

AGENDA

MEETING OF THE **HORSHAM RURAL CITY COUNCIL**

To be held on
24 August 2026
At 5.30pm

In the
Council Reception Room, 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 24 August 2026
in the Council Reception Room, 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 Brian Klowss 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 Roberts Avenue Kindergarten, Horsham at 5.30pm on 27 July 2026 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

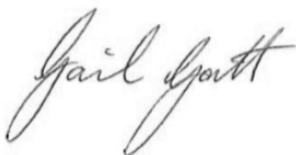
Under Section 130 of the *Local Government Act 2020*, officers or people engaged under contract to the Council providing a report or advice to Council must disclose any conflicts of interests in the matter, including the type of interest.

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Defined as confidential information in accordance with Local Government Act 2020 - Section 3(1)(g)(ii) - Private commercial information

CLOSE



GAIL GATT
Chief Executive Officer

REPORTS FOR COUNCIL DECISION

9. OFFICERS REPORTS

9.1 COUNCILLOR STANDING AS A STATE OR FEDERAL CANDIDATE POLICY AND GUIDELINE

Director:	Kim Hargreaves
Directorate:	Organisational Performance
File Number:	F19/A10/000001

Officer Conflict of Interest

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

☐ Yes ☒ No

Reason: Nil

Status

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

☐ Yes ☒ No

Reason: Nil

Appendix

Councillor Standing as a State or Federal Candidate Policy (**Appendix 9.1A**)

Councillor Standing as a State or Federal Candidate Guideline (**Appendix 9.1B**)

Purpose

To present the proposed Councillor Standing as a State or Federal Candidate Policy and supporting Councillor Standing as a State or Federal Candidate Guideline for Council consideration.

Summary

- The existing Councillor Standing as a State or Federal Candidate Guideline has undergone a comprehensive review against contemporary governance practice and legislative requirements.
- The review identified opportunities to strengthen Council's governance framework and address emerging governance, integrity and reputational risks.
- A new Policy has been developed to establish Council's governance principles and expectations, supported by a revised operational Guideline.
- The revised framework strengthens governance, integrity, transparency and accountability through enhanced guidance regarding public confidence, political neutrality, conflicts of interest, use of Council resources and the separation of Council and campaign activities.
- The proposed documents align with contemporary Victorian local government best practice and strengthen Council's overall governance framework.

Recommendation

That Council:

1. Adopt the Councillor Standing as a State or Federal Candidate Policy.
2. Note the supporting Councillor Standing as a State or Federal Candidate Guideline.
3. Authorise the Chief Executive Officer to make minor administrative amendments to the Guideline, provided those amendments do not materially alter the intent or operation of the Policy.

REPORT

Background

Council currently has a Councillor Standing as a State or Federal Candidate Guideline which was adopted in January 2022. The Guideline was developed to provide guidance where a Councillor seeks election to State or Federal Parliament and to assist in maintaining appropriate governance and accountability throughout the election process.

A review of the existing Guideline identified opportunities to strengthen governance expectations and provide more contemporary guidance regarding the management of actual, potential and perceived conflicts of interest, political neutrality, use of Council resources and information, interactions between Councillors and officers and broader public confidence considerations.

As part of the review, officers also considered the role of the existing Guideline within Council's governance framework. It was determined that the document had evolved beyond a purely operational guidance document and would be strengthened by the introduction of an overarching policy that clearly articulates Council's governance principles and expectations.

Accordingly, a new Councillor Standing as a State or Federal Candidate Policy has been developed and the existing Guideline has been substantially revised. Together, the documents provide a contemporary framework to assist Councillors, Council officers and the organisation in managing the governance, integrity and reputational issues that may arise when a Councillor seeks election to State or Federal Parliament.

Discussion

The proposed Policy establishes Council's governance principles and expectations regarding Councillors who intend to stand, or who are standing, as candidates in State or Federal Parliamentary elections. The Policy focuses on key governance principles including public confidence, good governance, integrity and stewardship, separation of roles, political neutrality, use of Council resources and the management of conflicts of interest. The Policy provides Council's formal statement of expectations and establishes the governance framework that supports the accompanying Guideline.

The review also considered the legislative framework governing Councillors seeking election to State or Federal Parliament. The *Local Government Act 2020* does not require a Councillor who nominates as a candidate in a State or Federal election to stand down, take a leave of absence or cease performing their duties as a Councillor. Accordingly, the proposed Policy has been developed to support good governance, political neutrality, conflict management, public confidence and the appropriate use of Council resources, rather than imposing restrictions beyond those established by legislation.

The supporting Guideline provides practical guidance regarding the administration of those principles. It includes guidance on notification of candidature, leave of absence arrangements, return of Council resources, political neutrality of Council administration, Councillor and staff interactions, access to information, public communications, social media, conflicts of interest and equal treatment obligations. The Guideline is intended to assist Councillors and Council officers to apply the principles established by the Policy in operational settings.

