project from external grants to (be funded by) the industrial land reserve. The project is now being completed over the 2023-2024 and 2024-2025 budget years.</p> <p>12. Adopt the updated Revenue and Rating Plan 2021-2024 (Appendix 9.8B).</p> <p>13. Receive and note the comments received on the Draft Budget 2023-2024 and updated Revenue and Rating Plan 2021-2024 (Appendix 9.8C and 9.8D).</p>		
9.10	<p><u>Investment Attraction and Growth Department Report</u></p> <p>That Council receive and note the Investment Attraction and Growth Department Report for April 2023.</p>	FG	26/06/23
9.11	<p><u>CEO Operational Report</u></p> <p>That Council receive and note the Chief Executive Officer’s Operational Report for June 2023.</p>	FK	26/06/23
15.1	<p><u>Investment Attraction Incentive</u></p> <p><i>Refer to Confidential Outstanding Council Resolutions</i></p>	FG	26/6/23
15.3 (Resolution brought into Open Council)	<p><u>Horsham City Oval Events Stage 23/030</u></p> <p>That Council accept the tender submitted by Locks Constructions for the lump sum of \$2,022,800 ex GST for the construction of the City Oval Event Stage, Broadcast Box and Timekeepers Box Contract 23/030.</p>	DB	26/06/23
15.4 (Resolution brought into Open Council)	<p><u>Flood Recovery Road Works-Package 5, 6, 7 Contract 23/035, 23/036, & 23/037</u></p> <p>That Council accept the tenders submitted by Fulton Hogan Industries Pty Ltd for the lump sum amounts shown:</p> <ul style="list-style-type: none"> • Package 5: Contract 23/035 – \$339,089 ex GST • Package 6: Contract 23/036 – \$343,346 ex GST • Package 7: Contract 23/037 – \$513,383 ex GST 	DB	26/06/23



COMPLETED Council Resolutions Action List

15.5	<u>CEO Employment and Remuneration Committee Report June 2023</u> <i>Refer to Confidential Outstanding Council Resolutions</i>	RG	26/06/23
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COMPLETED Council Resolutions Action List

MONDAY 8 MAY 2023			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
6.1	<u>Request inclusion on Council's Street Name List – Haven Park Drive</u> That Council endorse the inclusion of the name Haven Park Drive on Council's Street Naming list.	RL	09/05/2023
7.1 <i>The resolution was brought into Open Council</i>	<u>CONFIDENTIAL - Flood Recovery Road Works Package 2 Contract 23-026</u> That Council accept the tender submitted by Millers Civil Contractors Pty Ltd for the lump sum amount of \$747,200 ex GST for the Flood Recovery Road Works Package 2 under Contract 23/026.	DB	05/07/2023
MONDAY 22 MAY 2023			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
8	Public Question from Neville McIntyre	FK	23/5/23
9.1	<u>Draft Budget 2023-2024 and Update of Revenue and Rating Plan 2021-2024</u> That Council: 1. Receive and note the Proposed Draft Budget 2023-2024 (Appendix 9.1A) and place it on Council's website to inform the community of council's planned expenditures and charges until 5pm Friday 9 June 2023. 2. Receive and note the updates to the Revenue and Rating Plan 2021-2024. (Appendix 9.1B) 3. Consider the Draft Budget 2023-2024 (Appendix 9.1A) and updated Revenue and Rating Plan 2021-2024 (Appendix 9.1B) for adoption at its meeting on Monday 26 June 2023.	ZG	CRAT uploaded on the 23/5/23 No action required upload RaRP / Budget to webpage once adopted



COMPLETED Council Resolutions Action List

9.2	<p><u>Horsham North Local Area Plan</u> That Council:</p> <ol style="list-style-type: none"> 1. Adopt the Horsham North Local Area Plan May 2023 (Appendix 9.2A). 2. Receive and note the Community Engagement Summary Report April 2023 (Appendix 9.2B). 3. Note the following Horsham North projects currently being delivered and projects in the draft 2023-2024 budget that are proposed to be delivered in the next financial year: <ol style="list-style-type: none"> a) Ensure all streets have a footpath on at least one side b) Reinstate bitumen footpaths that have disappeared historically due to inadequate maintenance c) Improve safety issues through the completion of seven initial assessments currently underway d) Investigation of a third underpass and Rail Corridor Landscape Plan e) Develop Lukin Court Public Open Space f) Planting of 409 trees on nature-strips within Horsham North g) Completion of Dudley Cornell Reserve Master Plan h) Undertake a Housing Diversity and Affordability Strategy i) Undertake a third art work installation at the Horsham Silos site j) Land Acquisition of surplus Vic Track land in the Rail Corridor. 	SH	22/05/23
9.3	<p><u>Memorandum of Understanding Between Grampians Tourism Inc and Member Councils</u> That Council:</p> <ol style="list-style-type: none"> 1. Approve and enter into a four-year Memorandum of Understanding between Grampians Tourism Inc. and member Councils as per Appendix 9.3A. 	FG	29/05/23 <ol style="list-style-type: none"> 1. Completed 2. Completed 3. GT advised of the requirement.



COMPLETED Council Resolutions Action List

	<p>2. Provide an annual financial contribution of \$75,000 over the life of the agreement.</p> <p>3. That council receive an annual written report on the performance of Grampians Tourism.</p>		
9.4	<p><u>Submission to the Avonbank Mineral Sands Project Inquiry and Advisory Committee in regards to the Avonbank Mineral Sands Project EES</u></p> <p>That Council endorse the lodgement of the Avonbank Mineral Sands Project (WIM Resource) Environment Effects Statement (EES) submission to the Avonbank Mineral Sands Project Inquiry and Advisory Committee (Advisory Committee) as per Appendix 9.4A.</p>	FG	<p>24/05/23</p> <p>An EES Submission completed and submitted by 26 May 2023</p>
9.5	<p><u>Investment Attraction & Growth Department Report</u></p> <p>That Council receive and note the Investment Attraction and Growth Department Report for March 2023</p>	FG	<p>IA&G report for March noted 24 May 2023</p>
9.6	<p><u>CEO Operational Report</u></p> <p>That Council receive and note the Chief Executive Officer's Operational Report for May 2023.</p>	FK	<p>220/5/23</p>



COMPLETED Council Resolutions Action List

MONDAY 24 APRIL 2023			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
8.	Public Questions from Di Bell and David McDonald	FK	26/4/23
9.1	<u>Proposal to relocate Visitor Services to Horsham Town Hall Café Space</u> That Council endorse the establishment of a fit for purpose Visitor Services (and Box office) space in the Horsham Town Hall Cafe space as outlined in the report.	MR	25/4/23
9.2	<u>Disability Access and Inclusion Plan 2023-2026</u> That Council adopt the Disability Access and Inclusion Plan 2023 - 2026 (attached as Appendix 9.2A).	DR	25/4/23
9.3	<u>Horsham Skate Park</u> That Council <ol style="list-style-type: none"> 1. Adopt the Horsham Skate Park Concept Plan (Appendix 9.3A) as presented. 2. Note the costings associated with the concept plan and refer these to the Long Term Capital Works Program. 	MK	<ol style="list-style-type: none"> 1. Concept plan adopted at Council meeting: 25/4/23 2. Probable costs have been referred to Assets team (LTCP)
9.4	<u>Electronic Signature Procedure – Revised</u> That Council adopt the revised Electronic Signatures Procedure P04/184 (Appendix 9.4A).	DMcD	25/4/23
9.5	<u>Annual Action Plan Year 2: 2023-2024 – Revised</u> That Council: <ol style="list-style-type: none"> 1. Note the summarised consultation feedback (Appendix 9.5B) and the detailed submissions (Appendix 9.5C). 2. Adopt the Annual Action Plan – Year 2: 2023-2024 (Appendix 9.5A). 	KH	24/4/23



COMPLETED Council Resolutions Action List

9.6	<u>Governance Rules – Revisions 2023</u> That Council receive and note the amended Governance Rules (Appendix 9.6A) and seek community feedback over a 14-day period.	DMcD	26/06/2023
9.7	<u>Community Grants and Donations 2023-2024</u> That Council: <ol style="list-style-type: none"> 1. Allocate funding of \$441,269 in the 2023-2024 Budget for approved community grants and donations. 2. Approve allocations to various community grant and donation recipients as detailed in Appendix 9.7A, with the exception of allocations to U3A, Rotary Club of Horsham East, Blue Ribbon Foundation and Horsham Rockers (conflict of interest declarations – by Councillors at Briefing). 3. Approve a community grant allocation of \$3,000 to U3A Horsham and District Inc. 4. Approve a community grant allocation of \$8,000 to the Rotary Club of Horsham East. 5. Approve a community grant allocation of \$2,700 to the Blue Ribbon Foundation Horsham Branch. 6. Approve a community grant allocation of \$2,500 to Horsham Rockers. 7. Advise all successful and unsuccessful community grant applicants of the outcome of their applications during May 2023. 	SS	Grants allocations on HRCC webpage https://www.hrcc.vic.gov.au/Our-Services/Grant-information/Community-Development-Grants-Program All actions complete
9.8	<u>Audit and Risk Committee Biannual Report – 1 July to 31 December 2022</u> That Council receive and note the Biannual Report of the Audit and Risk Committee for the period July to December 2022.	DMcD	24/04/2023
9.9	<u>Investment Attraction and Growth Department Report</u> That Council receive and note the Investment Attraction and Growth Department Report for February 2023	FG	24/04/23



COMPLETED Council Resolutions Action List

9.10	<u>CEO Operational Report for April 2023</u> That Council receive and note the CEO Operational Report for April 2023	FK	24/04/23
15.1	<u>Land Acquisition</u> <i>Refer to the Confidential Outstanding Council Resolution Action List</i>	KOB	27/04/23
15.2	<u>Audit & Risk Committee Updates and Appointment of Independent Member</u> 1. <i>Refer to the Confidential Outstanding Council Resolutions Action List</i> 2. Confirm appointment of Marilyn Kearney as an Independent Member of the Audit and Risk Committee for a three year term.	KH	1: 27/04/23 2: 27/02/2023



COMPLETED Council Resolutions Action List

MONDAY 27 MARCH 2023			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
8.	Public Questions from Brian Basham, Di Bell, Rebecca Sluggett, Anna Hawkins, Terry O'Donnell, Kath Dumesny & Angela Munn	FK	29/03/23
9.1	<p><u>Natimuk Economic & Social Plan Project Advisory Committee ToR</u></p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Endorse the Natimuk Economic and Social Plan Project Advisory Committee Terms of Reference as per Appendix 9.1A. 2. Approve the Natimuk Economic and Social Plan Project Advisory Committee Membership Structure as outlined in the Terms of Reference as per Appendix 9.1A. 	AM	<ol style="list-style-type: none"> 1. 27/03/23 2. 27/03/23
9.2	<p><u>PA2200390 2-4 Dooen Road, Horsham</u></p> <p>That Council, being the Responsible Authority under the Horsham Planning Scheme and the Planning and Environment Act 1987 and having considered the application details, objections, referral responses, and the relevant provisions of the Horsham Planning Scheme, issue a Notice of Refusal to Grant a Planning Permit for the use and development of the land for a service station, display of advertising signage and the creation and alteration of access to a road in a Transport Zone 2 at 2-4 Dooen Road, Horsham (Lot 1 on Title Plan 170447) on the following grounds:</p> <ul style="list-style-type: none"> • The proposed introduction of a commercial use of land in the General Residential Zone fails to comply with the stated Purpose and Decision Guidelines of Clause 32.08. • The proposed expansion of out-of-centre commercial uses is not consistent with Clause 17.02-2S (Out-of-centre development). • The use and buildings are of a scale and intensity which will result in unreasonable amenity impacts on the neighbouring properties. 	NC	27/03/23



COMPLETED Council Resolutions Action List

	<ul style="list-style-type: none"> The height of the proposed pylon sign S01 is not appropriate for the site and does not align with the purpose of Clause 52.05 (Signs). The proposed use and development, would represent an inappropriate planning outcome, contrary to Clause 65 (Decision Guidelines). 		
9.3	<u>Electronic Signature Procedure – Revised</u> That this item be deferred to the next Council meeting to be held on 24 April 2023.	DMcD	24/04/23
9.4	<u>Delegations Update</u> Council resolves that: <ol style="list-style-type: none"> There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached S5 Instrument of Delegation, Council to the CEO (S5) (Appendix 9.4A) and S6 Instrument of Delegation, Council to other Members of Council staff (S6) (Appendix 9.4B) the powers, duties and functions set out in those instruments, subject to the conditions and limitations specified in those instruments. The instruments come into force immediately following this Council Resolution. The CEO be authorised to sign S6 Instrument of Delegation, Council to other Members of Council staff (S6) following this resolution of Council. 	AC	13/04 S6 17/04 S5
9.5 & 9.6	<u>Investment Attraction & Growth Department Report & CEO Operational Report</u> That Council receive and note the Investment Attraction and Growth Department Report for January 2023 and the CEO Operational report for March 2023.	FG & FK	27/03/23
15.1 Brought back into Open Council	<u>FREDERICK STREET, HORSHAM, RECONSTRUCTION CONTRACT 23-020</u> That Council accept the tender submitted by Terfo Pty Ltd trading as Mintern Civil for the lump sum of \$321,108 ex GST for the reconstruction of Frederick Street under Contract 23-020.	DB	12/04/23



COMPLETED Council Resolutions Action List

15.2	<u>JOHNSON ASAHI DEVELOPMENT</u> <i>Refer to Confidential Outstanding Council Resolution Action List</i>	JM	Completed
15.3 Brought back into Open Council	<u>HAMILTON STREET PEDESTRIAN BRIDGE – CONTRACT VARIATION</u> That Council approve the variation to the Hamilton Street Pedestrian Bridge Contract 21-037 for \$304,350 to enable the addition of the northward facing ramp on the west side of the Wimmera River.	JM/DB	09/05/2023
15.4 Brought Back into Open Council	<u>NORTH EAST WONWONDAH ROAD RECONSTRUCTION CONTRACT 23-016</u> That Council accept the tender submitted by Glovers Earthmoving Pty Ltd for the lump sum of \$866,029 ex GST for the reconstruction of North East Wonwondah Road under Contract 23-016.	DB	12/04/23



COMPLETED Council Resolutions Action List

MONDAY 27 FEBRUARY 2023			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
6	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 30 January 2023 be adopted.	FK	28/2/23
8	Public Questions from Brian Basham, Di Bell, Anna Hawkins & Angela Munn	FK	1/3/23
9.1	<u>Annual Action Plan</u> That Council receive and note the draft Annual Action Plan 2023-2024 and make it available to the public from 1 to 31 March 2023 to enable the community to provide feedback.	KH	28/2/2023 1/3/2023
9.2	<u>Quarterly Performance Report – July to September & October to December 2022 Quarters</u> That Council receive and note agenda items: 9.2 Quarterly Performance Report – July to September and October to December 2022 Quarters. 9.3 Investment Attraction and Growth Department Report 9.4 CEO Operational Report	KH	28/2/2023
15.1 (Motion brought into Open Council)	<u>CITY OVAL NETBALL COURT CONSTRUCTION – CONTRACT 23-017</u> That Council accept the tender submitted by Locks Constructions for the lump sum of \$880,000 ex GST for the Horsham City Oval Netball Court Construction under Contract 23-017.	DB	28/2/2023
15.2 (Motion brought into Open Council)	<u>CITY OVAL – HOCKING STREET RECONSTRUCTION CONTRACT 23-011</u> That Council accept the tender submitted by MF & JL Willmore Pty Ltd for the lump sum of \$566,970 ex GST for the reconstruction of Hocking St, Horsham under Contract 23-011.	DB	28/2/2023



COMPLETED Council Resolutions Action List

15.3	<u>Provision of Roadside Recycling Collection Services Contract 16-005</u> REFER TO OUTSTANDING CONFIDENTIAL RESOLUTIONS ACTION LIST	RM	28/2/2023
15.4	<u>CEO Employment & Remuneration Committee Report: 27 February 2023</u> REFER TO OUTSTANDING CONFIDENTIAL RESOLUTIONS ACTION LIST	Robyn Gulline	27/2/23



COMPLETED Council Resolutions Action List

MONDAY 30 JANUARY 2023			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
6	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 12 December 2022 be adopted.	FK	31/1/23
8	Public Questions – Rebecca Sluggett	FK	31/1/23
9.1	<u>Revised Procurement Policy – Contract Variations</u> That Council adopt the updated Procurement Policy as attached to Appendix 9.1A .	MP	30/1/23
9.2	<u>Disability Access & Inclusion Plan 2023-2026</u> That Council receive and note the draft Disability Access and Inclusion Plan (Appendix 9.2A) and make it available to the community for comment for a period of 4 weeks.	Daniel Rees	6/2/23
9.3	<u>Demand for Long Day Care in the Municipality</u> That Council invite expression of interests to seek a provider to run a long day care and kindergarten program from the Kalkee Road Children’s and Community Hub.	MS	5/12/23
9.4	<u>HRC Band request for licence of an area of Jubilee Hall for 15 Years</u> That Council: <ol style="list-style-type: none"> 1. In accordance with section 115 of the <i>Local Government Act 2020</i>, undertake Community Engagement for a period of 4 weeks in regards to a request put forward by the Horsham Rural City Band for a licence of an area of Jubilee Hall for 15 years, plus two 5 year options (15+5+5). 2. Note that the matter will be brought back to Council for determination if submissions opposing a licence to be entered into with Horsham Rural City Band for the licence term of 15 years plus two further five year options (15+5+5) are received. 	KOB	1. 31/01/23 2. 7/3/23



COMPLETED Council Resolutions Action List

9.5	<u>Investment Attraction & Growth Report</u> That Council receive and note the Investment Attraction and Growth Department Report for November 2022.	FG	N/A
15.1	<u>Department of Transport – Maintenance Contract</u> REFER TO OUTSTANDING CONFIDENTIAL RESOLUTIONS ACTION LIST	JM	31/1/2023
15.2	<u>Food Organics and Garden Organics Recycling Contract</u> REFER TO OUTSTANDING CONFIDENTIAL RESOLUTIONS ACTION LIST	Rehan Majeed	30/1/2023
15.3	<u>Audit & Risk Committee Updates & Annual Appointment of Chair</u> REFER TO OUTSTANDING CONFIDENTIAL RESOLUTIONS ACTION LIST	DMcD	1/2/23
15.4	<u>CEO Employment & Remuneration Committee Report 30 January 2023</u> REFER TO OUTSTANDING CONFIDENTIAL RESOLUTIONS ACTION LIST	Robyn Gulline	31/1/23



COMPLETED Council Resolutions Action List

MONDAY 12 DECEMBER 2022			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
6	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 28 November 2022 be adopted.	FK	13/12/22
8	Public Questions received from Brian Basham and Shayne Keenan	FK	14/12/22
9.1	<p><u>Councillor Representation on External and Regulatory Committees</u></p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Nominate Mayor Gulline as Council's representative for 2023 to the Municipal Association of Victoria and Deputy Mayor Flynn as substitute representative. 2. Nominate Cr Ross as Council's representative for 2023 to the Victorian Local Governance Association with Cr Bowe as substitute. 3. Receive and note the Committee appointments as follows: <ul style="list-style-type: none"> • North-West Municipal Association – Mayor Gulline and Deputy Mayor Flynn as substitute • Audit and Risk Committee – Mayor Gulline and Cr Power with Deputy Mayor Flynn and Cr Ian Ross as first and second substitute respectively • Rail Freight Alliance – Cr Redden with Cr Haenel as substitute • Western Highway Action Committee – Cr Haenel with Cr Redden as substitute • Wimmera Regional Library Corporation (until June 2023) – Cr Bowe • Wimmera Southern Mallee Transport Group – Deputy Mayor Flynn with Cr Power as substitute • Wimmera Development Association – Mayor Gulline 	KH	14/12/22



COMPLETED Council Resolutions Action List

9.2	<p><u>Horsham Rural City Talks 2022 – Engagement Review and Future Plans</u></p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Receive and note the Horsham Rural City Talks Expo 2022 Community Engagement Report (Appendix 9.2A) 2. Approve scheduling of an Expo in the second half of 2023 and the allocation of a budget of \$13,000 in the 2023-24 year to fund the Expo. 	SS	<ol style="list-style-type: none"> 1. 12/12/22 2. 2023 expo scheduled for 10-12 Aug
9.3	<p><u>Council Meeting Dates 2023</u></p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Note that the Council meetings for 2023 for the Horsham Rural City Council will be held at 5.30pm at the Civic Centre Horsham and livestreamed, on the following dates: <ul style="list-style-type: none"> • Monday, 30 January 2023 • Monday, 27 February 2023 • Monday, 27 March 2023 • Monday, 24 April 2023 • Monday, 22 May 2023 • Monday, 26 June 2023 • Monday, 24 July 2023 • Monday, 28 August 2023 • Monday, 25 September 2023 • Monday, 23 October 2023 • Monday, 27 November 2023 • Monday, 18 December 2023 2. Note that the Council Meeting to elect the Mayor of the Horsham Rural City Council will be held on Thursday 16 November 2023 at 5.30pm at the Civic Centre, Horsham. 3. Advertise the adopted 2023 Council meeting dates on the Horsham Rural City Council website and in the Public Notice pages in a local newspaper. 	DMcD	14/12/22