The revised framework represents a significant enhancement of the existing arrangements. Greater emphasis has been placed on maintaining public confidence in Council's decision-making processes and ensuring a clear separation between Council responsibilities and election campaign activities. Additional

guidance has also been included regarding the appropriate use of Council information and resources, political neutrality of Council administration, management of conflicts of interest and expectations relating to public communications and social media activity. The review was informed by contemporary Victorian local government governance practice, integrity guidance and legislative obligations to ensure the documents reflect current best practice.

The revised documents also reinforce contemporary governance principles by recognising that public confidence may be affected not only by actual conflicts of interest or misconduct but also by circumstances that may create a reasonable perception of political influence, preferential treatment or electoral advantage. As a result, the documents place a stronger emphasis on transparency, integrity, accountability and the importance of maintaining community confidence in Council's governance framework.

A key feature of the revised framework is the distinction between Council's governance principles and operational guidance. The proposed Policy establishes Council's position and expectations, while the Guideline provides detailed implementation guidance. This approach creates a clearer document hierarchy, supports good governance practice and allows minor administrative updates to the Guideline to be made without requiring amendments to Council's adopted policy position.

This approach aligns with Council's policy framework by ensuring Council adopts the governance principles while the supporting Guideline provides operational direction and implementation guidance.

The revised conflict of interest provisions have also been strengthened to reinforce that responsibility for identifying, disclosing and managing conflicts of interest rests with the individual Councillor or Council officer in accordance with legislative requirements. While governance advice may be sought where uncertainty exists, responsibility for determining whether a conflict exists remains with the relevant individual.

Options to Consider

Option 1 - Adopt the Policy and Note the Guideline

Adopt the Councillor Standing as a State or Federal Candidate Policy, note the supporting Councillor Standing as a State or Federal Candidate Guideline, and authorise the Chief Executive Officer to make minor administrative amendments to the Guideline that do not materially alter the intent or operation of the Policy.

This option establishes a clear governance hierarchy, with Council adopting the governance principles and expectations through the Policy, while the Guideline provides supporting operational guidance. This approach is consistent with contemporary governance practice and provides flexibility to maintain the Guideline as governance practices and legislative requirements evolve.

Option 1 is recommended as it provides Council with a contemporary and robust governance framework while ensuring the supporting Guideline can be maintained efficiently and remain responsive to future legislative, governance and organisational changes.

Option 2 - Adopt both the Policy and Guideline

Adopt both the Councillor Standing as a State or Federal Candidate Policy and the Councillor Standing as a State or Federal Candidate Guideline.

This option provides Council endorsement of both the governance principles and operational guidance. However, future amendments to the Guideline may require further reports to Council, reducing flexibility to make minor administrative or operational updates.

Option 3 - Retain Existing Guideline

Not adopt either the proposed Policy or revised Guideline and retain the existing Councillor Standing as a State or Federal Candidate Guideline.

This option is not recommended as it would not implement the governance improvements identified through the review and would retain a framework that is less comprehensive and does not reflect contemporary governance expectations relating to public confidence, political neutrality, conflicts of interest and the management of governance risks associated with Councillors seeking election to State or Federal Parliament.

Sustainability Implications

The proposed Policy and Guideline support good governance, transparent decision-making and effective stewardship of public resources. While the documents do not have direct environmental or climate change impacts, they contribute to the social sustainability of the municipality by strengthening public confidence, integrity, accountability and trust in Council's governance processes.

There are no direct economic, environmental or climate change implications arising from the adoption of the proposed Policy and Guideline.

Community Engagement

The proposed Policy and Guideline relate to Council's internal governance framework and the conduct of Councillors and Council officers when a Councillor seeks election to State or Federal Parliament. As the documents do not directly affect the provision of services to the community or require community input into strategic planning or service delivery, community engagement has not been undertaken.

The proposed Policy and Guideline were considered through Council's internal governance review processes and presented to Councillors at a Councillor Briefing prior to being presented to Council for consideration.

Innovation and Continuous Improvement

The proposed Policy and Guideline reflect Council's commitment to continuous improvement in governance practice. The review has resulted in the development of a new governance framework that better aligns with contemporary Victorian local government governance expectations and best practice. The revised documents strengthen guidance relating to public confidence, political neutrality, conflicts of interest, use of Council resources and information, Councillor and officer interactions, and the management of governance and integrity risks associated with Councillors seeking election to State or Federal Parliament.

The introduction of a policy and supporting guideline structure also provides a clearer governance hierarchy and supports more efficient ongoing review and maintenance of governance documentation.

Collaboration

Formal collaboration with other councils, government agencies or statutory bodies was not undertaken as part of this review. However, the review was informed by contemporary Victorian local government governance practice, guidance published by relevant local government and integrity bodies, and applicable legislative requirements to ensure the proposed documents reflect current governance expectations and best practice.

Financial Implications

There are no direct financial implications associated with the adoption of the proposed Policy and Guideline. Implementation will be undertaken within existing operational resources.

Regional, State and National Plans and Policies

The proposed Policy and Guideline support and are informed by relevant state legislative and governance frameworks applicable to local government, including:

- *Local Government Act 2020*;
- *Charter of Human Rights and Responsibilities Act 2006*;
- *Equal Opportunity Act 2010*;
- *Gender Equality Act 2020*;
- Council Governance Rules;
- Councillor Code of Conduct; and
- other relevant Council governance policies and procedures.

The proposed framework gives effect to the good governance principles contained within the *Local Government Act 2020* by promoting transparency, accountability, integrity, responsible stewardship of public resources, effective conflict of interest management and public confidence in Council decision-making.

There are no specific regional or national plans directly applicable to the subject matter of this report. The proposed documents are principally directed toward compliance with Victorian local government governance requirements and contemporary governance practice.

Council Plans, Strategies and Policies

2025-2029 Council Plan

Theme 4 – Leadership: A trusted and capable Council that leads with integrity and responsibility.

The proposed Policy and Guideline directly support Theme 4 by strengthening governance, accountability, integrity and public confidence in Council decision-making. The framework establishes clear expectations regarding the conduct of Councillors and Council officers when a Councillor seeks election to State or Federal Parliament and promotes responsible stewardship of Council resources and information.

Risk Implications

The proposed framework will strengthen Council's ability to manage governance, integrity, compliance and reputational risks that may arise where a Councillor seeks election to State or Federal Parliament. The framework establishes clearer governance controls regarding conflicts of interest, use of Council resources, access to information, communications and political neutrality. Adoption of the revised framework is expected to reduce governance, integrity and reputational risks and provide clearer guidance for Councillors and Council officers regarding their respective roles, responsibilities and obligations during election campaigns.

Conclusion

The proposed Policy and Guideline provide a contemporary and strengthened governance framework for managing Councillor candidacy for State and Federal elections. Accordingly, it is recommended that Council adopt the Policy, note the supporting Guideline and authorise the Chief Executive Officer to make minor administrative amendments to the Guideline that do not materially alter the intent or operation of the Policy.

9.2 Q4 QUARTERLY PERFORMANCE REPORT TO 30 JUNE 2026

Director:	Kim Hargreaves
Directorate:	Organisational Performance
File Number:	F18/A10/000001

Officer Conflict of Interest

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

☐ Yes ☒ No

Reason: Nil

Status

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

☐ Yes ☒ No

Reason: Nil

Appendix

Q4 Quarterly Performance Report to June 2026 (**Appendix 9.2A**)

Purpose

To present Council with the Q4 Quarterly Performance Report to 30 June 2026, noting that the final audited data will form part of the Annual Report 2025-26.

Summary

- The Quarterly Performance Report is a key component of our commitment to continuous improvement, transparency and accountability to Council and the community.
- The Q4 Quarterly Performance Report was considered by the Audit and Risk Committee prior to being presented to Council.
- The format of the report was expanded over the previous financial year as part of Council's continuous improvement.
- This report provides financial figures which include the adopted budget, anticipated forecast and year to date actuals that will build on a quarter-by-quarter basis.
- Indicators and initiatives are also be reported on a progressive quarterly basis.
- It should be noted that this report has been prepared in alignment with the 2025-2029 Council Plan. Adopted Budget Figures for 2025-26 delivered under the four themes (previously five themes) have been restated, however the quantum has not been altered.
- This data is not final for the 2025-26 year. Data will be reviewed and may be amended before inclusion in formal audited documents and inclusion in the 2025-26 Annual Report.

Recommendation

That Council receive and note the Q4 Quarterly Performance Report to 30 June 2026, acknowledging that data will be updated before inclusion in the Annual Report 2025-26.

REPORT

Background

The Quarterly Performance Report encapsulates a quarterly budget report, progress against the 2025-2029 Council Plan, the tracking of any major initiatives, and key data relating to the Local Government Performance Reporting Framework.

The provision of relevant information on a regular basis is an important part of the internal control process and is necessary for the various levels of Council to carry out their responsibilities and obligations to the community in the management of Council business.

Council's approach to Performance Reporting (including financial performance) to the community is to include information which exceeds minimum requirements, increases readability and piques community interest. Information is presented in a clear and transparent manner, with each quarterly report building on the previous quarter's information to provide a "story" of progress rather than a "snapshot" at a point in time.

This report represents the fourth report for the financial year, with final data being included in the Annual Report 2025-26.

Discussion

The quarterly report has been prepared with the following sections of information:

1. Chief Executive Officer's Overview
2. Integrated Strategic Planning and Reporting Framework
3. Initiatives
4. Performance Indicators
5. Financial Performance by Council Plan Theme
6. Reconciliation of Financial Performance by Council Plan Theme to Comprehensive Income Statement
7. Comprehensive Income Statement
8. Balance Sheet
9. Statement of Capital Works
10. Statement of Human Resources
11. Councillor Allowances and Expenses

The CEO's Overview is a high-level summary of activities since the last Quarterly report.