COMPLETED Council Resolutions Action List

9.4	<p><u>PA2200390 - 99 Wilson Street, 101 Wilson Street & 58 Darlot Street Horsham</u></p> <p>That Council, being the Responsible Authority under the Horsham Planning Scheme and the Planning and Environment Act 1987 and having considered the application, and referral responses, the objections and the relevant provisions of the Horsham Planning Scheme, decides to issue a Notice of Decision to Grant a Planning Permit for the Use and Development being a six lot subdivision, shop and restricted retail premises, two dwellings, reduction in car parking requirements, business identification signage and creation of carriageway easement on land know as 99 Wilson Street Horsham, 101 Wilson Street Horsham and 58 Darlot Street Horsham subject to the conditions contained in the Delegate Report.</p>	JH	15/12/2022
9.5	<p><u>Council Resolutions</u></p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Receive and note the Outstanding Council Resolutions Action attached as Appendix 9.5A 2. Receive and note the Completed Council Resolutions Action List attached as Appendix 9.5B. 	FK	12/12/22
9.6 & 9.7	<p><u>Investment Attraction and Growth Department Report</u></p> <p>That Council receive and note item 9.6 (Investment Attraction and Growth Department Report for September 2022) and 9.7 (Acting CEO Operational Report).</p>	FG	12/12/22
15.1 <i>Brought into Open Council</i>	<p><u>Golf Course Road Reconstruction</u></p> <p>That Council accept the tender submitted by Terfo Pty Ltd, trading as Mintern Civil for the lump sum of \$267,095 ex GST for the reconstruction of 332 m of road, drainage and kerb and channel to Golf Course Rd under Contract 23/009.</p>	Dianna B	17/01/2023
15.2 <i>Brought into Open Council</i>	<p><u>CONTRACT VP 327655 FOR THE SUPPLY OF MOBILE GARBAGE BINS</u></p> <p>That Council approve the award of Contract VP 327655 for supply of approx. 18,000 mobile garbage bins and related products and services to Mastec Australia Pty Ltd as the successful supplier for sum of \$869,759 (inc GST).</p>	PA & RM	12/12/2022



COMPLETED Council Resolutions Action List

15.4	CONFIDENTIAL <u>CONFIDENTIAL COUNCIL RESOLUTIONS</u> REFER TO OUTSTANDING CONFIDENTIAL RESOLUTIONS ACTION LIST	FK	12/12/22
15.5	CONFIDENTIAL <u>CEO EMPLOYMENT AND REMUNERATION COMMITTEE REPORT: 23 NOVEMBER 2022</u> REFER TO OUTSTANDING CONFIDENTIAL RESOLUTIONS ACTION LIST	Robyn Gulline	12/12/22

COMPLETED Council Resolutions Action List

MONDAY 28 NOVEMBER 2022			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
9.2	<u>Request Inclusion on Council's Street Name List – Sordello & Twigg</u> That Council endorse the inclusion of the names Sordello and Twigg on Council's Street Naming list.	ZG	1/12/2022
12.1	<u>Robins Road Wail – Petition to Upgrade</u> 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.	JM	Completed
15.2 <i>Brought into Open Council</i>	<u>CONTRACT VP320180 SUPPLY AND DELIVERY OF ONE LOW ACCESS 6x4 GARBAGE TRUCK WITH OPTIONAL TRADE-IN</u> That Council: 1. Accept the tender of Penske Australia Pty Ltd for the supply and delivery of one new low access 6x4 Garbage Truck of value \$425,928 and 2. Note the retention, for the time being, of the old truck, plant item 1395, as a backup for Council's planned new waste collection services.	Warren Kennedy & Krishna Shrestha	Completed
15.3 <i>Brought into Open Council</i>	<u>Christian Emergency Food Centre</u> 1. That Council, in accordance with section 114 of the <i>Local Government Act 2020</i> and Council's Community Engagement Policy, publish public notice of its intention to sell the Property at 28 Firebrace Street Horsham (the Property) to the Christian Emergency Food Centre (the CEFC) for an amount of \$1.00 plus GST (the Sale). 2. That Council authorise the Chief Executive Officer to execute the Contract for the Sale, if no submissions in response to Council's public notice advertising its intention to sell the Property to the CEFC are received which oppose the Sale. 3. That the matter be brought back to Council for determination if submissions opposing the Sale are received.	KOB	1. 14/12/22 2. 14/12/22 3. 14/01/23



COMPLETED Council Resolutions Action List

MONDAY 27 JUNE 2022			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
9.1	<p><u>Budget 2022-2023 and Updated Revenue and Rating Plan 2021-2024</u></p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Receive and note the feedback received to the Draft Budget 2022-2023 and the updated Revenue and Rating Plan 2021-2024 attached as Appendix 9.1A. 2. Adopt Horsham Rural City Council Budget 2022-2023 and the subsequent 3 financial years, as attached in Appendix 9.1B, pursuant to Section 94 of the Local Government Act (2020). 3. Adopt the updated Horsham Rural City Council Revenue and Rating Plan 2021-2024 as attached in Appendix 9.1C, pursuant to Section 93 of the Local Government Act (2020). 4. Adopt the Horsham Rural City Council rates and charges as depicted in section 4 of the attached budget document Appendix 9.1B, pursuant to Section 94 of the Local Government Act (2020). 5. Note that the fees and charges for Community Local Law have been amended as follows, and been incorporated in to the fees and charges schedule: <ol style="list-style-type: none"> a. Some minor and immaterial changes to the wording to align with the Community Local Law and to cross reference to the local law clause number b. Footpath Advertising Permit reduced from \$186 to \$165 c. Footpath Display Table permit reduced from \$186 to \$165 d. If dog/cat cage is lost/stolen/damaged/never returned \$180 (New charge) e. If dog/cat barking device is lost/stolen/damaged/never returned \$170 (New charge) 	KH	<p><u>All Completed</u></p> <p>Items 1-6 -22/07/22</p> <p>Item 7- 03/04/23</p>



COMPLETED Council Resolutions Action List

	<p>f. Surcharge at the landfill for disposal of power poles \$200 per tonne (New charge)</p> <p>g. Surcharge at the landfill for disposal of grain tarps \$650 per tonne (New charge)</p> <p>6. Note the following items have become known subsequent to the development of the draft budget and will be revised together with carry-forward projects when they are brought to account early in 2022-2023, none of these will impact on the rate determination budget:</p> <ul style="list-style-type: none"> • Grants Commission final advised estimated allocation. • Additional Government Grants of \$1.8 million have been announced for capital. <p>7. To review rural road funding in light of increased fuel and gravel costs.</p>		
9.9	<p><u>Road Management Plan Amendments – Draft for Discussion</u></p> <p>That Council:</p> <p>Note the proposed changes to the Road Management Plan.</p> <p>Invite submissions from the community on the proposed changes.</p> <p>Seek a further report on this matter after the public engagement process is completed.</p>	JM	26/06/23



COMPLETED Council Resolutions Action List

MONDAY 24 MAY 2021			
AGENDA ITEM NO	DESCRIPTION OF REPORT/CORRESPONDENCE	REFERRED TO	DATE COMPLETED
9.3	<u>Strategic Advocacy Prospectus</u> 1. Adopt the Strategic Advocacy Prospectus (Appendix "9.3A") 2. Review the Strategic Advocacy Prospectus when the new Council Plan (2021-2025) is adopted later in 2021.	SS	1. 24/5/21 2. 24/07/2023



Horsham Bicycle and Shared Paths

Infrastructure Plan 2023 – 2033



Contents

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.

Horsham Rural City Council acknowledges the contribution of Safe System Solutions in the development of this Plan.



E: info@SafeSystemSolutions.com.au

W: www.safesystemsolutions.com.au

Disclaimer

These guidelines are general in nature and provide a framework for the provision of a network of bicycle and shared pathways. More detailed information about cycling and pedestrian paths is available via Austroads technical design manuals and other related publications.

Glossary	5	Traffic volume vs speed	22
Executive Summary	6	Injury data – Horsham Local Government area	23
Safe System treatment according to road and cycle hierarchy	7	Crash locations	23
High level recommendations	8	Injury data	23
1. Create a network of shared pathways for cyclists and pedestrians	8	Safe System Decision Making	24
2. Complete entire routes of the cycling network	9	Safe System Treatments	25
3. Provide en-route and end-of-route facilities	9	General principles for Pedestrians and cyclists	25
4. Monitor cycling activity and review implementation of the 2023 Plan.	9	Treatment 1: Pathway selection to separate or protect cyclists	25
Top 10 Infrastructure priorities	10	Treatment 2: Colour contrast and lighting	26
Part 1: Strategic Context	11	Treatment 3: Intersections	26
Background	11	Treatment 4: Traffic Calming	27
Introduction	11	Treatment 5: Canopy cover	28
Context	12	Treatment 6: Art work and places of interest	28
Focus area of the 2023 Plan	13	Treatment 7: Signage and wayfinding	28
Engagement Summary	14	Part 3: Existing Condition Assessment – Audit & Recommendations	30
Strategic Context	16	Existing condition assessment – audit of cycle routes	30
Part 2: Safe System – A National Framework	18	Existing cycling network – Assessment outcomes	31
Austroads	18	Summary of findings	31
People make mistakes	18	Common elements across the road hierarchy	32
Humans are fragile	18	Arterial roads (C1)	32
Road safety is a shared responsibility	18	Connector Roads (C2 – C3)	34
The road system must be forgiving	18	Existing Conditions – that support cycling	36
VicRoads/Department of Transport and Planning	19	Audit results – Existing shared path routes	38
Horsham Rural City Council	19	Recommended cycling and shared path network	39
Hierarchy of roads within Horsham	20	Funding Options	40
Hierarchy of cycling routes – urban area	21	Budget history	40
Safe Systems Risk analysis	22	Conclusion	41

Glossary

Access roads: Low to medium volume of traffic, traffic speed of up to 50 km/h. These are the local streets that link to connector and arterial roads.

Active transport: Using your own power to get from one place to another. This includes: walking, cycling, and other physical modes of travelling.

Arterial roads: High vehicle volume, mixed vehicle type (cars and trucks) traffic speed of 50-60 km/h. The main roads and highways that intersect Horsham.

Austroroads: Austroroads is the collective of the Australian and New Zealand transport agencies, representing all levels of government.

Connector roads: Medium volume vehicles, generally no trucks, traffic speed of up to 50km/h. These roads provide access to arterial roads and for short trips between activity centres and the business district.

Existing Conditions Assessment: Reviewing the current situation of what is in place and identifying opportunities for improvement.

Infrastructure Design Manual (IDM): A joint initiative of Victorian rural and regional Councils to develop and maintain consistent requirements and standards for the design and development of infrastructure.

Protected bike lanes: A section of the road is allocated for cycle use only. Physical barriers are used to stop vehicles from entering the cycle lane.

Separated bike lanes – road: Exclusive use by cyclists. Located within or directly adjacent to the road way. Line marking to designate the cycle lane.

Separated bike lanes – off road: Exclusive use by cyclists. Located separate to the road way. May have line-marking to show two-way cycle movement.

Shared pathways: Are pathways for use by both pedestrians and cyclists.

Traffic calming: May include a range of measures designed to break up long, uninterrupted street lengths that encourage speeding. Calming measures include: street narrowing, speed cushions and road humps, raised pavement and safety platforms, small roundabouts.

VicRoads, Public Transport Victoria and Department of Transport and Planning: On 1 July 2019, VicRoads and Public Transport Victoria came together with the Department of Transport (DoT) to create an integrated transport department.

Effective 1 January 2020, all road management functions and responsibilities of the Roads Corporation (VicRoads) were transferred to and vested in the Head, Transport for Victoria.

On 1 January 2023, DoT was renamed the Department of Transport and Planning.



Executive Summary

Horsham Rural City Council’s Vision is that by 2041 the Horsham region will be:

... a vibrant, liveable hub that thrives on strong economic growth and social connectedness [and that empowers] its people to live, work and access opportunities for recreation and culture, now and into the future.

To achieve this vision, Horsham Rural City Council (HRCC) provides a range of services and infrastructure and encourages active transport options for commuting to school, work, or for engaging in cultural and recreational activities.

The 2012-2016 Horsham Municipal Bicycle and Shared Paths Plan contained a detailed analysis and action plan for the development of an extensive network of bicycle lanes and off-road and shared pathways infrastructure.

The 2023-2033 Horsham Bicycle and Shared Paths Plan (The 2023 Plan) builds on the 2012 Plan and includes:

- A review of existing pathways against Austroads Safe System Principles and current expectations regarding safety by design
- Consideration of urban development and movement patterns that have occurred since 2012
- Recommendations from relevant HRCC plans and strategies developed since 2012
- Recommendations linking the hierarchy of roads, pathways and associated safety solutions
- Reiteration of the importance of a connected network of people and places
- A revised implementation plan and evaluation measures
- A prioritisation tool providing the annual scheduling of works and responses to emerging demands.

The Austroads Safe System Framework, a national approach to road safety, is at the core of the 2023 Plan. Risk assessment is central to the planning process, ensuring infrastructure improvements are designed to significantly reduce or eliminate risks to users. At the centre of the Safe System framework is human fallibility and an awareness that if the appropriate cycling infrastructure is not provided on our road network, errors can result in unintentional death and injury (Austroads 2021. Guide to road safety. Part 1).

Safe System principles seek to identify and then eliminate or significantly reduce risk to users through design and infrastructure improvements.

For pedestrians and cyclists, the main objective of the Safe System is to achieve a clear separation from vehicular traffic, either through off-road options or via physical barriers.

Where complete physical separation of cyclists and vehicles is not possible, the focus is designing and modifying local streets to ensure any potential collisions involving vehicles and cyclists remain below the Safe System threshold of 30 km/h.

Adapted from: Transport Accident Commission (TAC) Local Government Authority grant funding guidelines 2023

Cycle and shared pathways throughout the urban area (Horsham and Haven) have been audited against the Safe System framework and risk identification principles.

A plan to create a connected network of cycle and shared pathways has been developed. The network builds on the road hierarchy of arterial, collector, connector and access roads, developed by the Department of Transport and Planning.

Safe System treatment according to road and cycle hierarchy

C1	<p>Arterial roads (highways)</p> <p>High vehicle volume, mixed vehicle type (cars and trucks) traffic speed of 50-60 km/h.</p> <p>Recommended treatment: single-use off-road pathways for cyclists, or off-road shared pathways for cyclists and pedestrians or protected on-road cycle lanes with a physical barrier between bicycles and vehicles</p>
C2/C3	<p>Collector / Connector roads (provide access to schools and recreational areas)</p> <p>Medium volume vehicles, generally few trucks, traffic speed of 50 km/h</p> <p>Recommended treatment: separated lanes from traffic or protected, on-road, separated lanes.</p>
C4	<p>Access roads (neighbourhood and local roads)</p> <p>Low-medium volume of traffic, traffic speed of 50 km/h.</p> <p>Recommended treatment: road sharing of cyclists and vehicles with traffic calming measures to reduce speeds to 30km/h.</p>

Note: Arterial roads (highways) are not controlled by HRCC and all road and cycle treatments occur in consultation with external authorities such as Department of Transport and Planning.

Recommendations from both the Bicycle Advisory Committee and the 2023 Bicycle Community Reference Group have been incorporated into the proposed network of cycle and shared paths.

The 2023 Plan includes:

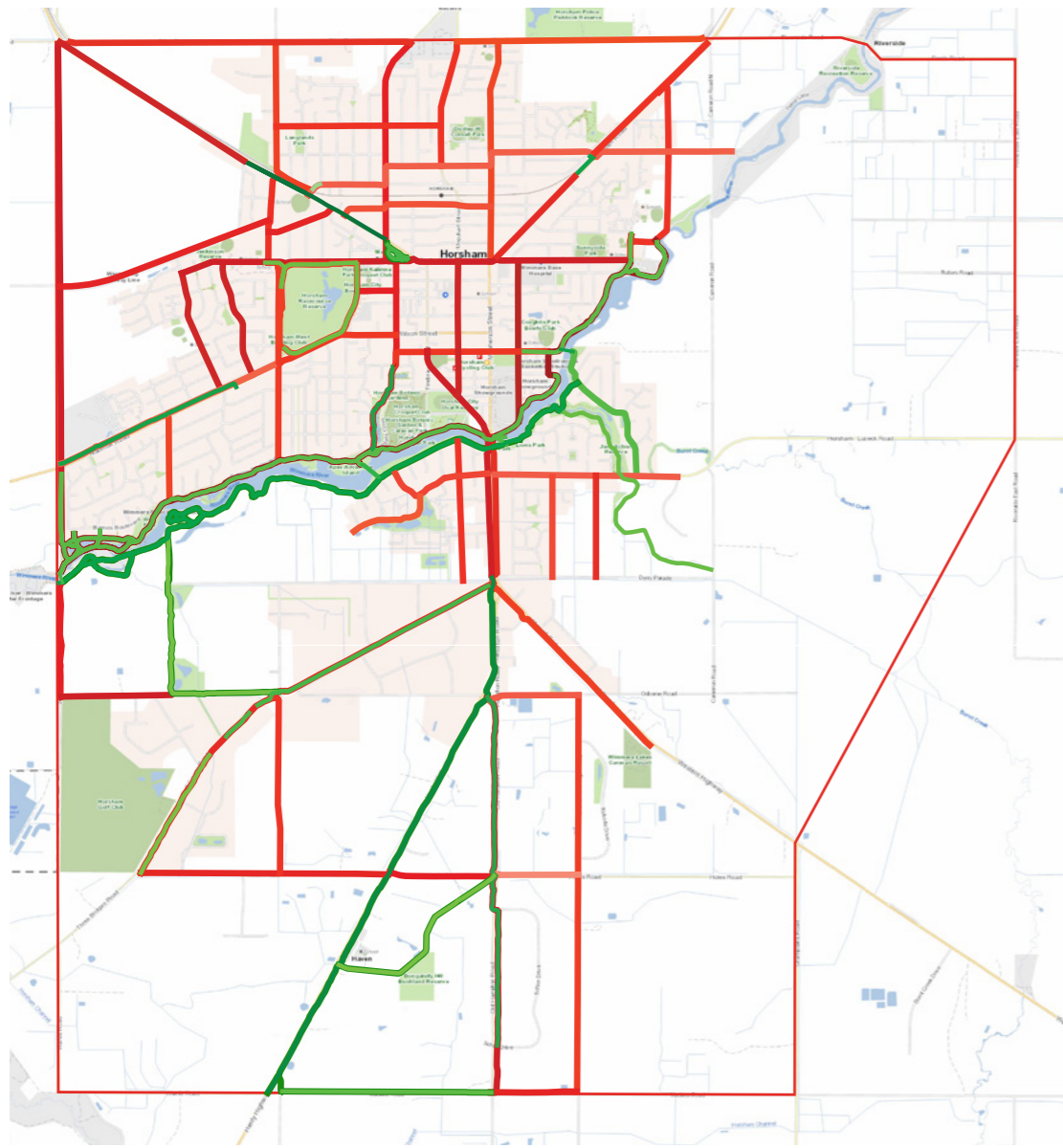
- Actions for amenity and infrastructure improvements,
- A prioritisation tool and
- A table of prioritised infrastructure upgrades.

The 2023 Plan provides a roadmap to create a cycling and pedestrian network across the urban areas of Horsham and Haven. The focus of the Plan is the careful design and provision of cycling and shared path infrastructure.

Although the most populous areas of Horsham and Haven have been the focus of this plan, implementation of the Safe System principles for the provision of cycling and shared paths are applicable across the entire municipality.



High level recommendations



1. Create a network of shared pathways for cyclists and pedestrians

A connected network provides opportunities for cyclists and pedestrians to move north-south and east-west across the Horsham area. The proposed network reflects the established hierarchy of arterial, connector and access roads. Road type generally reflects differences in expected vehicle volume and type, and vehicle speed.

The application of Safe System principles reflects the hierarchy of treatment options, including separation of vehicles and cyclists, protection of cyclists and a range of traffic calming measures.