The Integrated Strategic Planning and Reporting Framework section provides the reader with an explanation of the high-level requirements of the Act and Regulations for reporting to the community.

Section 4 & 5 detail the initiatives and indicators for the year – as adopted in the budget. These are reported on in a cumulative way to provide the reader with a building story of the progress so far rather than the traditional "snapshot" view of the current status.

Section 5 demonstrates expenditure and revenue at the service provision level under each of the Council Plan themes. These figures include the adopted budget, the current forecast (projected year end figure) and year to date performance.

Section 6 provides an important translation between reporting to the community by the service groupings they are familiar with compared to how the information is presented in an accounting context.

Sections 7 to 10 are the financial statements (accounting presentation). Data includes the adopted budget, forecast (projected year end figure) and year to date by quarter. Detailed notes are also provided to add value for the reader of the report. The presentation of these statements complies with model budget presentation as required under legislation. Final versions of the financial statements will be presented to Council's Audit and Risk Committee for review prior to recommendation to Council for approval and inclusion in the Annual Report 2025-26.

Section 11 satisfies legislative and policy requirements providing information on a quarterly basis around councillor allowances and expenses.

Options to Consider

The Local Government Performance Reporting Framework is a mandatory system of performance reporting for all Victorian councils. It ensures that councils are measuring and reporting on their performance in a consistent way to promote transparency and accountability in the local government sector. The framework is made up of measures from a range of service areas, including roads, planning, animal management and waste.

The *Local Government Act 2020* (s97) also requires that the Chief Executive Officer ensures that a quarterly budget report is presented to the Council at a Council meeting which is open to the public. This quarterly budget report must include a comparison of the actual and budgeted results to date; and an explanation of any material variations; and any other matters prescribed by the regulations.

Council can opt not to receive and note the quarterly report but should note the legislative and other requirements requiring the report to be presented.

Sustainability Implications

Not applicable other than any reporting included in the report on Council's environmental and sustainability goals.

Community Engagement

The Quarterly Performance report is prepared through cross-departmental consultation within Council. Following executive leadership team's endorsement, it progresses to a Council Briefing before formal endorsement at a Council Meeting. The report is then available to the public via Council's website.

Innovation and Continuous Improvement

Ongoing refinements are made to ensure the report provides clear and concise reporting on key strategic items.

Collaboration

The Q4 Quarterly Performance Report was considered by Council's Audit and Risk Committee prior to presentation to Council. This supports good governance by providing an additional level of independent oversight of the financial and non-financial performance information contained within the report.

Financial Implications

There are no financial implications of the report itself however the Quarterly Report provides detailed information on the financial position of Council and performance against budgets and various targets.

Regional, State and National Plans and Policies

Not applicable.

Council Plans, Strategies and Policies

2025-2029 Council Plan – This report clearly outlines progress towards achieving the aspirations of the Council Plan.

Risk Implications

Provision of good quality, regular reporting of financial and non-financial information to the community mitigates against the risk of poor financial governance and possible financial mismanagement. The Municipal Association of Victoria's Good Governance Guide provides that *the Council is ultimately accountable for the financial management...it should not have a hands-on role... but it needs to ensure that it has sufficient information to be satisfied that finances are in order and that the budgetary and financial planning goals are being met.*

Conclusion

The Quarterly Performance Report provides a regular and succinct report for Council and the community to assess Council's performance against key measures. It also fulfils Council's legislative and other regulatory responsibilities.

9.3 MAV STATE COUNCIL – OCTOBER 2026 - MOTIONS

Director:	Gail Gatt
Directorate:	Office of the CEO
File Number:	F15/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

MAV State Council - Motions (**Appendix 9.3A**)

Purpose

To seek Councils endorsement of motions to be submitted to the Municipal Association of Victoria's State Council to be held on 23 October 2026.

Summary

- The MAV State Council will be held on 23 October 2026.
- Councils can submit motions for consideration by the State Council, however motions must first be adopted by the submitting council.
- Attached are four motions that are of particular interest to Horsham Rural City Council but are also considered of strategic importance for the State and in particular rural and regional areas of Victoria.
- This report seeks Council's adoption of the motions so they can be lodged with the MAV for consideration at the October State Council meeting.
- Motion submissions to the MAV close on 24 August 2026. (midnight)

Recommendation

That Council:

1. Endorse the four motions (as contained in Appendix 9.3A) to be lodged with the MAV for consideration at the May State Council Meeting on 24 August 2026

REPORT

Background

The Municipal Association of Victoria (MAV) is the peak body representing Victoria's 79 local councils. It advocates for councils, provides policy advice, governance guidance, and sector support, and delivers services including procurement and insurance. MAV works to strengthen local government capacity, promote community wellbeing, and ensure councils can sustainably and effectively serve Victorian communities.