Above: Recommended cycle and shared path network

Green lines – Existing conditions assessment identified current cycle pathways meeting Safe System requirements.

Red lines – Proposed cycle and shared path network building on endorsed existing cycle pathways.

The proposed network reflects existing urban development and movement patterns. New areas of development (sub divisions, infill and growth areas) must provide connections with the network, reflect the road and cycle hierarchy and be based on Safe System principles.

2. Complete entire routes of the cycling network

The Prioritisation tool presented in this Infrastructure Plan provides guidance regarding the order of works to be completed.

The HRCC annual cycling and pathways budget will not be adequate to fund all improvements in any section of the network. Because of this, delivery of entire routes will require both a commitment for works to be staged over multiple years and the sourcing of external funds.

The HRCC Long Term Capital Expenditure Plan (10 year plan of proposed works) will assist in the scheduling of upgrades to the cycling network, guided by the priorities set in this plan.

3. Provide en-route and end-of-route facilities

Effective transport networks are people focused and provide options for people to move from one destination to another (from home to work, from home to school, from school or work to a play, recreation or entertainment destination). Effective transport networks include places and sights of interest and amenity:

- parks, play areas and public art which can be enjoyed during travel and that provide destinations for travel
- places to rest (wayside stops with seating and tables and drinking stations)
- places of amenity (toilets, BBQ, phone charging facilities)
- accurate wayfinding signage
- educational opportunities
- bike racks (some sheltered)
- bike repair and/or pump stations

The development of an Active Horsham Strategy, inclusive of cycling and walking strategy is strongly recommended. An Active strategy will provide a plan for the provision of supporting infrastructure and will identify opportunities to increase a range of cycling and other active transport options.

4. Monitor cycling activity and review implementation of the 2023 Plan

Monitoring progress of the 2023 Plan will ensure prioritised projects are delivered and the objectives of a safe and connected network are met.

Monitoring may also identify further improvements to existing and proposed cycling infrastructure.

Data from various sources should be utilised to evaluate the Plan's effectiveness regarding safety and increased levels of participation:

- Australian Bureau of Statistics (ABS) Census data
- Cycle and pedestrian counters (and)
- Transport Accident Commission (TAC) injury data
- Department of Transport and Planning crash data

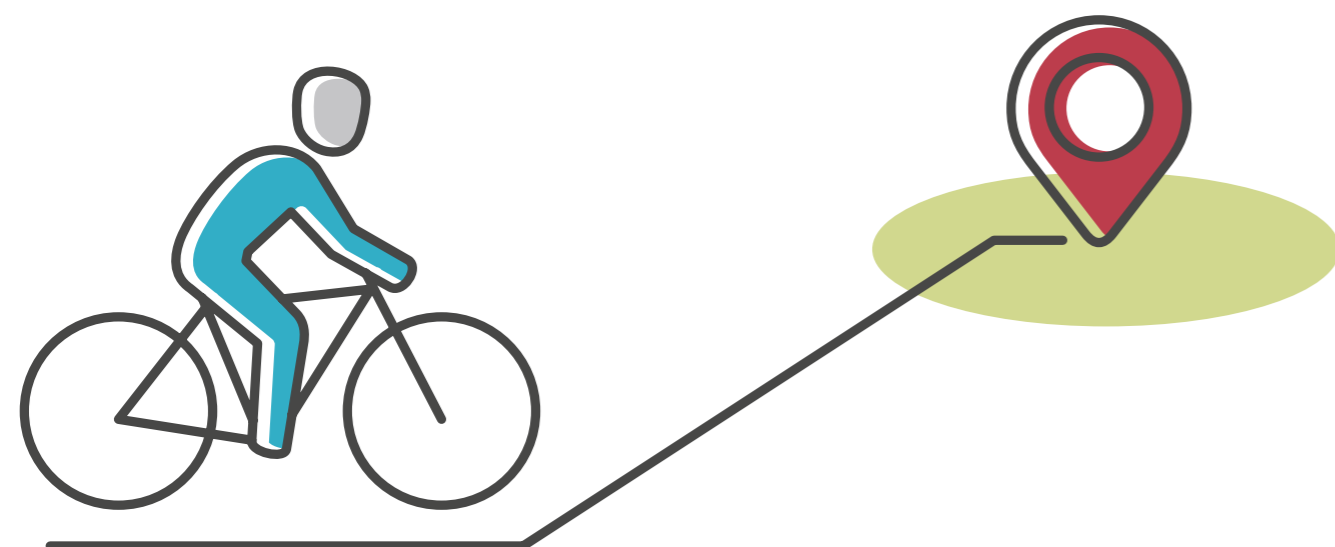
A review of the Plan after 5 years of implementation will provide an opportunity to:

1. Re-confirm proposed actions and celebrate achievement
2. Adjust priorities and actions to reflect changing circumstances
3. Provide feedback and updates to our community and Council

Top 10 Infrastructure priorities

PRIORITY CYCLE ROUTES – EXISTING & PROPOSED (SUMMARY)	PRIORITY RATING	COST ESTIMATE	NOTES
1 Darlot Street (Wawunna Rd - May Park Terrace - Darlot St - Wimmera River)	H	\$645,000	North-South Link – 9 projects in total
2 Baillie Street (Churchill Rd – Menadue St) - Planning	H	\$30,000	East-West Link – Cost is to engage a consultant
3 Bennett Road (Wimmera River - Baillie St)	H	\$185,000	North-South Link – projects in total 5
4 Wimmera Highway/Natimuk Road (Curran Rd – Park Drive)	H	\$235,000	East-West Link – 3 projects in total
5 Hamilton St (Menadue St – Darlot St) - Planning	H	\$30,000	East-West Link – Cost is to engage a consultant
6 Dooen Road (Riverside Rd – Baillie St) - Planning	H	\$30,000	East-West Link – Cost is to engage a consultant
7 O’Callaghan’s Parade (Stawell Rd – Hamilton St)	H	\$180,000	North-South Link – 1 project in total
8 Urquhart Street (O’Callaghan’s Parade – Baillie St)	H	\$200,000	North-South Link – 1 project in total
9 Kalkee Road (Connecting Horsham North with central Horsham & surrounds)	M	\$200,000	North-South Link – 1 project in total
10 Dimboola Road (High St – Wawunna Rd)	M	\$200,000	East- West Link – Four projects in total

Above: Top 10 prioritised infrastructure actions



Part 1: Strategic Context

Background

Safe System Solutions Pty Ltd was engaged by Horsham Rural City Council (HRCC) to create a Bicycle and Shared Path Plan to improve the safety, uptake and investment in active transport. Major objectives of the project included the creation of a functional map to identify existing and planned routes, develop a hierarchy system of cycle routes and provide a short (5 year) and longer-term (10 year) infrastructure plan to increase, improve and connect the bicycle and shared path network.

The 2023 Plan provides definitions, standards and prioritisation of required infrastructure for an improved, safer and connected network for cyclists and walkers in the most populated areas of the municipality.

An improved network of bicycle and shared pathways has many benefits, including that it:

- provides design solutions to improve safety for cyclists and walkers,
- provides options for people to transit throughout the township, without reliance on vehicles,
- increases health and wellbeing outcomes for residents and visitors,
- takes advantage of our flat terrain and weather (for the majority of the year),
- provides active connections to key recreation and education locations.

The Plan also seeks to address a number of issues with the current ‘network’ by seeking to:

- minimise paths that force cyclists onto the road network,
- improve links between existing bicycle corridors,
- propose improvements to wayfinding,
- improve connections to the Central Activity District (CAD) from the north, south, east and west areas of Horsham,
- reduce the risk of road trauma due to better separation of vehicles and cyclists,
- increase the overall number of cyclists through the provision of dedicated and safer tracks,
- extend and link existing pathways, building on previous investments and use of the network,
- plan for future investment in infrastructure (bike storage, shade, wayfinding, seating) to support increased levels of cycling and walking.

Introduction

There is a direct relationship between cycling infrastructure and the number of cyclists. The better the cycling network, the more people choose to ride their bike. Australian Bureau of Statistics (ABS) 2021 census data revealed that despite the majority of the local population living within 5 km of their place of work only 1% of individuals cycled to work in the municipality.

Existing cycling infrastructure around Horsham is inconsistent, with a lack of dedicated facilities and links between existing corridors. There is limited access to the Central Activity District or to local destinations across the city.

The 2023 Plan builds on HRCC’s Municipal Bicycle and Shared Path Plan (2012-2016) and applies national Safe System principles to infrastructure investment.



Context

Demand and attitudes to cycling

There is a direct relationship between the provision of safe and accessible infrastructure and the number of people choosing active transport options.

A fear of cycling on roads shared with vehicles is greater among inexperienced cyclists, risk-averse individuals, women and younger cyclists. Bike paths and separate facilities are safer alternatives that may help the less confident cyclist make the decision to ride a bicycle. (Buehler, 2015).

The Australian Bureau of Statistics (ABS) Census data (2006) revealed that 174 people (2.7% of workers) cycled to work in the Horsham municipality. In 2011, 121 people cycled to work and by 2021, only 94 people (1.0% of workers) cycled to work.

Despite the majority of Horsham’s population living within a 5km radius of their workplace, a moderate climate and flat terrain, there has been a continual decline in cycling to work numbers.

There are many reasons why people do not walk, ride or use other active transport options to access work, school or places of interest (parks, shops, entertainment).

Employment patterns (type and hours of employment), parenting and care-giving responsibilities (pre-and post-school/traditional working hours), housing density and the distribution of services and health status are some factors that impact on cycling and pedestrian activity. Analysis of cycling and walking activity (barriers and enabling factors) has the potential to identify opportunities to increase active transport for our community. The development of an Active Horsham Strategy will support this analysis and is highly recommended.

Although a detailed exploration of cycling patterns is beyond the scope of this plan, audit results (existing conditions assessment) highlight the barrier created by poor alignment between cyclist needs and fears, particularly when targeting the “interested but concerned” demographic, which constitutes 60% and the largest group among potential cyclists.

Providing a network of cycling and shared path infrastructure based on nationally endorsed safety principles will address many of the concerns of people interested in cycling but concerned for personal safety. Until safety concerns are addressed, cycling rates within Horsham will remain low and may continue to fall.

Focus area of the 2023 Plan

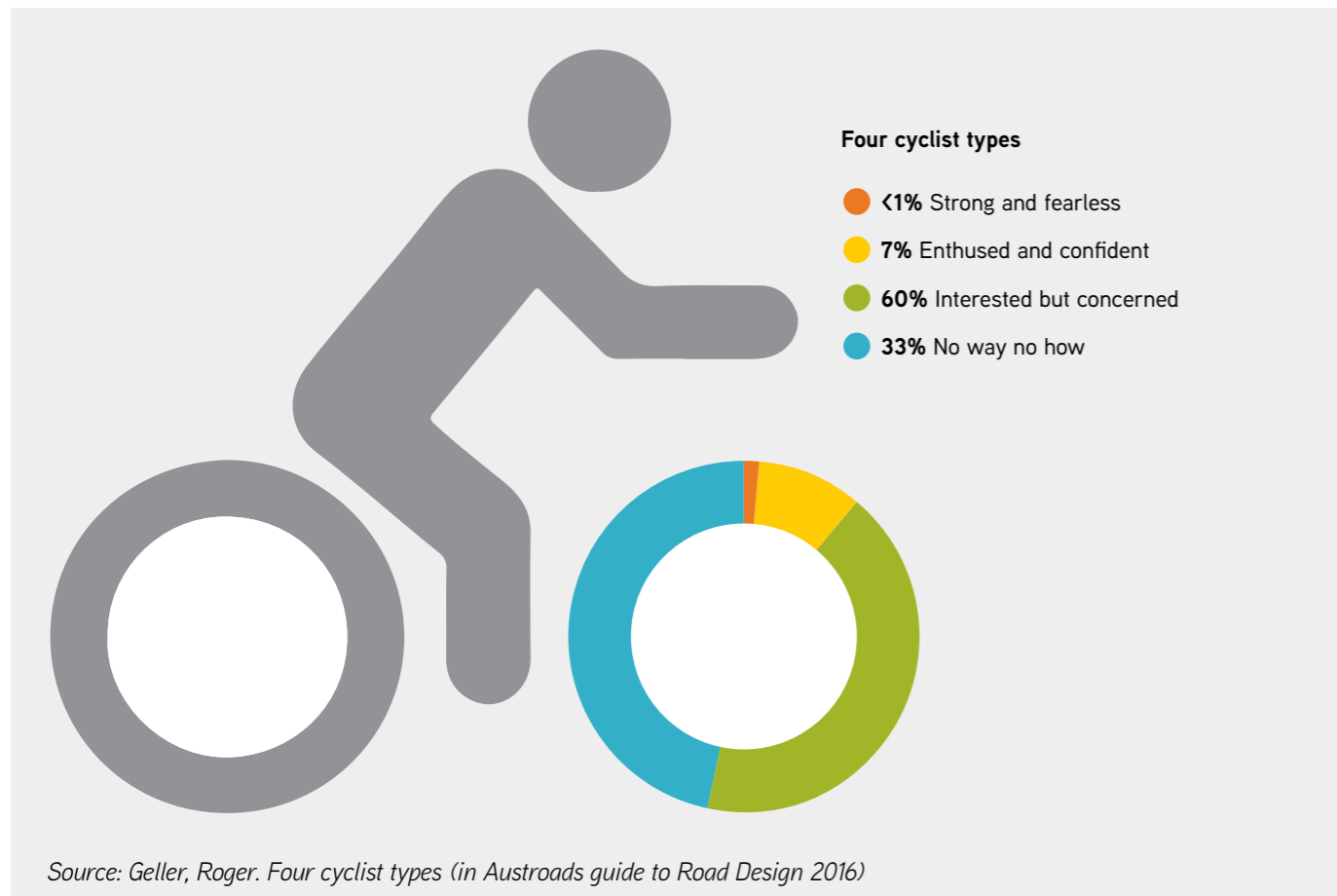
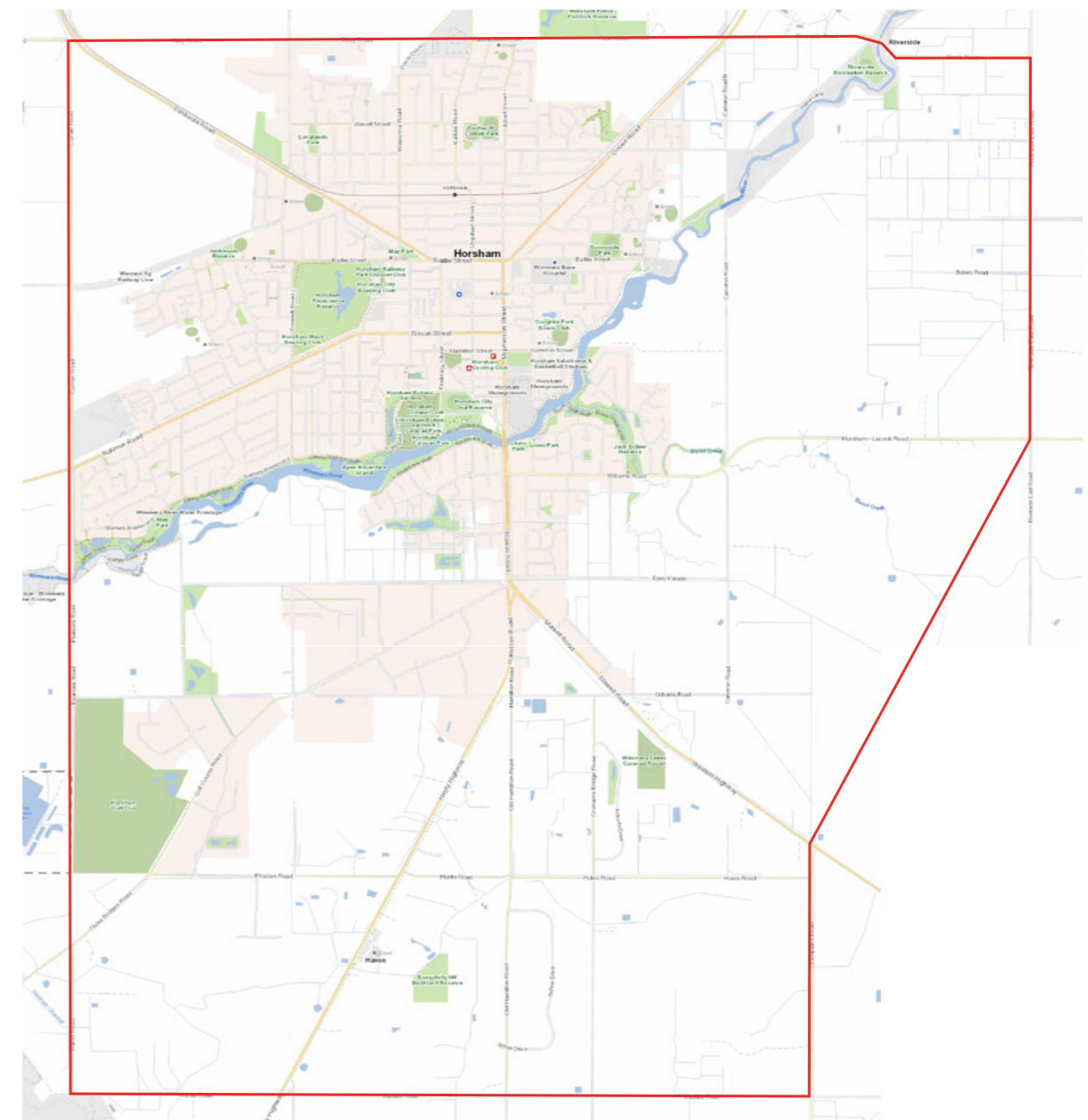
Because of the current low level of cycling participation, assessment of existing conditions and plans for a connected network have focused on the urban area of Horsham and the developing area of Haven, where housing and population density support the introduction of bicycle and shared infrastructure.

Safe System principles and the prioritisation tool for the implementation of upgrades and scheduling of new works apply across the municipality.

The application of national Safe System principles and the prioritisation tool will enable consistent messaging and transparency of decision making regarding community requests for new infrastructure. Although recreational cycling, including mountain biking, off road and cycle touring are important, they are not the focus of the 2023 Plan.

Shared paths along the Wimmera River have been included in the mapping because they contribute to the proposed urban network and in themselves, are part of a more extensive network of recreational pathways and trails.

Focus area includes Horsham and Haven



Engagement Summary

There has been a long history of engagement with our community regarding the development of bicycle and shared path facilities. The 2012-16 Municipal Bicycle and Shared Paths Plan was developed after extensive community engagement and provided an important basis for a program of improvements.

The 2023 Plan was developed with input and support of the:

Bicycle Advisory Committee

The Bicycle Advisory Committee was formed in 2013 and met regularly for approximately 10 years. The Advisory Committee acted as a representative voice of the Horsham cycling community.

Priorities identified by the Committee included:

- Safety for users of bicycle pathways
- Identifying areas of improvement (both infrastructure and strategically)
- Opportunities to increase cycling participation throughout the municipality.

Community Reference Group

A Community Reference Group was formed in 2022 to assist in the development of the 2023 Plan. The Community Reference Group represents diverse community interests and involvement with cycling and has provided recommendations regarding the proposed network and feedback regarding the 2023 Plan.



Council Officers

Council officers provided input into the development of the 2023 Plan.

Officers identified the need to:

- Create a connected network, linking key destinations (schools, sports centres, parks, key facilities, the Wimmera River and the Central Activity District)
- Separate bicycles and cars, particularly in areas of high volume or speed
- Introduce traffic calming measures across the built environment
- Ensure appropriate levels of service/maintenance of the bicycle and shared path network.

Strategic Context

Many HRCC plans refer to improvements to bike and walking tracks in specific localities and precincts. The 2023 Plan considers key recommendations and actions from significant plans and strategies to create a comprehensive plan of actions to improve the cycling and active transport network throughout Horsham.

The 2023 Bike Plan reflects the Goals and Actions in the following Horsham Rural City Council documents:



Part 2: Safe System – A National Framework

The following section outlines the principles of the Safe System.

Austrroads

Safe System Principles is a national road safety philosophy that requires roads to be designed and managed so death and serious injury are avoidable.

The Safe System was endorsed in Australia in 2003 by the Australian Transport Council and adopted by Austrroads in 2004. The approach is now integral to road safety strategies in jurisdictions in Australian and New Zealand.

The Safe System approach is regarded as international best practice in road safety and provides an outcome whereby death and serious injury are virtually eliminated amongst users of the road system. Safe System is the management and design of the road system such that impact energy on the human body is firstly avoided or secondly managed at tolerable levels by manipulating speed, mass and crash angles to reduce crash injury severity.