Held twice per year, the MAV State Council is the peak decision-making body of the Municipal Association of Victoria, comprising representatives from all 79 Victorian councils. It sets policy, endorses advocacy priorities, and guides MAV's strategic direction, ensuring local government perspectives are represented in statewide issues and policy discussions.

Individual councils can seek to influence the advocacy and policy agenda of the MAV through the submission and adoption of motions by a majority of the members. A motion to MAV State Council must be formally endorsed by the individual council, submitted by the relevant deadline, be of statewide significance or strategic relevance, not replicate recent State Council business, and meet MAV Board assessment criteria before it is accepted for consideration.

The attached four motions are considered to comply with the requirements listed above and are of significant importance to Horsham Rural City Council and other rural and regional communities across Victoria.

Discussion

The first motion calls for the Victorian Government to invest in a comprehensive, tiered rural and regional mental health and wellbeing model. The motion responds to ongoing mental health service gaps experienced across rural Victoria, including limited access to early intervention, psychology, counselling, outreach and acute mental health services, and seeks a community-first approach that improves access to care closer to home.

The second motion seeks improved long-term planning and investment to support the reliability of water supply for recreational lakes. The motion recognises the importance of recreational water assets to regional economies, liveability, tourism, recreation and community wellbeing, particularly during periods of drought and climate variability.

The third motion calls for increased Victorian Government funding to support the implementation of Integrated Water Management (IWM) initiatives. The motion seeks dedicated funding and streamlined delivery mechanisms to assist councils and regional partners to progress projects that improve water security, waterway health and alternative water supply outcomes.

The fourth motion advocates for strengthened communications network resilience in disaster-prone areas. The motion responds to recommendations arising from the Victorian Summer Fires Inquiry and seeks action to improve telecommunications reliability during emergencies through enhanced infrastructure standards, backup power arrangements and expanded satellite communications capability.

Options to Consider

- Council can endorse all of the motions, some of the motions or none of the motions.
- Council can also put forward alternative motions for endorsement and lodging with the MAV.

Sustainability Implications

The proposed motions address key long-term sustainability challenges facing rural and regional communities, including community wellbeing, water security, emergency resilience and service accessibility. If successful, the advocacy outcomes would support improved liveability, economic resilience and sustainable community development across regional Victoria.

Community Engagement

While there has not been engagement with the community in relation to the specific proposed motions, they are informed by engagement and conversations with the community.

Innovation and Continuous Improvement

The proposed motions advocate for innovative, long-term policy and infrastructure solutions to address emerging challenges facing rural and regional communities. They support improved service delivery, greater resilience, stronger community outcomes and more effective planning and investment across mental health, water management and emergency communications.

Collaboration

The motions were sent to the neighbouring Councils of the Wimmera Southern Mallee Alliance to seek input and gain support for the motions. These motions were generally supported by all members of the alliance, with specific letters of support for the motions received from Yarriambiack Shire Council and Northern Grampians Shire Council.

Financial Implications

There are no financial implications with endorsing the motions and lodging them with the MAV.

Regional, State and National Plans and Policies

The proposed motions align with a range of regional, state and national plans and policy frameworks, including:

- Royal Commission into Victoria's Mental Health System,
- Victorian Mental Health and Wellbeing Plan 2023-2027,
- Integrated Water Management Framework for Victoria
- Inquiry into the 2025-26 Victorian Summer Fires
- State Emergency Management Plan

The proposed motions seek to advance outcomes that are consistent with these existing policy directions and support improved service delivery, community wellbeing, resilience and liveability across rural and regional Victoria.

Council Plans, Strategies and Policies

This report aligns with the Horsham Rural City Council Plan 2025-2029 and its strategic themes of in a number of areas including:

Liveability

- Promote health and wellbeing for people of all ages and abilities

Sustainability

- Use sound planning to balance growth and protect what matters

Accessibility

Officers Reports

- Improve access to quality services, public spaces and facilities
- Ensure our community can access resilient and reliable assets and services

Leadership

- Strengthen engagement, advocacy and partnerships

The proposed motions also support the Council Plan's commitment to advocating for improved access to health services, housing, transport and other essential services that contribute to the liveability and sustainability of regional communities.

Risk Implications

The proposed MAV motions seek to address strategic risks facing rural and regional communities where advocacy and policy reform may be required at a State and Commonwealth level. Participation in the MAV State Council process provides an opportunity for Council to advocate for policy outcomes that help mitigate these risks and support sustainable community outcomes. This includes

- Financial Risk – Reducing the financial burden placed on councils when gaps in State-funded services and infrastructure create additional advocacy, planning, community support and service coordination responsibilities for local government.
- Economic Risk – Inadequate government investment in essential services and infrastructure can reduce regional competitiveness, constrain economic development and hinder workforce attraction and retention.
- Reputational Risk – Communities often look to local government to advocate for solutions where State and Federal responsibilities exist. Failure to advocate on identified regional priorities may impact community confidence in Council's leadership and representation.