Source: Austrroads, 2018. Integrating Safe System with Movement and Place for Vulnerable Road Users.

The Safe System is a holistic approach to road safety that recognises different elements of the road environment must work together to keep everyone safe. These elements include roads and roadsides, vehicles, road users and travel speeds. Efficient movement should not be at the expense of human wellbeing.

The Safe System is based on the following understanding:

People make mistakes

Humans are fallible and inevitably make mistakes when driving, riding or walking,

When those mistakes occur on the road, they can lead to crashes. Road trauma should not be accepted as inevitable.

Humans are fragile

Our bodies are vulnerable and have limited ability to tolerate crash forces. Any impact above 30 km/h significantly increases the risk of dying.

Road safety is a shared responsibility

Shared responsibility exists amongst those involved in planning, designing, building, managing and using roads and vehicles. Everyone has a part to play in keeping themselves and others safe on the roads.

The road system must be forgiving

All parts of the system must be strengthened to multiply their effects, so that if one part fails, road users are still protected. Building a forgiving road system ensures crash forces do not exceed the limits the human body can tolerate.

Adapted from: Austrroads: Guide to Road Safety Part 1: Introduction to the Safe System 2021, and Transport Accident Commission: Grant Funding Guidelines (2023).

Safe System Principles are based on four areas of action.

Safe System areas of action



Safer Speeds Safer Roads Safer Road Users Safer Vehicles

Source: VicRoads Safe System Assessment Guidelines

All Safe System treatments can be categorised into one of two areas:

1. Primary - eliminate

Treatment that virtually eliminates the potential for a fatal or serious injury to occur (off-road shared paths, wombat crossings)

2. Secondary - reduce

Treatment that reduces the potential for a fatal or serious injury to occur (on-road bicycle lanes, bicycle crossing warning signs, reduced speed limits.

VicRoads/Department of Transport and Planning

The Safe System framework underpins Victoria’s strategic approach to road safety.

The *Victorian Road Safety Strategy 2021-2030* aims to halve road deaths and reduce serious injuries by 2030. The Strategy contains ten Goals, and six Principles.

The six principles are central to the 2023 Plan:

1. We want positive outcomes for all Victorians.
2. Our approach to road safety is built around a safe system approach that is coordinated and collaborative and includes all the Road Safety Partners of Victoria.
3. We will use all the levers available to us to address immediate road safety concerns while also preparing for and welcoming technological advancement opportunities.
4. We will ensure the data and evidence base of our initiatives and interventions is sound and strong.
5. We will take a holistic approach, to address all aspects of the system through initiatives including public health, vehicle safety technology, infrastructure, and behaviour change supported by enforcement practices.
6. When developing action plans we will consider how we adapt to changes in road safety technology, the needs of the Victorian community, and the social and economic environment.

Source: Victorian Road Safety Strategy 2021-2030. P10

To achieve a meaningful transition towards the consistent implementation of a Safe System network, VicRoads is developing policies and practices to ensure road improvement projects developed and delivered through its programs and across the Victorian road network consider road safety outcomes.

Safe System Assessments will be required for all VicRoads and Government funded projects in accordance with the VicRoads Safe System Assessment Guidelines. It is envisaged that Safe System Assessments will ultimately apply to all projects on roads for which VicRoads is the responsible authority.

Adapted from: VicRoads (2018). Safe System Assessment Guidelines.

The Department of Transport and Planning is the coordinating road authority for arterial roads within the municipality, including the highways that traverse the residential areas of Horsham and Haven.

Horsham Rural City Council

Horsham Rural City Council is responsible for road and road related infrastructure as defined under the Road Management Act 2004 and associated Regulations and Codes of Practice.

The provisions of the HRCC Road Management Plan (2021) apply to public roads listed in the Register of Public Roads for which Horsham Rural City Council is the co-ordinating road authority, and roads or parts of roads that Council maintain under agreement with another road authority.

Council will collaborate closely with the Department of Transport and Planning to facilitate implementation of measures outlined in this Plan that apply to arterial roads controlled by the Department.

An Infrastructure Design Manual (IDM) documents and standardises Council requirements for municipal infrastructure. The IDM provides minimum standards for pedestrian/cycle provision within road reserves. The objectives of the IDM complement the objectives of the 2023 Plan:

To promote

- Walking and cycling to daily activities
- Universal access within the community
- Community health and wellbeing associated with increased activity, and
- To develop layouts that allow for access in all directions, link to public transport, reduce dependence on cars and provide pathways and cycleways that are continuous and linked to each other.

Source: Infrastructure Design Manual, Clause 13 Mobility and access provisions).

The three sectors (Austrroads, VicRoads/Department of Transport and Planning and Horsham Rural City Council) deliver infrastructure within a framework and according to technical specifications developed from extensive research, analysis of data and emerging best practice.

Hierarchy of roads within Horsham

The proposed bicycle network and hierarchy is based on the Movement and Place framework developed by the previous Victorian Department of Transport.

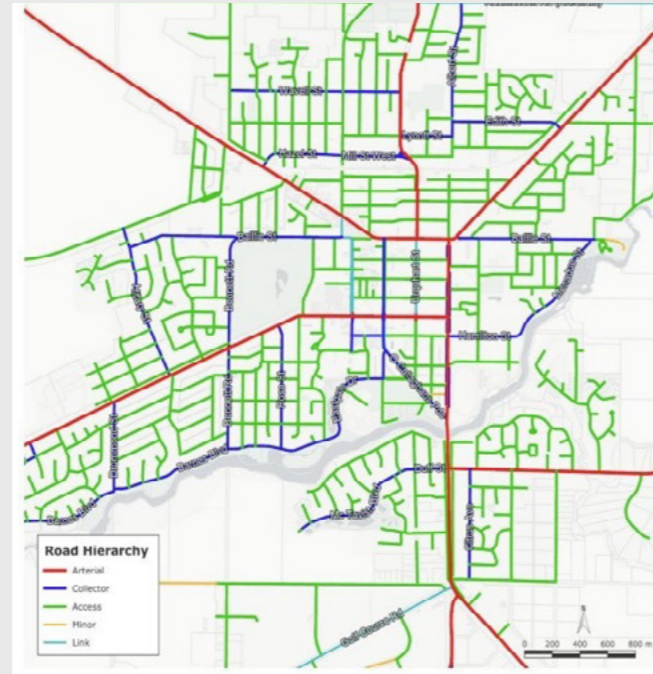
The Movement and Place framework considers the relationship between Movement (traffic volumes, road types) and Place (destination, surrounding areas, and accessibility).

The needs of people moving throughout the built environment is central to the planning of preferred routes.

The 2020 Horsham Urban Transport Plan and the 2021 Horsham Central Activity District (CAD) Revitalisation and Streetscape Plan incorporate the Movement and Place framework and both the Horsham Urban Transport and Horsham CAD Plans identify opportunities to strengthen the network and improve safety and amenity along preferred routes. These recommendation have been included in the 2023 Plan.

Existing road hierarchy

Council has an existing road hierarchy that describes the movement status of roads beyond the CAD.



Source: Horsham Rural City Council (2020). Horsham Urban Transport Plan. The road hierarchy guides the design and maintenance of roads throughout the municipality.

The road hierarchy has been adapted in the 2023 Plan to reflect local destinations and places of interest and to include, where possible existing cycling pathways and infrastructure.

The 2023 Bike Infrastructure Plan acknowledges arterial roads of the hierarchy but also suggests alternative routes to and through the Central Activity District (CAD) to create safer cycling options.

Alternative routes include:

- Natimuk Rd – Park Drive – Gleed St – Darlot St –(rather than Wilson St)
- Stawell Rd – O’Callaghan’s Parade – Urquhart St (rather than McPherson St)

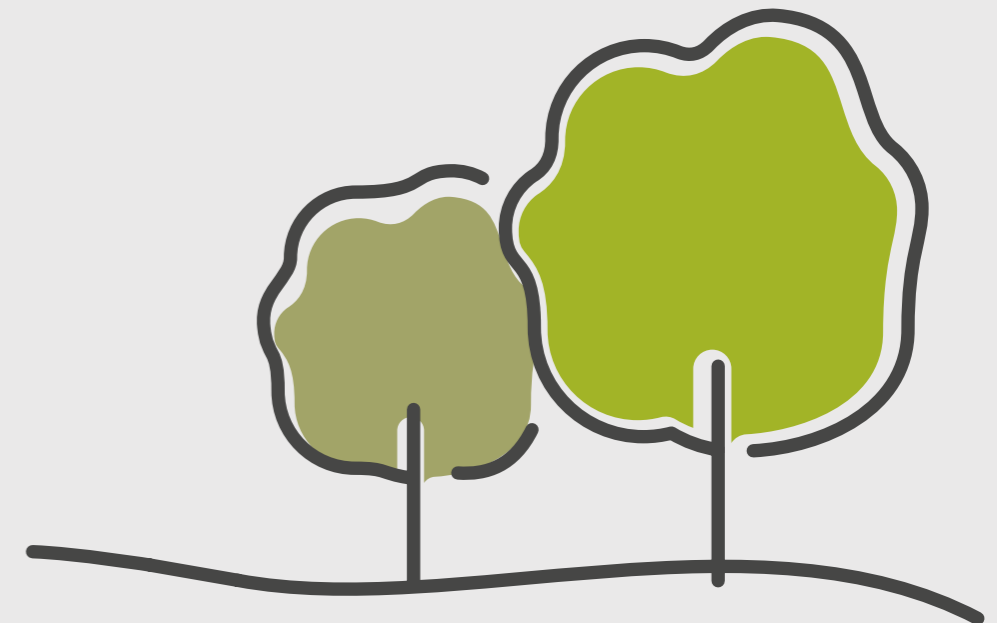


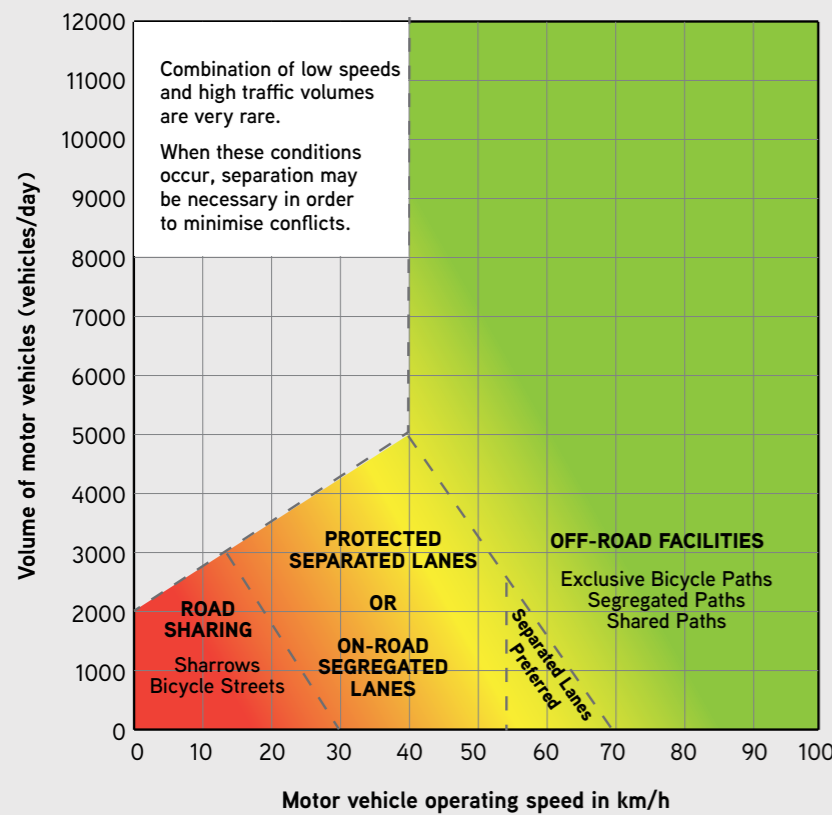
Hierarchy of cycling routes – urban area

The following hierarchy is embedded in the prioritisation of infrastructure works table. (Appendix 1)

C1	<p>Arterial roads (highways)</p> <p>High vehicle volume, mixed vehicle type (cars and trucks) traffic speed of 50-60 km/h.</p> <p>Cycling: Primary routes providing a core cycling network connecting the CAD and places of significance. These routes are designed to cater for high volumes of cyclists and pedestrians.</p> <p>Recommended treatment: off-road, single-use pathways for cyclists, or off-road shared pathways for cyclists and pedestrians or protected on-road cycle lanes with a physical barrier between bicycles and vehicles</p>
C2	<p>Collector / Connector Level 1 roads</p> <p>Medium volume vehicles, generally few trucks, traffic speed of 50 km/h</p> <p>Cycling: Routes providing access to activity areas, schools and recreational areas. These routes cater for medium-high volumes of cyclists.</p> <p>Recommended treatment: protected on-road lanes, or lanes separated lanes from traffic separated lanes.</p>
C3	<p>Connector Level 2 roads</p> <p>Routes providing access for local residents – short trips between activity centres that feed into the busier C1 and C2 routes.</p> <p>Cycling: These routes cater for low-medium volumes of cyclists.</p> <p>Recommended treatment: separated lanes from traffic or protected, on-road, separated lanes.</p>
C4	<p>Access roads</p> <p>Low – medium volume of traffic, traffic speed of 50 km/h.</p> <p>Cycling: Neighbourhood and local links provide short connections to C1-C3 routes.</p> <p>Recommended treatment: road sharing of cyclists and vehicles with traffic calming measures to reduce speeds to 30 km/h.</p>

Note: Arterial roads (highways) are not controlled by HRCC and all road and cycle treatments occur in consultation with external authorities such as Department of Transport and Planning.





Notes: This diagram is to be applied to urban roads and is not appropriate for rural or non urban roads.

Zone boundaries shown on this graph are indicative only.

Safe Systems Risk Analysis

There are many different design options to provide the most appropriate infrastructure for cyclists and pedestrians. Safe System assessment of pedestrian and cyclist infrastructure is based on the extent to which the infrastructure removes or reduces the potential of crash likelihood, injury severity, and exposure to potential conflict with other road users.

Risk assessment involves the relationship between likelihood and severity regarding:

1. Traffic volume
2. Traffic speed
3. Injury data

Traffic volume vs speed

When designing for safety:

- **Off road, separated cycle lanes** are required when there is high traffic volume and speeds above 70 km/h
- **Protected and separated cycle lanes** are required when there is medium traffic volume and speeds between 30-70 km/h
- **Traffic calming measures and road sharing** are suitable when there is low traffic volume and speed between 0-30 km/h.

Full separation of cyclists, bicycles and vehicles eliminates the likelihood of crashes.

Although vehicle travel speeds of 30 km/h are generally considered survivable, cyclists and pedestrians, particularly older people and children, can still sustain significant injuries at this speed.

As impact speeds increase, so do the risks of collisions, and the potential for serious injury escalates even more rapidly.

On local streets (access roads) where the default speed limit of 50 km/h applies, pedestrians and cyclists are exposed to impact speeds that exceed the Safe System human survivability threshold, resulting in significant injuries or even death if a crash does occur.

In local streets however, complete physical separation of bicycles and vehicles is not always possible. In these circumstances, the focus should be on traffic calming measures - designing local streets to ensure any potential collisions involving vehicles and pedestrians or cyclists remain below the Safe System threshold of 30 km/h.

Traffic volume (vehicles per day) generally reflects the road hierarchy of arterial, collector/connector and access roads. The relationship between both traffic volume and speed limit has been used as the basis for determining the prioritisation of possible projects.

Safe System crash outcome threshold

LIKELIHOOD OF THE INCIDENT		SEVERITY OF THE INCIDENT				
		Insignificant Property damage	Minor Minor first aid	Moderate Major first aid and/or presents to hospital (not admitted)	Serious Admitted to hospital	Fatal At scene or within 30 days of the crash
Almost certain One incident per quarter		Medium	High	High	Extreme	Extreme
Likely One per quarter - one per year		Medium	Medium	High	Extreme	Extreme
Possible One per year - one every 3 years		Low	Medium	High	High	Extreme
Unlikely Once every 3 years - once every 7 years		Negligible	Low	Medium	High	Extreme
Rare Less than once every 7 years		Negligible	Negligible	Low	Medium	High

Risk Mitigation Response

Negligible	No action required
Low	Should be corrected or the risk reduced if the treatment cost is low
Medium	Should be corrected or the risk significantly reduced, if treatment cost is moderate but not high
High	Should be corrected or the risk significantly reduced, even if the treatment cost is high
Extreme	Must be corrected, regardless of cost.

Injury data

– Horsham Local Government Area

Despite the low incidence of cycling (reported in ABS Census data), the Horsham Local Government Area has experienced an unacceptable rate of cyclist and pedestrian injury.

Department of Transport and Planning road crash data reveals that 20 accidents involving cyclists and vehicles occurred in Horsham during the 2018-2022 period.

- Accidents generally involved male cyclists (15 male and 5 female cyclists),
- Most cyclists were aged between 16-72 years,
- Six cyclists were under 15 years of age,
- Most accidents (18) were recorded during day light hours and 2 accidents were recorded as occurring at 'dusk',
- Most accidents (14) occurred on week days (Monday – Friday),
- The weather was recorded as being 'Dry' when accidents occurred,
- On 4 occasions, cyclists required hospitalisation and tragically, in 2019, a cyclist was fatality injured,
- Accidents occurred at intersections 40% of the time (8 occurrences),
- Most accidents (13) occurred on roads managed by HRCC with some accidents (4) occurring at intersections of arterial and connector roads.

Crash locations

No accidents occurred twice at the same location, but:

- Two accidents were recorded along the length of McPherson St: Hamilton St and Smith St
- Three accidents were recorded along the length of Firebrace St: Hamilton St, McLachlan St and along a section of Firebrace St
- A total of 10 accidents (50%) occurred in the Central Activity District bounded by: Darlot / May Park Terrace, Baillie, McPherson and Hamilton Streets,
- Location data reveals 80% of the accidents (16) occurred within the built area of Horsham where the speed is limited to 50-60 km/h.

Injury data

The Safe System Risk Assessment Matrix provides guidance in the assessment of risk and the identification of the need for intervention.

Risk assessment considers the relationship between:

- the likelihood of an event occurring (rarely to almost certainly occurring) and
- the severity of the incident (property damage to a fatality).

Although cycling numbers in Horsham are historically low, accident data: number of accidents, location, road type and speed reinforce the need to implement infrastructure solutions to create a protected, cycling and shared path network that reflects local movement patterns and Council's strategic priorities.

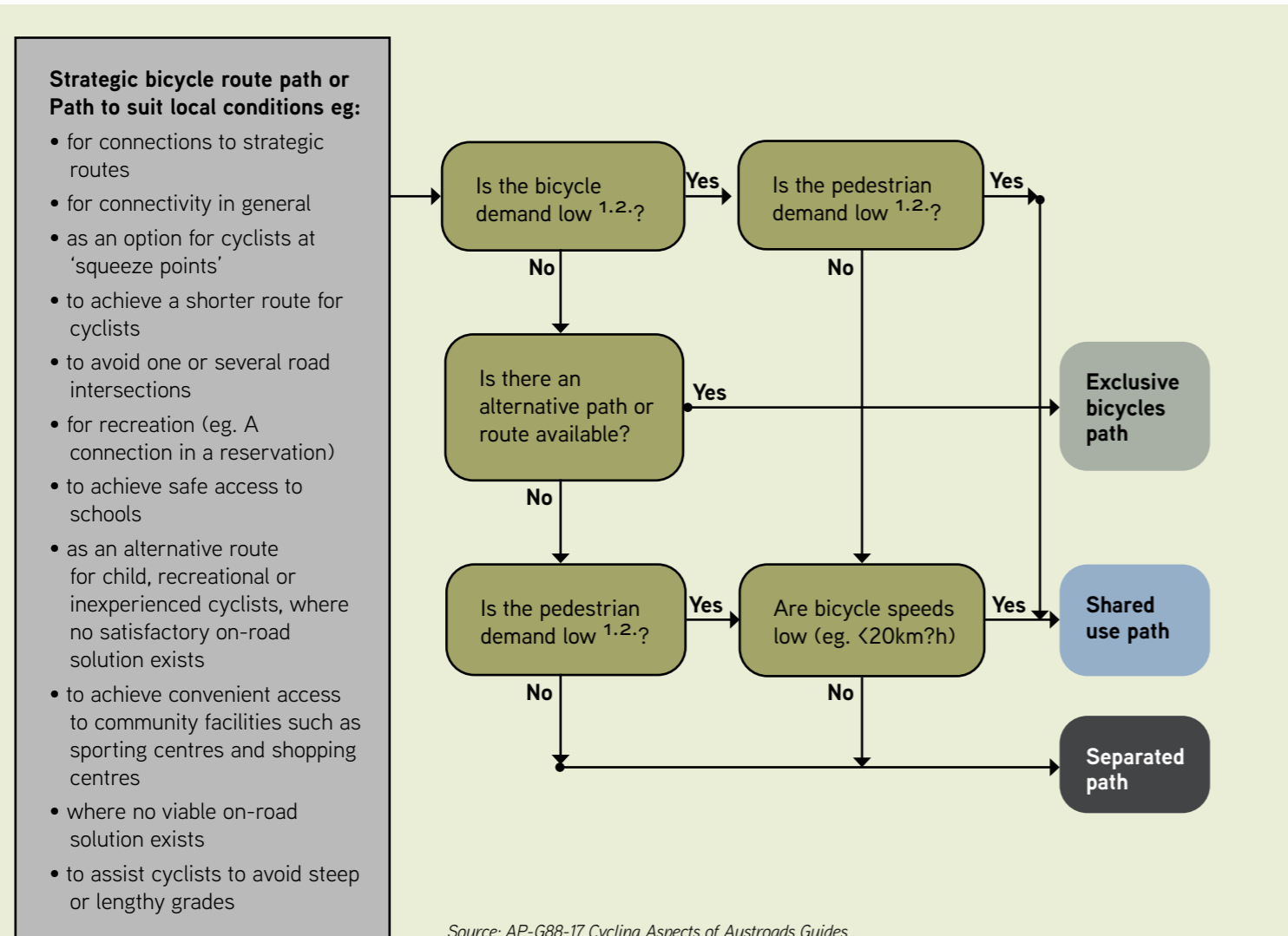
Safe System Decision Making

Implementation of a Safe System of active transport options involves consideration of solutions to eliminate the occurrence of fatal and serious injuries (primary solutions).

In some situations, the best options may not be feasible because of project constraints (budget, site conditions, conflicting road user needs, or the environment). If so, the next safest feasible solution needs to be identified (secondary solutions).

Incident/injury data traffic volume, traffic type and speed must be considered when identifying whether pathways should be:

- **Exclusive bicycle use**
Separated from both vehicular traffic and pedestrians for the single use of cyclists
- **Shared use path**
Separated from vehicular traffic but designed for shared use by both cyclists and pedestrians
- **Protected / Separated/ path**
Protected pathways have physical barriers separating cyclist from vehicles; separated cycle lanes are identified by line-marking or paint.



¹ The level of demand can be assessed generally on the basis of the peak periods of a typical day as follows:
 a. Low demand: Infrequent use of path (say less than 10 users per hour)
 b. High demand: Regular use in both directions of travel (say more than 50 users per hour)
² These path volumes are suggested in order to limit the incidence of conflict between users, and are significantly lower than the capacity of the principal path types.

Safe System Treatments

The following guidelines are indicative only, providing examples of:

- Protecting cyclists and pedestrians,
- Increasing predictability of pedestrian and cycling road crossing decisions,
- Reducing the time pedestrians spend on the road in the presence of passing vehicles, and
- Introducing traffic calming measures.

Austrroads technical manuals and other publications provide detailed specifications and design guidelines.

Local conditions and context should be considered when applying specifications. The goal is to provide a safe use environment.

Designing a road according to these [Safe System] principles is not the same as designing a road which simply meets design standards. There is no reason to think that by meeting standards the appropriate level of safety is built into roads" (Professional Engineers Ontario 1997).

For information regarding the widths for shared and separated paths, refer to AP-G88-17 Cycling Aspects of Austroads Guide for further information.

General principles for Pedestrians and cyclists

For pedestrians and cyclists, the main objective of the Safe System is to create a clear separation from vehicular traffic.

A holistic approach to safety treatment is recommended, involving measures not only at the proposed site but also before and/or after the site or area of development. Supporting treatments include: line markings, lane narrowing, and advisory and regulatory signage.

Adapted from Transport Accident Commission: TAC Local Government Grant Program. Victorian Government, 2023

Pathway design should also consider elements including: sight lines, vertical clearance, drainage, gradient, cross-fall batters and fencing.

Treatment 1: Pathway selection to separate or protect cyclists

- Off-road cycle facilities are preferred where possible.
- When complete separation of cyclists and vehicles is not possible, protected on-road cycle lanes can help minimise interactions between cyclists and vehicular traffic.
- Cycle lanes built to high standards improve cyclist safety, whereas those built to lesser standards can reduce cyclist safety. Wider cycle lanes (1-1.8m) are preferred.
- Projects that include speed reductions from 50 km/h to 40 km/h or 30 km/h should be prioritised, as well as projects that provide greater lateral separation (ideally at least 1m) between cyclists and passing traffic, and/or parked vehicles.
- Where cyclists and general traffic have less than 1m of clearance or are expected to share a traffic lane, lower travel speeds (preferably not exceeding 30 km/h) will be required to align with the principles of the Safe System approach.
- The IDM requires that walkways and cycle ways be continuous and linked with each other, provide universal access and promote walking and daily cycling activities.
- Pathways should be constructed from bitumen, be free from obstructions, trips and falls hazards, with specified minimum widths and maximum cross-fall.
- Minimum standards regarding specifications are provided in the IDM.



Protected cycle lane



Protected cycle lane – Physical barrier and signage separates cycling from other road use.

Treatment 2: Colour contrast and lighting

- Accessibility standards require a colour contrast between pathways and surrounding surfaces.
- Bitumen surfaces provide a durable riding surface but may not provide the required colour contrast between the pathway and surrounding surface type. Line marking (edge of pathways) assists the definition of pathways.
- Alternatively, concrete pathways (white/cream) provide adequate contrast and reflect light in low-light conditions.



Two way cycle lane with line marking to provide colour contrast.

Treatment 3: Intersections

Roundabouts are commonly perceived by cyclists and pedestrians as one of the most hazardous forms of intersection control on the road network. At roundabouts, 80% of crashes involving cyclists are due to motorists failing to correctly judge the cyclist's speed and having a lack of awareness of the cyclist's presence.

Source: VicRoads TEM Vol 3 Part 2.15.



Protected intersection – Cyclists are separated from traffic. The 'jellybean' safety island increases sight lines for vehicles turning left.



Treatment creating a protected intersection. Note the continuous cycle path and separation from pedestrians. Note also the landscaping barrier between vehicles and bicycles.



Speed calming treatment at intersection. (Ballarat, Victoria). Creates continuous pathway for cyclists and pedestrians crossing the intersection.

Treatment 4: Traffic Calming

A range of traffic calming (speed reduction) measures are available and may include: road narrowing and shaping, speed cushions, raised platforms and other design elements.



Speed cushions slow traffic at pedestrian and cycling crossing points.



Speed humps slow traffic speed.



Street width and design contributes to traffic speeds on access roads.



Treatment 5: Canopy cover

Shade increases cycling and walking comfort and provides protection from both the sun and rainfall. Tree planting along cycle routes provides shade, reduces heat island impacts and supports increased usage of the pathways.



Natimuk Rd, Horsham.

Treatment 6: Art work and places of interest

Cycling and shared path routes present opportunities to create social areas with seating and tables, showcase artwork such as murals and sculptures, offer educational information about local indigenous history, and raise environmental awareness about habitat, flora, and fauna.



Artwork along cycle path, Plympton, Adelaide

Treatment 7: Signage and wayfinding

Appropriate signage clarifies decision-making for cyclists and motorists, creating a safer travel experience and increasing the visibility of routes and options for cyclists and the wider community. Wayfinding signage guides people to destinations along the bicycle and shared path network.



Barnes Boulevard, Horsham



Part 3: Existing Condition Assessment – Audit & Recommendations

Existing condition assessment – audit of cycle routes

During November 2022 – February 2023, an assessment of the existing bicycle and shared paths network in Horsham was undertaken to review and assess:

- The implementation of the 2012-2016 Plan (development of cycling network and safety upgrades) and determine
- If upgrades to the cycle pathways reflect Safe System principles and design solutions

The audit considered Movement and Place categories, the hierarchy of roads and associated cycling and shared path treatments proposed in the IDM and local cycling conditions and movement patterns across the network.

Assessment criteria evaluated:

Road treatments and the hierarchy of roads

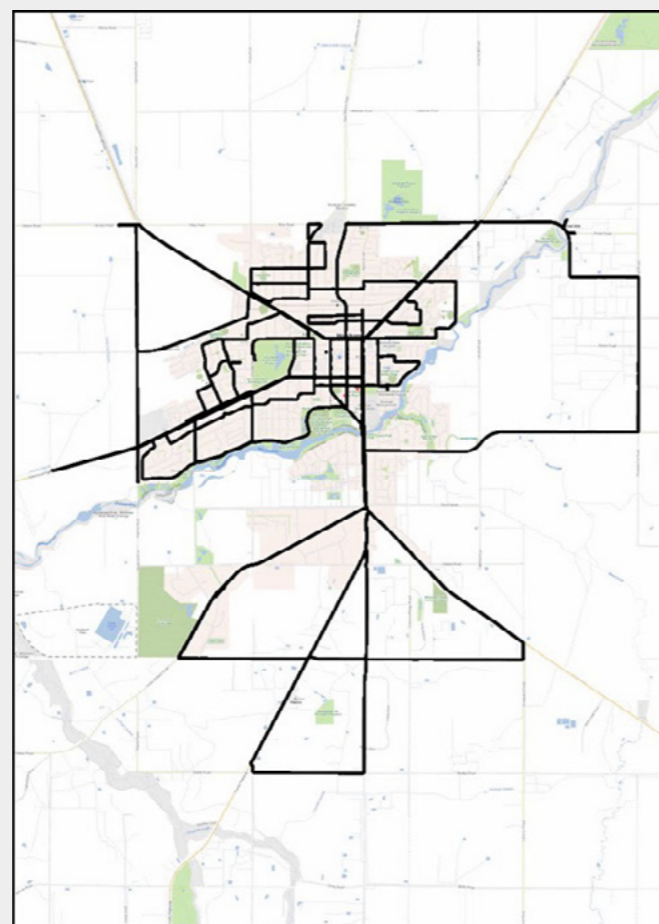
- Separation of bikes and vehicles in areas of high volume and speed
- Intersection treatments
- Clarity of messaging to cyclists and drivers regarding cycling lanes and cycling right of way across intersections
- Traffic calming measures where bikes and vehicles share the road network
- Line marking

Path treatments

- Surface materials
- Colour contrast
- Lighting

The review of existing cycle and shared pathways also included identification of opportunities to create a connected network providing east-west and north-south movement to and through the city centre and other destinations, including schools, work locations, and places of recreation and entertainment.

The first phase of the audit was undertaken by vehicle, using dash cam technology. Site assessments were then conducted by walking and cycling specific sections of the network to determine connectivity, potential levels of stress to cyclists and pedestrians and to observe interactions between different modes of transport.



Roads and area assessed by using a combination of cycling and walking and vehicle based dash-cam technology.

Existing cycling network – assessment outcomes

An annual funding allocation of \$75,000 for maintenance and upgrades to the cycle pathways has enabled the gradual implementation of the 2012-2016 Horsham Municipal Bike Plan.

Despite annual funding, the budget is insufficient to establish a connected network or to effectively upgrade or install new pathways and as revealed in 2021 ABS data, cycling participation rates have fallen.

Intersection treatments are complex and expensive and if cycling activity is to increase, require a focus on the safety needs of cyclists.

Less expensive options such as signage and line-markings on roadways are more affordable and more easily applied. However, the application of cycle lanes across the focus area has not reflected Safe System principles with unprotected lanes provided on busy arterial roads, vehicle parking lanes sign-posted as cycle lanes, faded line-marking across the network and inconsistent cycle lane widths.

Shared pathways, separated from the road network or meeting Safe System principles, exist only as sections of a network, rather than being continuous and connected. No protected cycle lanes were identified during the assessment.

Summary of findings

Observations of existing conditions were checked and confirmed through the engagement process, and found:

- Cycling is not supported on busy arterial roads. Cycle lanes are shown via line-marking only,
- In connector streets, cycle lanes are of varying widths and are being used for vehicle parking,
- Traffic calming measures are rarely used in access streets,
- There are limited connections from the northern areas of Horsham to the CAD – steep road bridge without safety rail on Urquhart Street and underpasses at the railway line are unsuitable for cycling and pedestrian access,
- There are limited connections from the eastern areas of Horsham to connect to the CAD – access via Dooen Rd or Baillie St with signalised treatment options at two locations,
- Connections from both the west and southern areas of Horsham are disconnected - with some separated pathways along the length of both routes but no continuous or consistent treatment or network,
- There is inconsistency throughout the bicycle and shared path network, regarding infrastructure, connectivity, line-marking and signage,
- Cycle paths end at road crossings and intersections,
- Intersection treatments do not provide separation of cyclists from cars or pedestrians,
- Roundabouts do not reflect Safe System principles (separation of cyclists and vehicles),
- Surface materials vary across the network,
- There is inadequate colour contrast between cycle paths and the surrounding environment,
- Line marking is not used to identify pathway edging,
- The Haven area lacks east-west lateral connections, although generally has good separation for north south shared path facilities which are off road,
- En-route amenity (shade, options to rest, public art) is generally not provided,
- Limited/lack of formal crossing points, particularly on busy, arterial roads to accommodate safe access for pedestrians and cyclists.

Common elements across the road hierarchy

The following examples identify cycling treatments that do not meet the Safe Systems principles.

Safe System principle:

High volume traffic, high speeds (50-80kmh), heavy vehicles.

Treatment- Bicycles separated from traffic (shared or single use cycle paths) or on road in protected cycle lanes

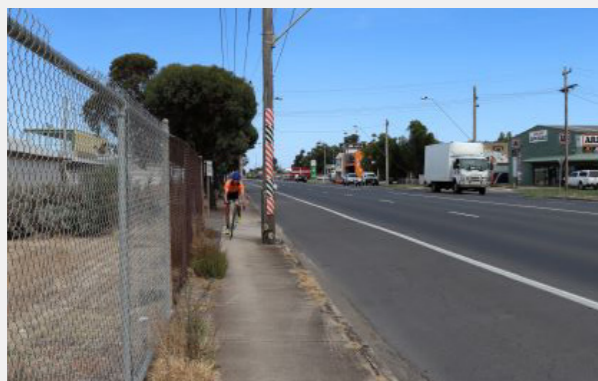
Arterial roads (C1)

Example 1: Dimboola Road

- Off-road shared cycle path is provided but there are no street crossings along the length of the cycle route.

Example 2: McPherson Street

- Off-road shared cycle path is provided but there are no street crossings along the length of the cycle route,
- Shared pathway (footpath) along eastern side of McPherson St does not provide safe reaction time for cars reversing from driveways,
- Shared path contains obstructions for pedestrians and cyclists,
- Shared pathway near velodrome ends at car park – no continuous network.



Narrow shared cycle and pedestrian path – Obstruction within footpath, McPherson St.



McPherson St, looking south – Shared path ends at car park near stadium, McPherson St.



McPherson St (looking north) – Footpath ends at southern entrance to Showgrounds.



McPherson St near Stawell Rd intersection – Unprotected cycle access to off-road (shared) path. Kerb treatment not consistent with preferred cycle treatment.

Example 3: Baillie Street

- Signage and line-marking (cycling lane) but cyclists share the road with heavy vehicle, high daily traffic volume trucks at speeds between 50-60km/h



Baillie St (looking west) – High volume traffic but no separation of bicycles and vehicles.



Baillie St (looking east) – High volume traffic and cycle lane is not protected and is shared with parked vehicles.

Example 4: Dooen Road

Cyclists share the road with high volume and heavy vehicle traffic on a narrow bike path.



Cycle lane on arterial road not protected from high volume traffic.

Example 5: Wilson Street

The cycle lane on the arterial road is not protected from high volume traffic.



Wilson St (looking east) – Bicycles coexist with heavy vehicles in a lane that lacks both separation and protection, positioned behind angle-parked cars.

Example 6: Natimuk Road

- Limited sections of off road pathways
- Signage and line-marking (cycling lane) but cyclists share the road with heavy vehicles
- High daily traffic volume at speeds between 50-60km/h
- Cycling not supported across most intersecting roads



Natimuk Rd (looking west) – Cycle lane on arterial road not protected from high volume traffic.

Connector Roads (C2 – C3)

Safe System principle:

Road speed of >30kmh = separate bicycles from traffic and/or traffic calming.

Consistent treatment (surfaces, line marking, lane treatment, signage) required to reduce confusion for cyclists and motorists.

Example 1: Baillie Street

- Shared off-road pathway provided between Park Drive and Bennett Rd
- Poor surface condition
- Poor colour contrast
- Variable traffic conditions along along the length of Baillie St
- Inconsistent cycling and pedestrian treatments



Baillie St – Park Drive intersection.



Baillie St / May Park Terrace intersection – Cycle lane ends at intersection.

Example 2: Bennett Road

- Shared off-road pathway provided between Natimuk Road – southern end – cars parked in bike lane and different lane widths (on either side of the road)
- Cycle lanes not consistently applied
- No road crossing intersection treatments provided along the length of Bennett Rd
- Pathway along the racecourse has an overhead roof line impacting the pathway.



Bennett Rd (Wimmera river end) – Cycle lane used for parking.



Bennett Rd (looking south) – Cycle lane gives way to parked vehicles.



Bennett Rd looking north – Cycle lane not visible.



Bennett Rd looking north – Cycle lane on western side of road. Different width to lane on eastern side of the road.



Cycle lane through racecourse car park. Shared pathway is through a car park and against traffic flow.

Example 3: Lynott Street

- Shared off-road pathway provided between
- Cycling lane shared with vehicles, traffic speed of 50km/h
- Faded line marking
- Lack of road crossing treatment along the length of the roadway



Lynott St (near Albert St intersection) – Faded line marking and car parked in cycling lane.



Lynott St (looking east).

Example 4: Mill Street – Hazel Street

- Heavy vehicle, high volume, speed of 50km/h – no provision for off road cycle/shared path



Mill St (looking east).

Hazel St (looking west).

Example 5: O'Connor Street

- Variable cycle lane treatments across the urban area



O'Connor St (looking east).

Existing conditions – that support cycling

Existing infrastructure separating cyclists from vehicles or providing continuous travel lines for cycling was also identified.

Example 1: Natimuk Road

Because of the high volume, type of vehicle and speed (60km/h) a separated cycling lane located near the kerb is required.



Natimuk Road, Horsham (looking west).

Example 2: Hamilton Street

The left turn into McPherson St offers a protected and separated option, ensuring cyclists are distinct from left-turning vehicles.



Hamilton St, Horsham (looking east).

Example 3: Wilson Street

Because of the high volume, type of vehicle and speed (60km/h) a separated cycling lane located near the kerb is recommended. Wilson St offers a continuous route for cyclists, with a pedestrian refuge near Target facilitating uninterrupted road movement for cyclists.



Wilson Street, Horsham (looking west)

Example 4: Natimuk Road

A shared cycling and pedestrian pathway, distinct and separated from the road carriageway.



Natimuk Road, Horsham (looking west).



Example 5: O'Callaghan's Parade

Situated at the corner of Firebrace St and O'Callaghan's Parade, the infrastructure ensures continuous connections across intersections.



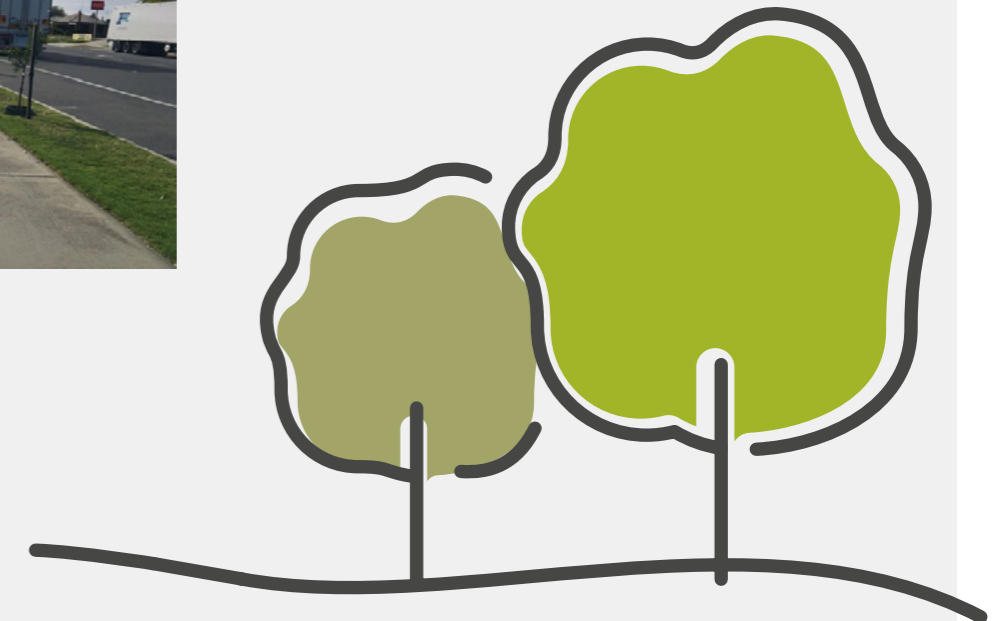
Corner of Firebrace St and O'Callaghan's Parade, Horsham.