Conclusion

The MAV State Council provides an important opportunity for Horsham Rural City Council to advocate on issues of significance to both the municipality and rural and regional Victoria.

The four proposed motions seek to influence State Government policy and investment in areas including mental health, water security, integrated water management and emergency communications resilience. Through participation in the MAV State Council process, Council strengthens its advocacy efforts and supports outcomes that improve community wellbeing, regional liveability and economic resilience.

9.4 PLANNING SCHEME AMENDMENT C85 – FURTHER ENGAGEMENT AND SUBMISSIONS

Director:	Justine Kingan
Directorate:	Community & Liveability
File Number:	F24/A05/000018

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

Submission table (**Appendix 9.4A**)

Engagement summary (**Appendix 9.4B**)

Purpose

Council is being asked to consider further engagement undertaken and to progress Amendment C85hors to the next statutory step by requesting the appointment of an Independent Planning Panel.

Summary

- The *Horsham Heritage Study* was commissioned in 2013 with a steering committee of Heritage Advisors, Councillors and Council Officers to identify the key historical themes associated with Horsham's growth and development that tell the story of Horsham's history and identity. With the assistance of the Horsham Historical Society and engagement with landowners, a comprehensive overview of the municipality history and places of significance was identified.
- The *Heritage Study Review* was undertaken in 2022 to ensure that the heritage citations and recommendations remained accurate and consistent with current guidelines and practices. Engagement was undertaken with landowners to confirm that the information reflected the current condition of each place.
- Planning Scheme Amendment C85hors - Horsham Heritage Study has been prepared to protect the most significant heritage places across the municipality and was approved and authorised for community consultation (exhibition) by Council on 24 March 2025 and the Minister for Planning on 11 September 2025.
- The Amendment proposes to apply heritage controls to 574 properties within heritage precincts, 31 individually listed properties, and six geographically separate properties forming a serial heritage listing due to their shared history and similar heritage characteristics.
- The Amendment was publicly exhibited from 10 November 2025 to 22 December 2025 in accordance with the requirements of the *Planning and Environment Act 1987* and included letters to property owners and occupiers, as well as notices in newspapers, drop-in sessions and individual meetings resulting in 25 submissions

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- A total of 25 submissions were received. Of these, 17 have now been resolved (68%), and 8 submissions remain unresolved (32%).
 - At its meeting on 25 May 2026, Council requested further engagement with submitters before determining the next step for Amendment C85hors. Officers have undertaken additional meetings, phone discussions, and email correspondence with submitters. As a result, an additional submission has been withdrawn, while some submitters have confirmed that they wish their unresolved submissions to proceed to an independent Planning Panel. (See appendix 9.4B Engagement Summary).
 - The recommended next step is to receive and consider all submissions, note the outcomes of the further engagement, and refer unresolved submissions and relevant post-exhibition changes to an independent Planning Panel in accordance with Part 8 of the *Planning and Environment Act 1987*.

Recommendation

That Council:

- 1) Receives and considers all submissions to Amendment C85hors to the Horsham Planning Scheme, including the outcomes of further engagement undertaken
- 2) Requests the Minister for Planning to appoint an independent Planning Panel pursuant to section 23 and Part 8 of the *Planning and Environment Act 1987* to consider unresolved submissions to Amendment C85hors.
- 3) Refers all unresolved submissions, relevant post-exhibition changes and any submitter addendums received through the further engagement process to the independent Planning Panel, while continuing to engage with submitters where opportunities remain to resolve or narrow issues before the Panel Hearing.

REPORT

Background

The *Horsham Heritage Study* was commissioned in 2013 with a steering committee of Heritage Advisors, Councillors and Council Officers to identify the key historical themes associated with Horsham's growth and development that tell the story of Horsham's history and identity. With the assistance of the Horsham Historical Society and engagement with landowners, a comprehensive overview of the municipality history and places of significance was identified.

The *Heritage Study Review* was undertaken in 2022 to ensure that the heritage citations and recommendations remained accurate and consistent with current guidelines and practices. Engagement was undertaken with landowners to confirm that the information reflected the current condition of each place.

Timeline of the Horsham Heritage Study and Amendment

1. Historical Research and Thematic Analysis - 2011
2. Assessment of Significance (Citations 2012)
3. Recommendations and Reporting (Heritage Study 2014)
4. Heritage Review 2022
5. Planning Controls (Review and C85 Amendment) 2025-26

The timeline above demonstrates that Amendment C85hors has not commenced as a standalone or recent process but is the result of a staged body of strategic heritage work undertaken over a number of years. The initial historical research and thematic analysis established the broader context for identifying places of potential local heritage significance, which was then followed by detailed assessments of significance, preparation of citations, reporting, and recommendations through the Heritage Study. This work provided the foundation for understanding which places may warrant protection and why they are important to the municipality's heritage.

The later Heritage Review and subsequent preparation of planning controls through Amendment C85hors represent the statutory implementation stage of that earlier strategic work. This step seeks to translate the findings of the heritage assessments into planning scheme controls so that places identified as having local heritage significance can be appropriately considered through future planning decisions. Amendment C85hors proposes to apply heritage controls to 574 properties within heritage precincts, 31 individually listed properties, and six geographically separate properties forming a serial heritage listing due to their shared history and similar heritage characteristics.

In this context, the current amendment is the final planning step following research, assessment, review, and consultation, and provides the mechanism for Council to determine whether the proposed heritage controls should proceed to independent Panel consideration.

Councils play a key role in local Heritage identification and protection in which Horsham has invested over 15 years of strategic work to progress to this stage.

Pre-Exhibition Engagement

As part of pre-amendment consultation - held between September and November 2023 - all landowners and occupiers were notified, and heritage citations were reviewed and finalised.

Council received feedback from approximately 19 property owners, which comprised 9 written responses and 10 phone discussions. Council was able to resolve 10 of the 19 responses, with the remaining parties retaining the option to lodge a formal submission during the exhibition process.

Exhibition of the Amendment

The Amendment was publicly exhibited for 6 weeks from 10 November to 22 December 2025 in accordance with the requirements of the *Planning and Environment Act 1987* using the following statutory notifications.

- Direct notification (letters and an information poster) to all affected property owners and occupiers (approximately 800 letters), prescribed Ministers, and authorities.
- Public notices in the *Weekly Advertiser* on 11 and 18 November 2025, and the *Government Gazette* on 13 November 2025.
- The Amendment documents were made available for viewing and download (website/officers and DTP website).
- A FAQs pamphlet was available on Council's website and hard copies made available at the Civic Centre.
- An interactive map showing the extent of the new overlays was also available on Council's website.
- Drop-in sessions were held in Horsham on Wednesday 3 December 2025, at the Council Civic Offices, Roberts Avenue, in Natimuk on Thursday 4 December 2025 at NC2, Main Street, Natimuk and in Horsham Wednesday, 10 December 2025 – Hamilton Lamb Hall, Kalkee Road, these sessions were attended by Council officers and a Heritage Consultant.

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 officers took over 19 public calls and met with approximately 7 community members who visited Council Offices to discuss in more detail the content of the letters received.

A total of 25 submissions were received as part of the formal exhibition process, including submissions in support and submissions raising matters that do not constitute substantive planning issues. Of these, 17 have been resolved, with 8 submissions remaining unresolved.

Further post exhibition engagement

Following the Council meeting held on 25 May 2026, Council requested that further engagement be undertaken with submitters to Amendment C85hurs before the matter returned to Council for a decision on the next statutory step. The purpose of this engagement was to provide submitters with an additional opportunity to discuss their concerns directly with planning officers, clarify the issues raised in submissions, identify whether any matters could be resolved or narrowed, and ensure Council was fully informed of the remaining issues before deciding whether to request the appointment of an independent Planning Panel.

Officers sought to contact all submitters to provide an opportunity to ask questions about the amendment, better understand the proposed heritage controls, and to confirm whether their concerns remain unresolved. As a result of this engagement, one additional submission has been formally withdrawn and the position of other submitters has been clarified, including those who wish for their submissions to proceed to the Independent Planning Panel process.

Planning officers have made reasonable efforts to respond to the concerns raised in submissions following Council's request for further engagement. Officers have provided further information about the amendment process, explained the operation and extent of the proposed heritage controls, clarified common misunderstandings about permit requirements, fees, and exemptions, and outlined the support available to affected property owners.

This engagement has assisted in resolving concerns and has clarified matters that remain unresolved and may need to be considered by an Independent Planning Panel. Engagement opportunities will continue to be offered and will still occur where it may assist in resolving or narrowing further issues prior to the commencement of a Planning Panel Hearing (Ref. to Appendix 9.4A Submission table).

Discussion

Key issues raised in further engagement

Planning officers have made reasonable efforts to engage with submitters following Council's request for further engagement and will continue to do so if an independent Panel is appointed. The further engagement has helped clarify submitter concerns, provided an opportunity to explain the amendment process and heritage controls, and resulted in additional submissions being withdrawn.

Summary of key issues raised in further engagement

- Dispute the need for Heritage Protection
- Accuracy of dates
- Permit Process and Fees
- Building Costs
- Property values

Officers have held additional meetings, phone calls, and email communications with outstanding submitters in an effort to resolve or narrow concerns. Some submitters have remained difficult to contact or have chosen not to further engage. Where submissions remain unresolved, referral to an independent Planning Panel provides the appropriate statutory process for submitters to be heard and for independent recommendations to be made to Council.