Example 6: Dimboola Road

Along Dimboola Rd, the pathway running alongside the arterial road is specifically separated for pedestrians and cyclists, with the concrete surface offering a visual contrast against the green expanse of the adjacent grassed area.



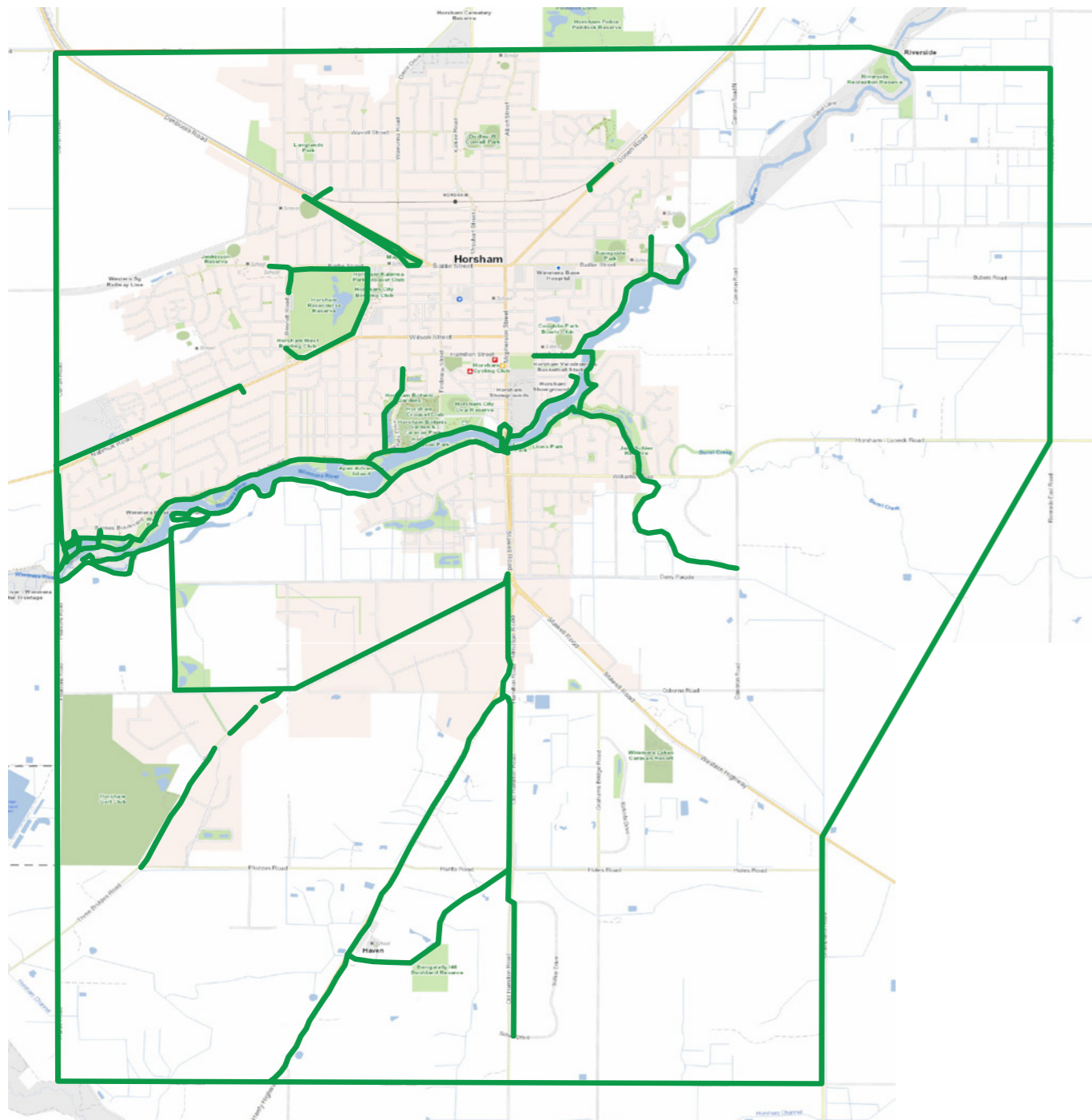
Dimboola Road, Horsham (looking west).



Audit results – existing shared path routes

The audit revealed that the current provision of cycling pathways throughout Horsham does not provide a continuous cycling or shared path network.

Notably, the majority of routes meeting Safe System principles are off-road or shared path options, with a significant proportion of the network running alongside the Wimmera river and adjacent natural areas.



Cycling and shared pathways that meet Safe System requirements

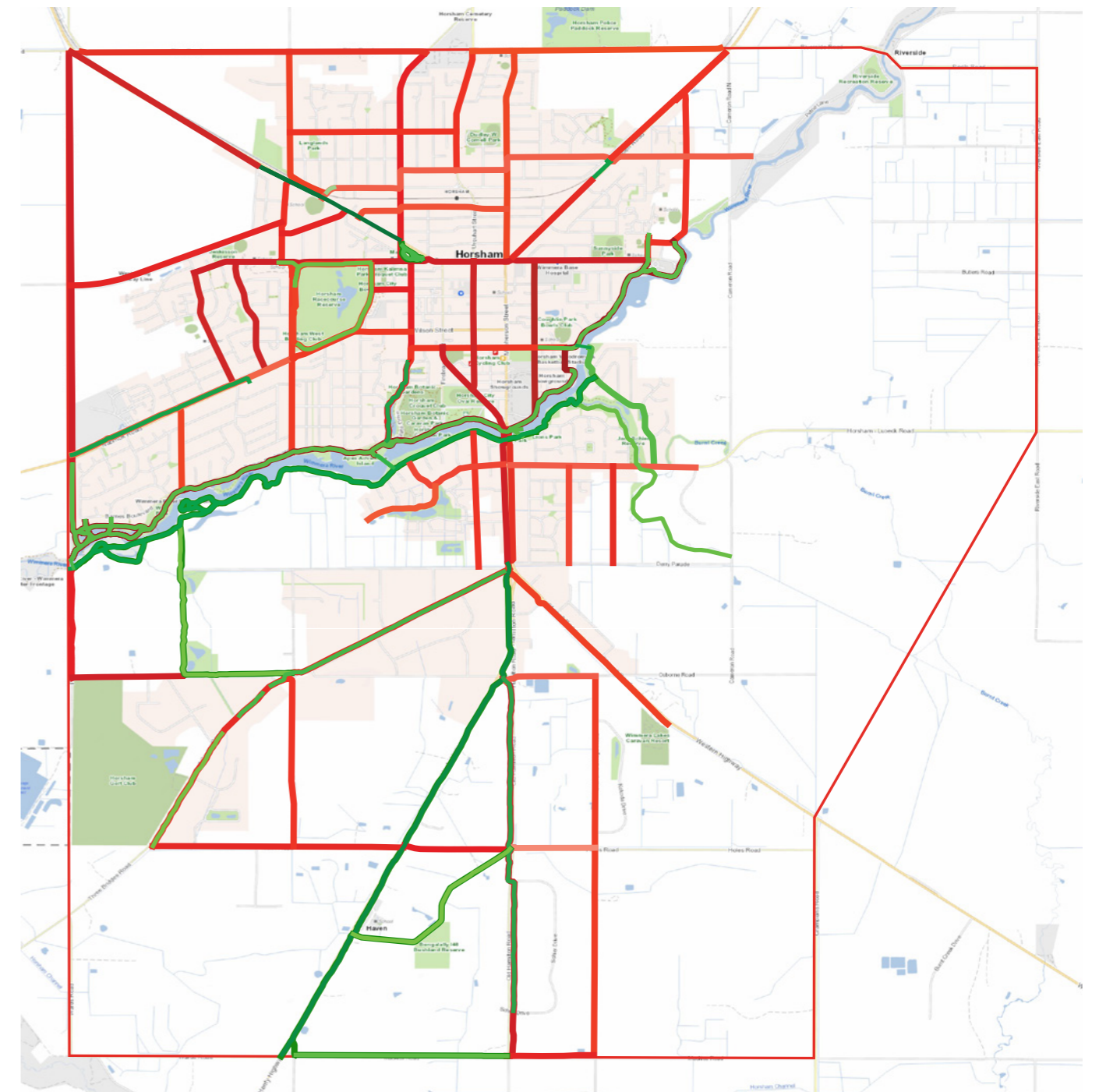
Recommended cycling and shared path network

The audit identified opportunities to create safer cycle routes across the road and cycling network. Existing pathways provide a framework upon which a connected network can be created.

The proposed network includes use of arterial, connector and access roads. The network will require a variety of safety and traffic calming measures specific to reflect the road hierarchy and associated traffic conditions.

Red lines on the map represent proposed routes to create a connected network throughout the developed areas of Horsham and Haven. Existing (Green) and proposed new (red) cycle and shared path treatments combine to create an active transport network.

A network of continuous, connected pathways will provide clear messaging to cyclists, pedestrians and vehicles that cycling and active transport options are supported by our community.



Recommended cycle and shared path network

Funding options

Funding for the implementation of the 2023 Bike Plan will be through Council’s annual Capital Works Program. External funding will be required to support the full implementation of the Plan. This includes further analysis of treatments for sections of the proposed network and implementation of significant infrastructure projects including intersection treatments, new sections of the network, controlled crossing points, end of trip facilities, bridge connections signage and other safety interventions.

Budget history

Through the HRCC Capital Works Program, an annual budget of approximately \$75,000 has been directed to the construction of new or improved bicycle infrastructure.

External funding

External funding will contribute to larger scale works. Funding sources may include:

- **Developers:** Opportunities through new sub-divisions for developer contributions to align with HRCC’s strategies to improve accessibility is important to promote growth and ease of movement, connecting the community to activity centres and key destinations.
- **TAC Local Government Grant Program:** Encourages Local Government Authorities to improve road safety within their local communities and is specifically designed to improve the safety for walking and cycling by focusing on infrastructure projects focused around Safe System principles (primary and secondary treatments).
- **Black Spot Program:** Part of the Federal government’s commitment to reduce crashes and road trauma on Australian Roads. The program targets known locations with a significant crash history – and funds treatments that directly address the types of crashes occurring.
- **Federal Government:** Funding can be obtained in association with large scale Federal projects such as major transport projects (rail extension, freeway construction), road safety programs and health improvement strategies.



Conclusion

Since 2003, Safe System Principles have provided a nationally endorsed framework to guide the provision of road infrastructure for a variety of active transport modes, including cycling.

The 2012-2016 Horsham Municipal Bicycle and Shared Paths Plan demonstrated Horsham Rural City Council’s commitment to the provision of cycling and shared path infrastructure.

However, despite an annual investment in cycle pathways, cycling numbers have declined since 2006. Although there are many reasons why people do not walk, cycle or use other active transport options, there is a direct relationship between the provision of safe and accessible infrastructure and the number of active transport and active recreation participants.

Safe System principles recognise that:

- People make mistakes
- Humans are fragile
- Road safety is a shared responsibility
- The road system must be forgiving

The Safe System philosophy underpins Victoria’s strategic approach to road safety.

Cycling and other active transport options are supported in several current Horsham Rural City Council strategic documents, including the Horsham Planning Scheme.

The 2023 Plan provides a roadmap for the implementation of various initiatives that will create a network of cycle and shared paths to and through the urban areas of Horsham and Haven.

The 2023 plan identifies required traffic management infrastructure (separated or protected pathways, traffic calming, line marking, signage, surface materials) to create a connected network.

The 2023 Plan also identifies supporting infrastructure (seating, wayfinding, en-route and end-of-route facilities) to improve the experience of cycling and walking.

The 2023 Plan recommits Horsham Rural City Council to the creation of a connected, active community, providing a *vibrant, liveable hub [that empowers] its people to live, work and access opportunities for recreation and culture, now and into the future.*





Public Engagement Plan

HORSHAM BICYCLE & SHARED PATH INFRASTRUCTURE PLAN 2023-2033

December 2023

ENGAGEMENT PLAN	3
BACKGROUND.....	3
PART ONE - INITIAL ENGAGEMENT – DEVELOPMENT OF THE DRAFT PLAN	3
ESTABLISHMENT OF COMMUNITY REFERENCE GROUP	3
PART TWO - REVIEW OF THE DRAFT PLAN	4
PURPOSE OF THE ENGAGEMENT	4
PUBLIC PARTICIPATION GOAL.....	4
IAP2 LEVEL.....	4
OUR PROMISE	4
ENGAGEMENT TOOLS	4
HOW WILL THE FEEDBACK BE MANAGED?.....	4
WHAT ARE THE NEXT STEPS IN THE ENGAGEMENT PROCESS?	5
WHAT IS THE CURRENT ROLE OF THE CRG?	5
FOCUS AREA OF THE DRAFT PLAN	5

ENGAGEMENT PLAN

This plan provides details of the engagement process for the development of the 2023 Horsham Bicycle and Shared Path Infrastructure Plan.

BACKGROUND

The Horsham Municipal Bicycle & Shared Path Plan (2012-2016) is the current strategic document informing cycling infrastructure and amenity within Horsham. Contemporary expectations regarding safety are not reflected in the 2012 plan and an audit of existing cycle routes throughout Horsham and Haven identified that a connected network has not been developed. The 2023 Horsham Bicycle and Shared Path Infrastructure Plan (2023 Plan) will reconfirm our commitment to safety as expressed in the nationally endorsed Safe System principles (Austroads), will identify a connected network of shared paths that reflect the road hierarchy and will contain a prioritisation tool to guide the implementation of planned works.

PART ONE - INITIAL ENGAGEMENT – DEVELOPMENT OF THE DRAFT PLAN

Bicycle Advisory Committee

Initial community input including advice provided by the former Bicycle Advisory Committee provided a framework for priorities and inclusions within the plan, particularly relating to the current and proposed mapping exercises.

Internal stakeholders

Meetings were held with HRCC staff from various work units through the development of the plan. This included meetings with officers from the following areas:

- Parks and Gardens
- Assets
- Engineering
- Strategic Planning
- Statutory Planning
- Civil Works
- Projects

ESTABLISHMENT OF COMMUNITY REFERENCE GROUP

A Community Reference Group (CRG) was formed in February 2022.

The CRG is comprised of the following members:

- Avid bicycle riders on or off road (x10)
- Non cyclist but with an interest in commencing cycling (x2)
- Parent or grandparent of children who ride (x1)
- Interested community member (x1)

Two HRCC officers from the Recreation and Open Space Planning (ROSP) team attended the CRG meetings.

The CRG met in February 2022 and again in September 2022.

Meetings were held in both online and at the Civic Centre, Roberts Avenue, Horsham.

Meetings were of a 1.5-2 hour duration.

Notes were taken at each CRG and stakeholder meetings.

PART TWO - REVIEW OF THE DRAFT PLAN

PURPOSE OF THE ENGAGEMENT

PUBLIC PARTICIPATION GOAL

The goal of the community consultation is to:

Obtain feedback regarding the draft plan to:

- ensure the Plan reflects a community vision for the bicycle and shared path network
- confirm the network reflects key transit routes throughout the focus area

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.

ENGAGEMENT TOOLS

A combination of passive and interactive engagement tools will be used to gain feedback regarding the draft 2023 Plan and the cycling network developed for the Plan.

Passive: Print media (local newspapers), HRCC webpage, HRCC e-newsletter, HRCC Facebook posts, HRCC Active e-newsletter, Core flute displayed in the reception area of the Civic Centre, online survey.

HOW WILL THE FEEDBACK BE MANAGED?

Survey data will be collected via Microsoft Forms with short form (closed questions) and long form (open questions) responses. Responses will be transferred to a spreadsheet and then grouped according to themes that emerge. A feedback summary report will be generated.

All original survey documents will be filed on the HRCC data management system.

WHAT ARE THE NEXT STEPS IN THE ENGAGEMENT PROCESS?

There will be a formal public engagement period of 4 weeks. At the completion of this engagement period, all feedback will be considered and where relevant incorporated into the proposed cycle network.

It is proposed that public engagement will commence Monday 29 January 2024 and conclude Friday 23 February 2024.

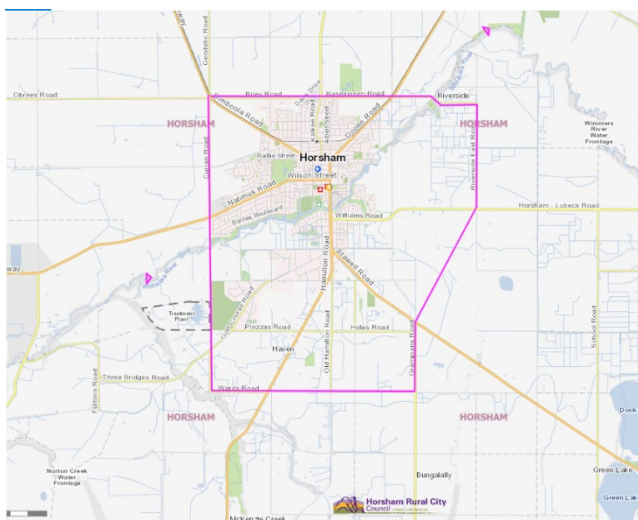
WHAT IS THE CURRENT ROLE OF THE CRG?

At the conclusion of the engagement period, the CRG will review the feedback and consider possible changes to the draft 2023 Plan. The focus of feedback from the CRG will be the development of the cycling network.

The CRG will be notified of Council's decision regarding the recommendation to endorse the plan when the final plan is presented.

The commitment of members of the CRG is greatly appreciated and confirms the value of working closely with the community when undertaking planning.

FOCUS AREA OF THE DRAFT PLAN



The focus area is shown (left). This area covers the Horsham Township.

The majority of the focus is on land and road reserves owned or managed by HRCC. Some of the focus is on road reserves owned and managed by VicRoads.

Dale Schmid
December 2023

Spendmapp Monthly Report

Local Government Area: Horsham Rural City Council

Spendmapp cleans and analyses bank transaction data by time, geography, Expenditure Category and Type allowing continuous monitoring and analysis of local economic activity.

For the month of October 2023:

- Resident Local Spend was \$24.0M. This is a -1.75% decrease from the same time last year.
- Visitor Local Spend was \$13.1M. This is a 0.5% increase from the same time last year.
- Total Local Spend was \$37.0M. This is a -0.97% decrease from the same time last year.
- Resident Escape Spend was \$10.5M. This is a 5.14% increase from the same time last year.
- Resident Online Spend was \$13.5M. This is a 9.3% increase from the same time last year.

The 9.3 % increase in Resident Online Spend reflects the growing national trend towards online sales. This emphasises the need for a strategy to support local traders in enhancing their online presence.

Expenditure by Expenditure Type

These expenditure charts show the long-term pattern of expenditure activity by Expenditure Type across the Horsham Rural City Council LGA. Typically, we see spending spikes at Easter and Christmas; dips in the post-Christmas period; and a steady climb through winter.

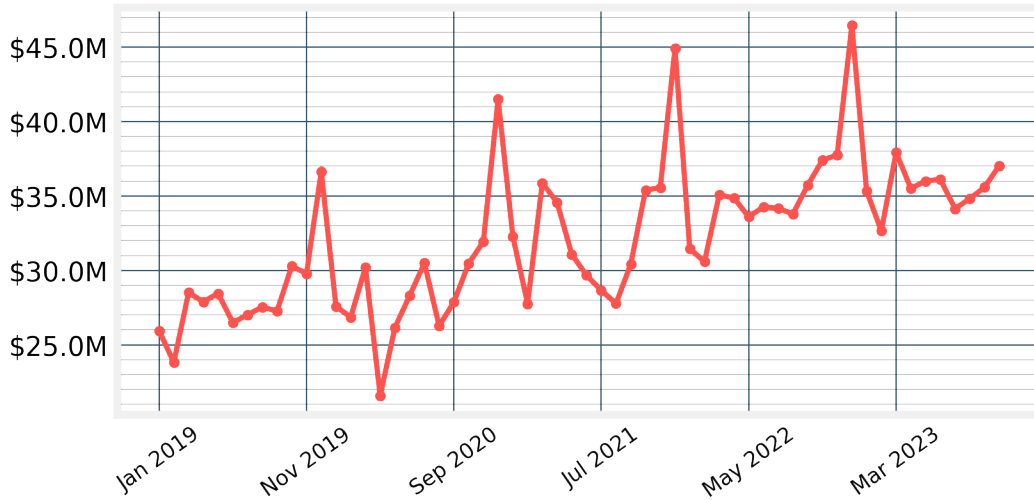
By way of a benchmark, the mean ratio of Resident Online Spend to all resident spending is 0.22. That is, for every dollar spent by resident cardholders anywhere, 22c goes online. Another 34c is in Escape Expenditure and the rest is spent locally.

Over the last few years across most of Australia, total expenditure has been relatively flat, even in fast growing municipalities. The exception to this has often been in Resident Online Spend, which continues to grow relative to Total Local Spend.



Total Local Spend

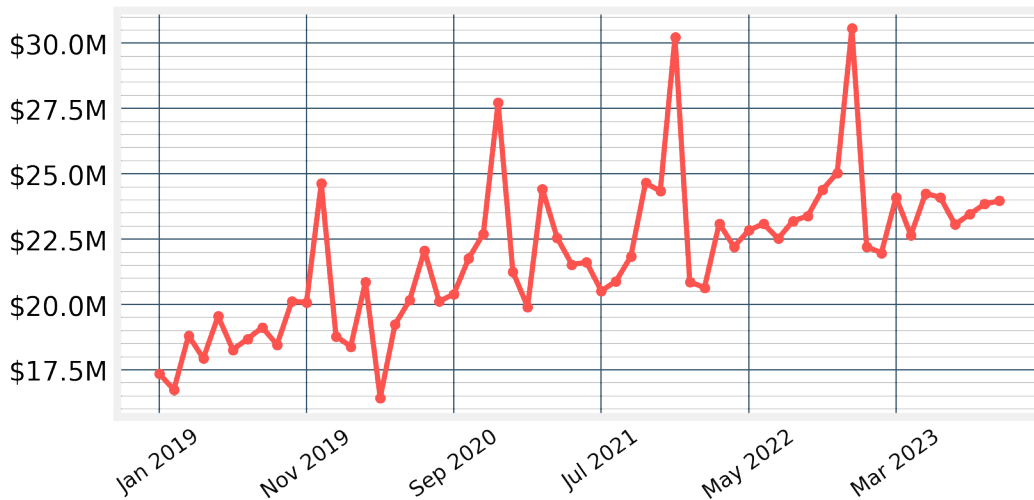
The total amount spent with merchants within the Horsham Rural City Council LGA.



Over the last 58 months, the spending trend (as shown by the trendline in the Spendmapp app) for Total Local Spend has been upwards.

Resident Local Spend

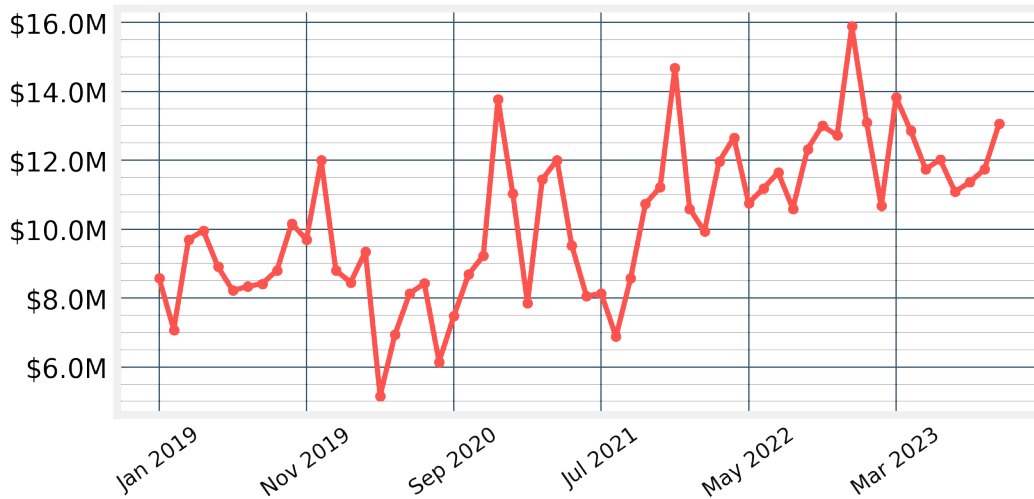
The amount spent by residents and local businesses with merchants inside the Horsham Rural City Council LGA.



Over the last 58 months, the spending trend (as shown by the trendline in the Spendmapp app) for Resident Local Spend has been upwards.

Visitor Local Spend

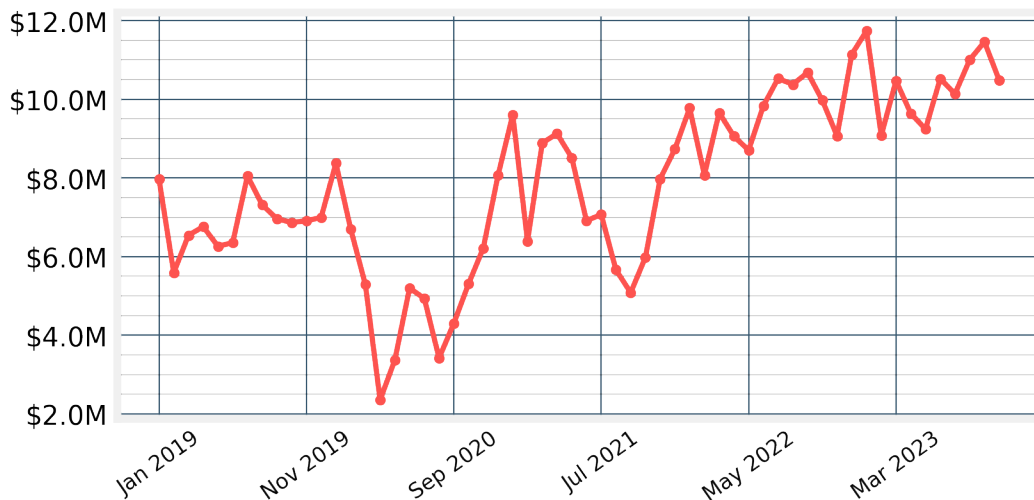
The amount spent by non-residents and non-local businesses with merchants inside the Horsham Rural City Council LGA.



Over the last 58 months, the spending trend (as shown by the trendline in the Spendmapp app) for Visitor Local Spend has been upwards.

Resident Escape Spend

The amount spent by residents and local businesses outside the Horsham Rural City Council LGA.

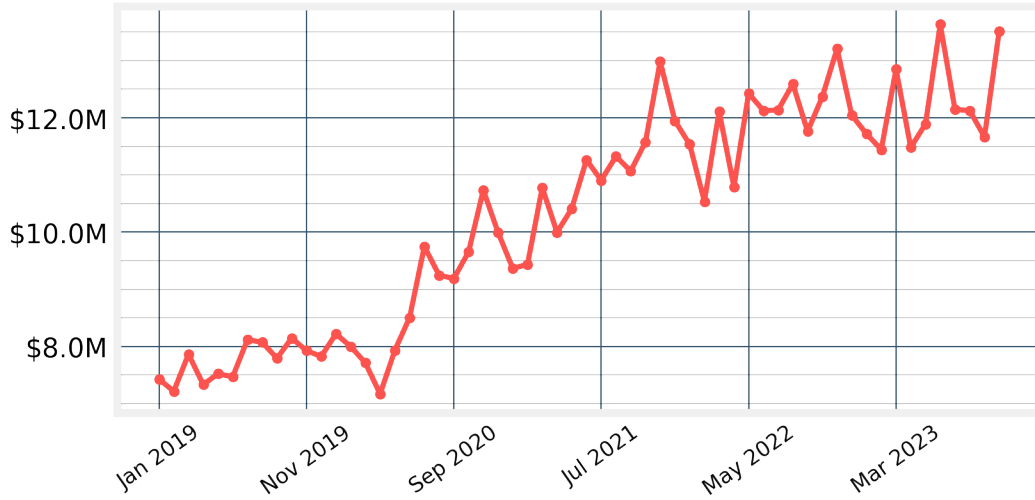


Over the last 58 months, the spending trend (as shown by the trendline in the Spendmapp app) for Resident Escape Spend has been upwards.



Resident Online Spend

The amount spent by Horsham Rural City Council LGA residents and local businesses with online merchants.

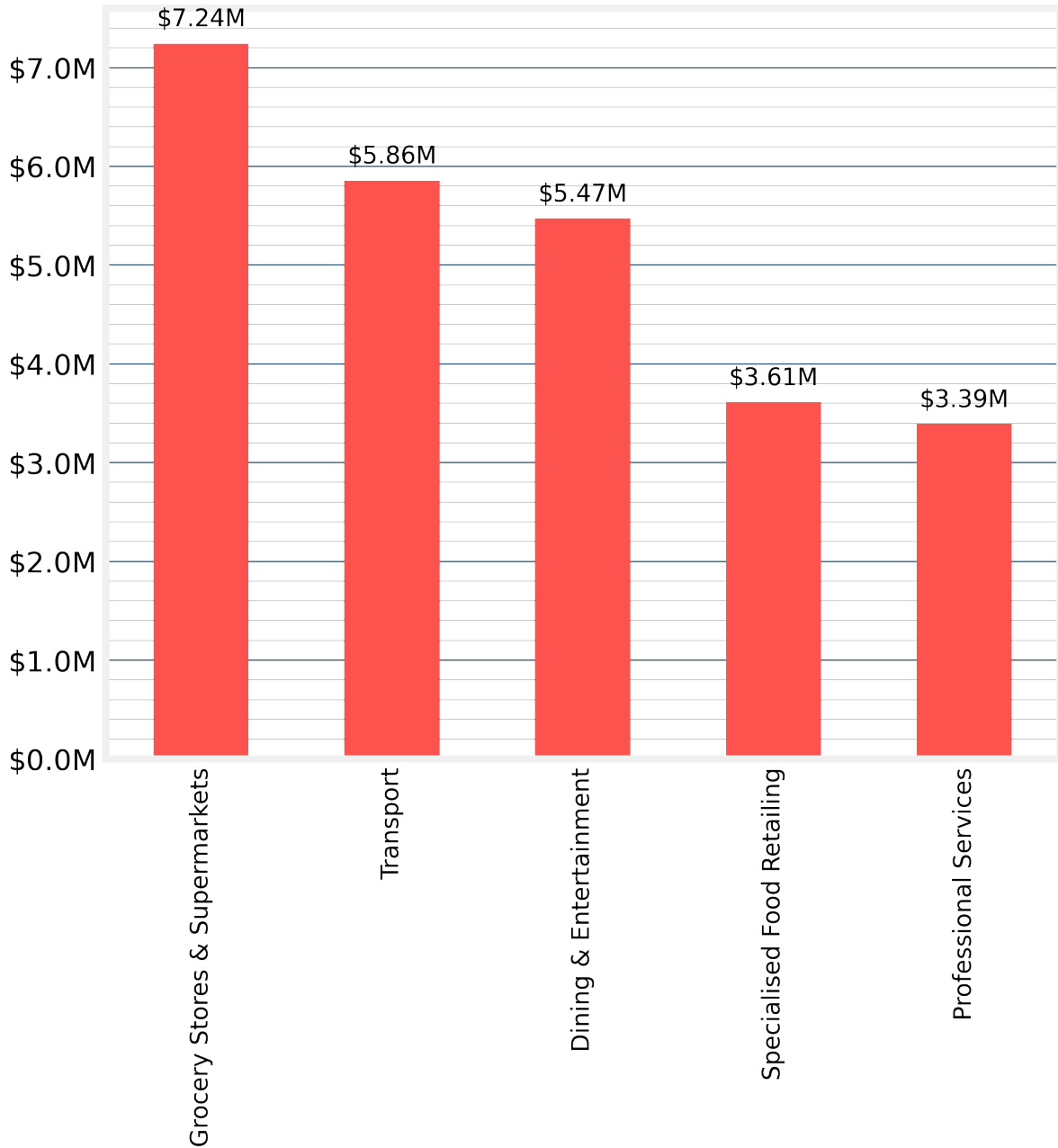


Over the last 58 months, the spending trend (as shown by the trendline in the Spendmapp app) for Resident Online Spend has been upwards.

Expenditure by Expenditure Category

The Top 5 Spending Categories for October 2023

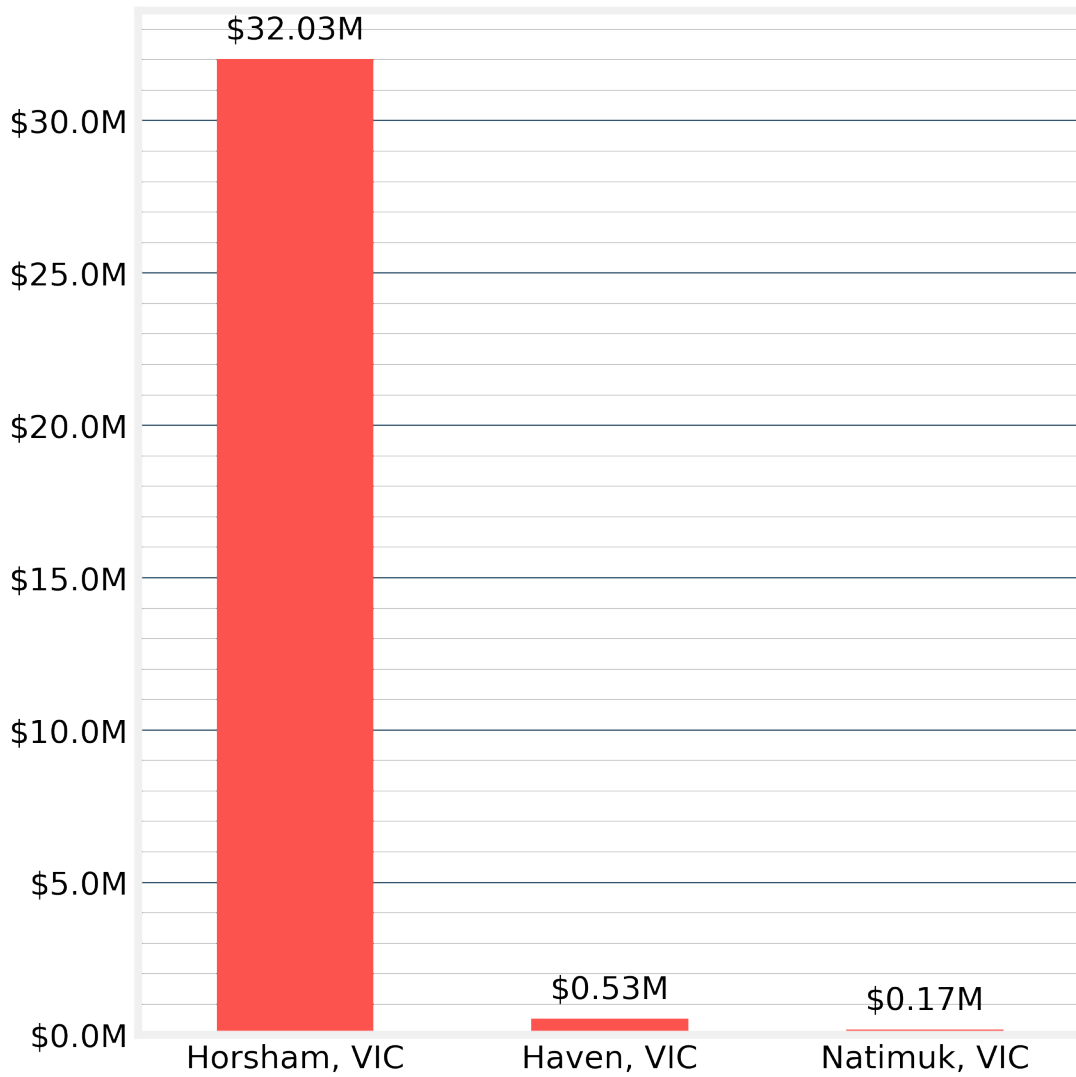
Total Local Spend split by the top 5 Expenditure Categories.



Spend by Origin and Destination

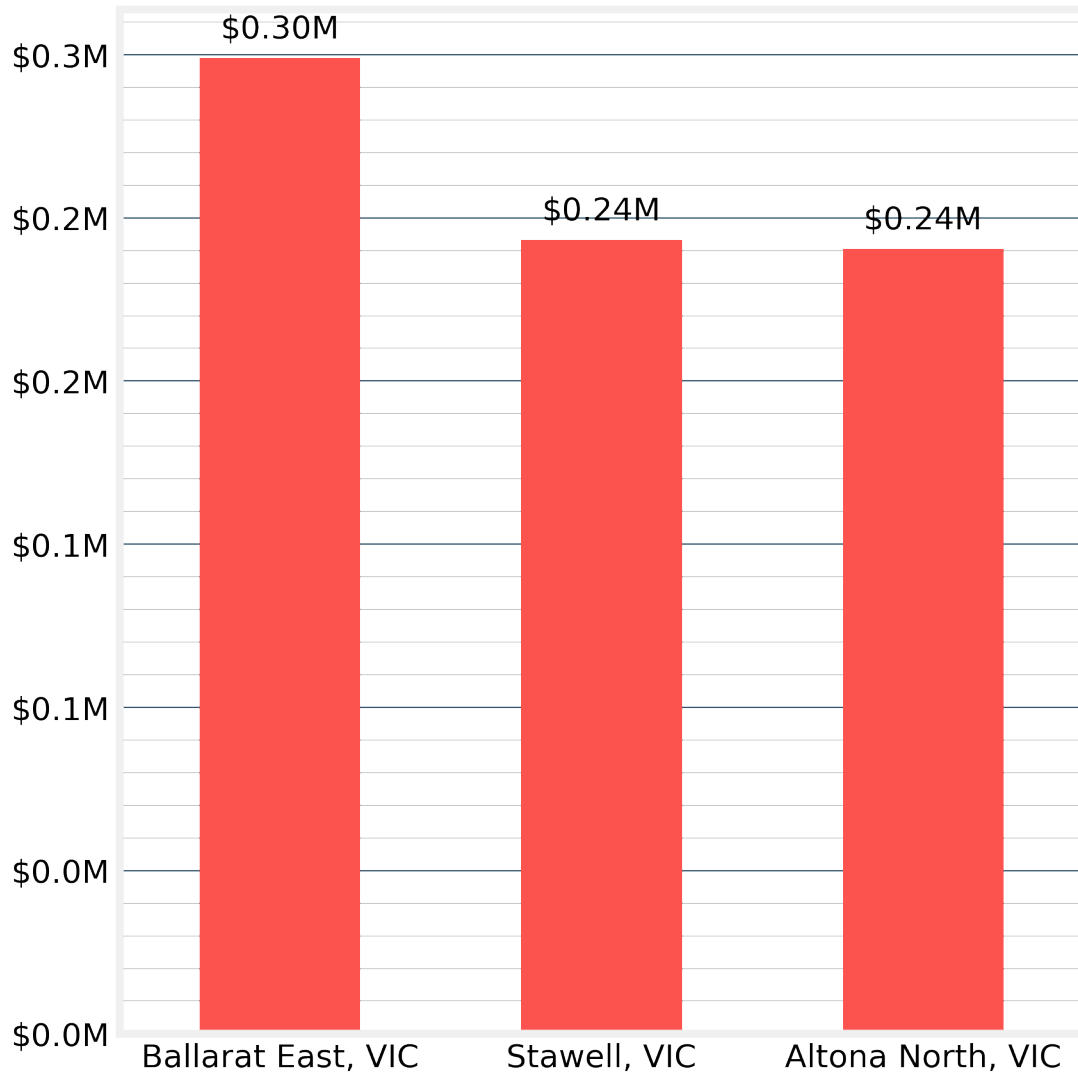
The Top 3 Suburbs by Total Local Spend for October 2023

Total Local Spend by Suburbs of destination (i.e. where the spending occurs)



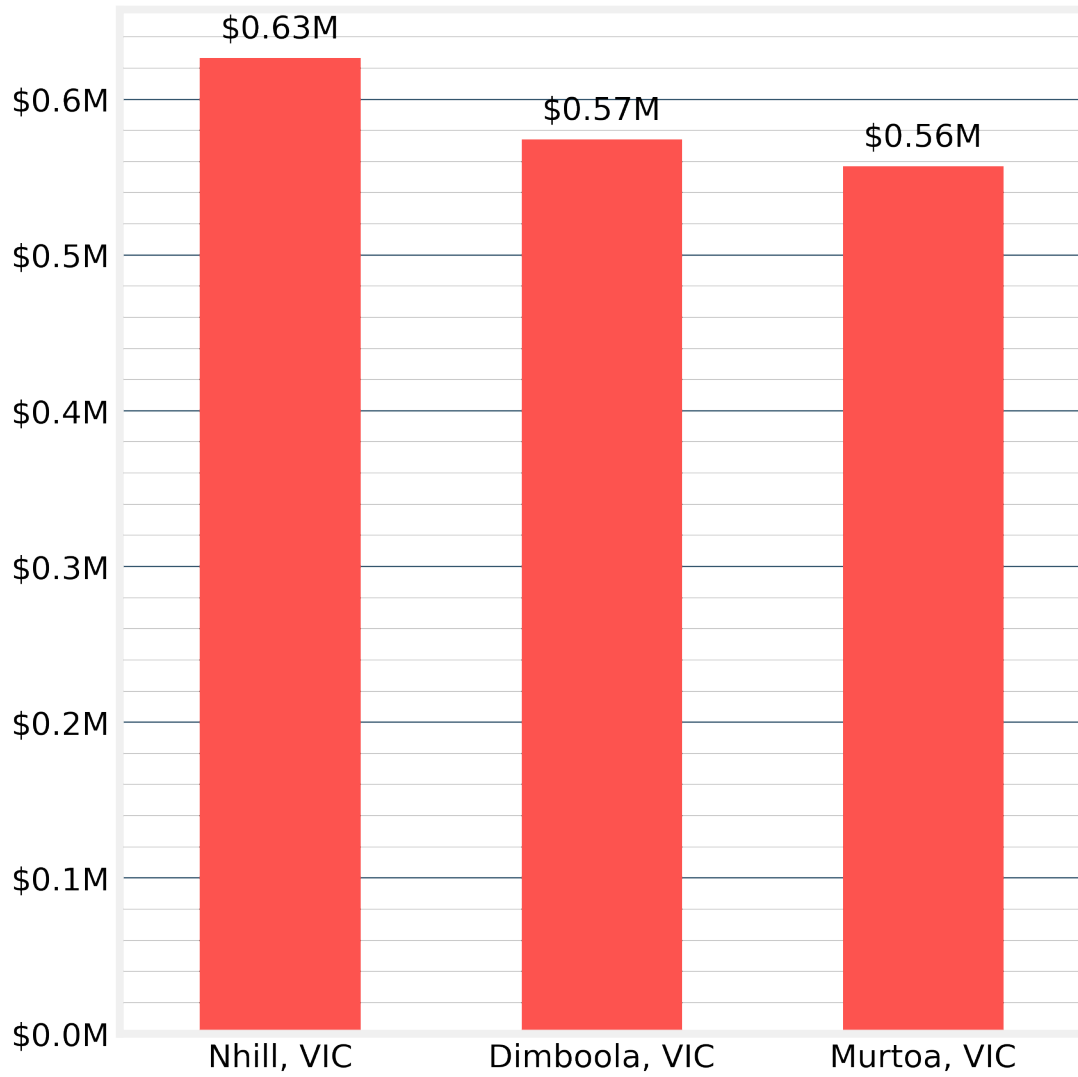
The Top 3 Suburbs by Resident Escape Spend for October 2023

Resident Escape Spend by destination Suburbs (i.e. where the spending goes to).



The Top 3 Suburbs by Visitor Local Spend for October 2023

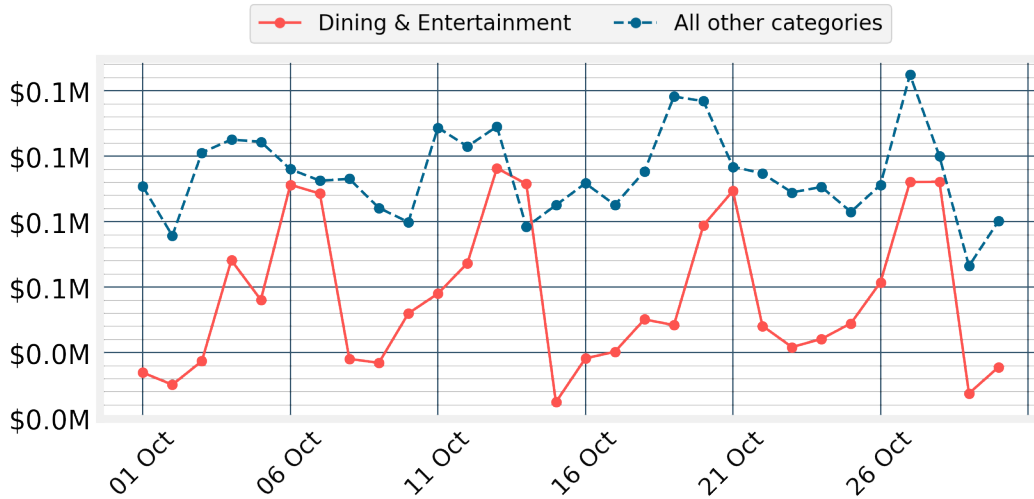
Visitor Local Spend by Suburbs of origin (i.e. where the visitors originate).



Night Time Economy

Night Time Economy for October 2023

The biggest spending night of the month of October 2023 was Friday 27 October with Total Local Spend of \$0.3M. This was made up of \$0.1M in Dining and Entertainment spending and \$0.2M spending in all other categories.



Disclaimer

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**MINUTES OF INFORMAL MEETINGS OF COUNCILLORS
COUNCIL BRIEFING HELD IN THE COUNCIL CHAMBERS
MONDAY 11 DECEMBER 2023 AT 5:00PM**

TO ATTEND: Cr R Gulline, Mayor; Cr D Bowe, Cr C Haenel, Cr L Power, Cr B Redden, Cr I Ross, Sunil Bhalla, Chief Executive Officer; Kim Hargreaves, Director Corporate Services; Kevin O’Brien, Director Communities and Place; John Martin, Director Infrastructure

APOLOGIES: Cr P Flynn, Cr C Haenel

ATTENDED BY: Cr R Gulline, Mayor; Cr D Bowe, Cr L Power (arrived at 5:30pm), Cr B Redden, Cr I Ross, Sunil Bhalla, Chief Executive Officer; Kim Hargreaves, Director Corporate Services; Kevin O’Brien, Director Communities and Place; John Martin, Director Infrastructure

1. WELCOME AND INTRODUCTION

2. DISCLOSURE OF CONFLICT OF INTEREST SEC 130 and 131, LOCAL GOVERNMENT ACT 2020 AND HORSHAM RURAL CITY COUNCIL GOVERNANCE RULES

Nil declared

3. PRESENTATIONS

3.1 Bicycle and Shared Pathway Plan (Kevin) **Appendix 3.1** **5:00pm to 5:30pm**

Attending: Mandy Kirsopp (*in person*)

3.2 Horsham Planning Scheme Flood Amendment C81Hors **Appendix 3.2** **5:30pm to 6:00pm**

Attending: Mark Marsden (Transect Panning) (*virtual*), Jasmine Butler (*virtual*)

Kirsten Miller (*in person*)

4. CONFIDENTIAL REPORTS

4.1 Investment Attraction Incentive Application (Kevin) **Appendix 4.1** **6:00pm – 6:10pm**

Attending: Fiona Gormann (*virtual*)

4.2 Patrol Truck Tenders (2 of) (John) **Appendix 4.2** **6:10pm – 6:15pm**

4.3 Disability Advisory Committee – Members (Kim) **Appendix 4.3** **6:15pm – 6:20pm**

5. COUNCIL MEETING REPORTS FOR DISCUSSION

5.1 Investment Attraction & Growth Report (Kevin) **Appendix 5.1** **6:20pm – 6:30pm**

Attending: Fiona Gormann (*virtual*)

5.2 VCAT/Planning/Building Update (Kevin) **Appendix 5.2** **6:30pm – 6:35pm**

Attending: Fiona Gormann (*virtual*)

5.3 Outstanding Council Resolutions (Sunil) **Appendix 5.3** **6:35pm – 6:40pm**

5.4 Council Meeting Dates 2024 (Kim) **Appendix 5.4** **6:40pm – 6:50pm**

5.5 Councillor Representation on Committees (Kim) **Appendix 5.5** **6:50pm – 7:10pm**

5.6 Oct/Nov Finance Report – Monthly (Kim) **Appendix 5.6** **7:10pm – 7:25pm**

5.7 Street Name Request – Schwedes (Kim) **Appendix 5.7** **7:25pm – 7:30pm**

5.8 Community Grants Policy Review (Kim) **Appendix 5.8** **7:30pm – 7:45pm**

6. GENERAL DISCUSSION (Sunil Bhalla)

APPENDIX 13.1A

7. CLOSE

Meeting closed at 7:20pm

DINNER

SUNIL BHALLA
Chief Executive Officer



**WIMMERA INTERMODAL FREIGHT TERMINAL
ADVISORY COMMITTEE**

MINUTES

10:00 am, Thursday, 7 September 2023

WIFT on SITE

Meeting No. 2023/6*

Attendees

John Martin	Director Infrastructure HRCC
Matt Eryurek	GM Head of Ports Development SCT
Fiona Gormann	Manager Investment Attraction and Growth HRCC
David Pratt	Operations Manager SCT
Darren Saunders	Department Transport and Planning
Bryce Spittle	Department Transport and Planning (Freight)
Annie Mintern	Coordinator Investment & Business Development (Minute taker)
Sarah Henderson	RDV Acting Regional Director
Simon Grant	DTP A/Regional Manager (Roads)

Apologies: Michael Bailey DoT, Ian Mond Policy & Strategy / Freight Victoria, Glen Richmond ARTC, Mark McKenzie DJSIR, Dianna Zammitt & Pauline Zahra Finance/Commercial SCT, David Hill Transport, Lyn Barnes Department Transport and Planning, Lauren Scully RDV, Richard Bales DJPR Agriculture.

Confirmation of previous Minutes (17 May 2023)

Moved: Matt Eryurek

Second: Sarah Henderson CARRIED

Actions arising from Meeting held 17 May 2022

Action	Responsible Member	Date Completed
Remove Agenda Item - Contract between SCT and HRCC	Fiona Gormann	18 May 2023
RDV to provide writer confirmation that Lauren Scully to replace Richard Bales on the committee	Lauren Scully	18 May 2023
Matt to confirm in writing who SCT representatives will be with the	Matt Eryurek	18 May 2023



resignation of Katheryn		
SCT Maintenance Report March and Throughput Figures to be circulated to committee	Fiona Gormann	18 May 2023
WIFT onsite visit to be organised later in the year	Matt Eryurek	Organised 6 September 2023

1. Site Visit and Update

- The group had a tour of the site, including
 - Inspecting the container pad, and discussing potential extensions to it
 - The prospect of additional rail tracks
 - Familiarity with the location of the proposed WIM Resource mine
 - Awareness of the availability of land on the site for additional facilities

2. Committee Status

- Pauline will join committee
- Changes in branding have created a few staff changes
- Lauren Scully new RDV rep
- Richard Bales will remain on Advisory Committee representing DJPR Agriculture

3. Operational Update – SCT

3.1. Maintenance

- Maintenance around rail works was interrupted by COVID
- Works have now been completed and we will view during site visit
- Site is now fit for purpose
- **ACTION: Matt will share maintenance report**
- Issues with lights, HRCC contractors have inspected
- Electrical pits weren't originally fitted with the right covering which is causing faults
 - Also impacted by changes in intended vehicle movement areas
- Pits need to be upgraded, is affecting CCTV installations
- Safety breaches are being logged due to lack of lighting. Using solar lights to address issues currently but is a temporary solution
- Building maintenance planned for site office, substantial amount of work required due to age of building

3.2. Throughput Figures

- **ACTION: Matt to share throughput figures report**
- **ACTION: Matt will share next quarter figures prior to next meeting**
- During COVID there was a shortage of equipment, inputs went up exports went down
 - Last year 520 this year 1000 boxes
 - More space, more equipment
- Empty boxes being stored on site to enable more throughput



- Peak should occur mid-late October
 - Exports are now going to China in containers
 - Rate will increase in 2024 without mode shift incentives
4. WAL HUB Development
- Sits in SUZ where WIFT is
 - Nine lots in subdivision
 - Lots of interest
 - Milling, packing and bio-diversifier companies interested
 - No connection to gas which is limiting larger manufacturers
 - Logistics companies have also shown interest
 - Encouraging companies who will utilise rail
 - Stage three to commence soon, interest in 5 hectare blocks which will be considered
 - Sarah meeting with Sunil regarding the gas connection, closest connection 8 km from site
 - Signage to include businesses at entrance to WAL Hub
 - Landscaping has commenced
 - Building regulations, fire regulations are onerous and expensive - is impeding developers
 - Might be an option to collectively create a plan for the site rather than individual developments having to absorb the costs
5. Regional Development Advocacy
- Major shift due to cancellation of Commonwealth Games
 - Opportunity for rural areas
 - Packages and programs will start rolling out October / November
 - Worker accommodation, tourism and events, targeted LGA fund
 - Federal money announced for precinct planning – **ACTION: Sarah to send information**
 - VicGrid development for community energy. Guidelines currently being developed
 - SCT proposing to extend the concrete pad in order to facilitate higher throughput
 - Need to be able to have bulk and containers, currently it's one or the other
 - WIM EES could be approved by the end of 2023, they've been very guarded in their communications. Main interest is maximising profit
 - Estimated 1m tonnes 100 trucks a day each way with the three mines proposed in the region
 - If a user pays system is introduced for trucks it would make rail more feasible
 - Shipping to Geelong is the most cost effective option
 - DTP asking WIM for more road upgrades
 - Iluka looking to utilise rail to Port of Melbourne from Southern NSW
6. General Business
- Report on effectiveness of rail support programs
 - Decarbonisation strategy supported by Government



- Technology required for trucks to convert to zero emissions isn't going to happen for 15-20 years, making rail a better option
- Looking at introducing a truck levy to offset maintenance and damage. User pay system would make it a level playing field
- Issues with aging truck drivers
- International truck drivers aren't skilled
- If more than 12,000 containers per year will be a profit which would be shared with the customer
- Admin associated with picking up empty container fees passed onto the customer. Around \$350 in levies at port of Melbourne in comparison to Geelong or Portland which don't have as many fees.
- Rail industry 3-1 less carbon emissions, need more marketing and advocates

Bryce Spittle - Department Transport and Planning (Freight)

- Freight network capability statement to Cabinet end of Oct. Looking at improving rail freight on Victorian network
- What investment can help future investment into rail
- V/Line 1.5km train to Donald looking to extend to Merbein. Can't go to port with that length
- Freight disruption working guide, V/Line, DTP, VicTrack will take to Cabinet to make sure when plans are done on the lines, freight operators are also considered

David Pratt - Operations Manager SCT

- VAGO report on incentives to rail freight released
- Kept freight on rail but didn't increase it
- Some economic value for Victoria through the incentives

Matt Eryurek - GM Head of Ports Development SCT

- Rather than mode shift incentive, create a level playing field but introducing user pays fees for trucks
- Original WIFT site plan included four tracks
- Opportunities for expansion in the Master Plan
- **ACTION: Matt to share Master Plan with group**
- Wodonga Council and SCT collaborating to promote rail to the port. Would like to do something similar with Horsham and potentially attract people from Adelaide and Melbourne.
- Wodonga meeting being held in November.
- **ACTION: Matt to share info with Fiona.**

Avonbank EES

- Submissions have closed
- Public hearing has finished – 174 submissions received, four week period of hearing
- Traffic, use of rail, social impacts, workforce were main focus
- Location and connection to WIFT makes sense



Road Safety Forum

- **ACTION: John to send info**
- To be held in Nhill in November

7. Next Meeting: 15 November 2023 via Teams

8. Future Meetings

- 21 February 2024

Wimmera Intermodal Freight Terminal Advisory Committee meetings are held quarterly on the third Wednesday of the month.

* Please note the meeting numbers have been reset to reflect year and the meeting number. (This is post Council's review undertaken of committees)



Minutes

Horsham Regional Livestock Exchange Board Meeting
 Held on Thursday, 23 November 2023 at 5.00pm
 At the Canteen, HRLE

1. Welcome / Apologies

Present:

David Grimble
 Ray Zippel
 Tim Martin
 Kevin Pymer
 Richard Emmerson
 Paul Christopher
 John Martin

Apologies:

Richard Bansemer
 Brittany Price

2. Disclosure of Conflicts of Interest - Nil

3. Minutes of previous meeting – 21 September 2023

Motion: That the minutes of the meeting of 21 September 2023 be accepted. Moved Ray Zippel / Tim Martin.

4. Business arising from previous minutes

4.1 Burnt Creek developments – update if any changes

John advised that settlement on one of the parcels was imminent and that the anticipated land use related to transport.

Work is progressing on finalising designs for construction of the new road to service the industrial subdivision on the northern part of the Burnt Creek site.

4.2 Development opportunities for HRLE

To be discussed at next meeting

5. Correspondence

- Letter to Frew, Stawell and response

It is proposed to arrange a site visit to Frew, at Stawell, now part of the Thomas Foods group, on a Monday early in the new year, Feb – March. Consider inviting Councillors

- NSQA Accreditation has been received.

***Motion: That the correspondence be received. Moved: Tim Martin / Richard Emmerson.
Carried***

6. Reports

6.1 Chairman's Report

- David thanked the Board and HRLE staff for their input and work throughout the year, and acknowledged the efforts of the crew during Paul's trip overseas.
- Development of the Animal Welfare Bill – to be introduced early in 2024. Seems to be limited input from the VFF. Likely impact to be a "whole of supply chain" approach rather than just at saleyards. A risk could be the duration of animals off feed and water associated with saleyards. Could be a requirement for more people to have to do animal welfare accredited training.
- Backlog in processing of meat is a challenge for the industry. This is associated with numbers of workers.

6.2 Infrastructure Director Report

- Finance review shows that salaries expenditure is tracking slightly higher than anticipated. Further details are being sought from Finance team to understand where this might be occurring, or if it relates to incorrect charging.

6.3 Operations of Exchange – Paul Christopher

- Sales are tracking ahead of last year at this stage, but only two sales scheduled for December.
- The holding paddocks are being well used, which is useful income.
- Truck wash. Have increased the fees – it hadn't been increased on the machine but has now in the past few weeks.
- Last sale for the year is on 13 December, and the first in 2024 is on 17 January.
- Pakenham VLE – fourth largest cattle yard in Australia – is closing down. Possibly related to land value. Operation will shift to Leongatha – also owned by VLE.
- Paul mentioned that Animal Angels had visited Hamilton recently. Reminded farmers to keep an eye on hooves – not too long.

6.4 Horsham Stock Agents Association – Richard Emmerson

- Numbers have been better than last year, but no big spring peak like normal.
- There are still a lot of lambs going over the hooks 22-26 kg. Anything over 28 kg is coming to HRLE.
- Buyers are attending well.
- Not much demand for store lambs. Will be subject to better expectations on prices.
- Thanks to Paul and team for preparations for a ram sale held on 19 October 2023.

6.5 VFF Representative – Kevin Pymer

- Prices are disappointing though a bit better in the past two weeks.
- Reports of a poor season around Hamilton – not much feed. Seems to be a lot of hay heading south in response.
- Lots of issues with grass seeds in sheep.
- The vendor was happy with the ram sale

6.6 Transport – Vacant

6.7 DJPR – Brittany Price - Apology

- Emailed report provided, highlights as follows:
- Sheep tagging – issue with white leader tags – not scanning well
- Surveillance during September – minimal tagging and welfare issues.
 - Paul commented that our saleyard tags are frequently used, each week
- Will be updating the stock standstill plan in the near future.

6.8 Throughput

158,714 as of today – refer to circulated graph.

Motion: That the reports be received. Moved Ray Zippel / Tim Martin. Carried

7. General Business

7.1 Chain of Responsibility

John outlined the background to requiring Council to have a CoR system in place. John had circulated the section of our CoR system relevant to HRLE to Board members, and also the ALMA guide to CoR. John indicated that we will need to update our agent agreements, in due course. At this stage waiting advice from NHVR about adequacy of our CoR system.

It was suggested that we could put relevant information on our TV screen in canteen
Also asked if we can share with VFF – Action – JM to follow up

7.2 Advertising vacancy for Transport representative.

To proceed early in 2024

7.3 Others as raised by members

Chair Grimble wished everybody a happy Christmas and a prosperous new year.

8. Next Meeting

Dates for 2024 to be determined shortly

David Grimble

Chair

Horsham Regional Livestock Exchange Board