Officer responses to submitter concerns

Planning officers have approached the further engagement process, by reaching out to and working directly with submitters to better understand their specific concerns relating to their properties and to

explain how the proposed controls would, operate in practice. This includes clarifying when a planning permit would or would not be required, explaining the types of works that are generally exempt, outlining the availability of Council's Heritage Advisor and fee waiver arrangements, and correcting and clarifying information where questions were raised about property details or the amendment material. Through these discussions, officers sought to address misunderstandings, reduce uncertainty for affected property owners, and identify whether any concerns could be resolved with the need for further consideration through the Panel process.

Buildings and works that do not require a permit

Routine repairs and maintenance generally do not require a planning permit where they do not alter the appearance of the heritage place.

Paint controls

External paint controls are not proposed for residential precincts unless specific controls apply to an individual heritage place.

Fence controls

Permit requirements for fencing relate to original or significant fences, rather than all fencing on a property.

Available support

Officers advised submitters that Council's Heritage Advisor is available to assist property owners and applicants in understanding and responding to heritage requirements.

Fee waiver arrangements

A fee waiver is available for eligible heritage-related planning permit applications.

Confirmed remaining unresolved matters

Where concerns could not be resolved through further discussion, officers confirmed that submitters may have their issues considered through the independent Planning Panel process, should Council resolve to request a Panel.

A detailed summary of all engagement activities is available to Council at Appendix 9.4B of this report. Overall, the further engagement undertaken by officers has provided a meaningful opportunity for submitters to better understand the amendment, clarify how the proposed heritage controls may affect their properties, and raise any remaining concerns directly with Council officers. While not all concerns have been resolved, the process has helped address misunderstandings, provide practical information and support to affected property owners, and narrow the matters that remain in dispute. This ensures Council can now consider the next step in the amendment process with a clearer understanding of both the issues that have been addressed and those that may require independent consideration through a Planning Panel.

Exemption under Ministerial Direction 15

Ministerial Direction 15 sets timeframes for key steps in the planning scheme amendment process, including the consideration of submissions and the request for appointment of a Panel where required.

Council has discussed the timing of Amendment C85 with the Department of Transport and Planning and has received an exemption to progress to Panel on the basis that a Panel request is made by the end of September 2026. If Council does not progress the amendment to the next statutory step within the approved timeframe, there is a risk that the Department may not support further progression of the amendment and the amendment may lapse. To manage this risk, it is recommended that Council request the appointment of an independent Planning Panel.

Next Steps

The next step in the amendment process is for Council to request that the Minister for Planning appoint an independent Planning Panel to consider unresolved submissions and relevant post-exhibition changes.

Making all requested changes to the Amendment is not supported where changes are not justified by the adopted heritage methodology, the evidence base or the purpose of the Heritage Overlay. However, officers recommend that Council refer relevant post-exhibition changes to the Panel where there is a clear and evidence-based rationale for amending a heritage control, citation, or mapping outcome.

If Council does not agree to make the changes requested by all submitters, it must either refer unresolved submissions to an independent Planning Panel or abandon the Amendment, or part of the Amendment. Submitters will be provided with an updated response outlining Council's position and the next steps in the Panel process.

Council must make a formal request to the Minister for Planning to appoint a Panel, after which Planning Panels Victoria will advise of the hearing dates.

Following the Panel Hearing, the Panel will provide a report and recommendations to Council and to the Minister for Planning. On receipt of the Panel report, a Council Report will be prepared for Council to consider the Panel's recommended changes.

As the Planning Authority

As the Planning Authority for this Amendment, Council must consider all submissions made to the Amendment and may consider late submissions in accordance with Section 22 (14) of the *Planning and Environment Act 1987*.

Furthermore, under Section 23 (15) (16) of the Act, following consideration of submissions, Council as the Planning Authority must:

- a. Change the Amendment in the manner requested; or*
- b. Refer submissions to an Independent Planning Panel; or*
- c. Abandon the Amendment or part of the Amendment.*

Options to Consider

That Council:

Option 1

Receives and considers all submissions received to Amendment C85hrs to the Horsham Planning Scheme and approves to request the Minister for Planning to appoint an Independent Planning Panel **(Recommended)**.

Option 2

Having considered all submissions to Amendment C85hrs requests changes based on the submissions and refuses to request the Minister for Planning to appoint an Independent Planning Panel.

Option 3

Abandon the amendment and advise the Minister for Planning accordingly.

Option 1 is recommended because it allows unresolved submissions to be independently assessed before Council makes a final decision on the Amendment. It also supports the substantial work undertaken to research Horsham's history and protect places of identified heritage significance for future generations.

Sustainability Implications

The Amendment supports social and cultural sustainability by identifying and protecting places that contribute to Horsham Rural City's history, character, and sense of place.

Community Engagement

The Amendment was publicly exhibited for six weeks and included direct notification to affected owners and occupiers, public notices, online material, an interactive map, information sheets, and drop-in sessions. Following Council's request for further engagement on 25 May 2026, officers undertook additional meetings, phone calls, and email correspondence with submitters. The further engagement assisted in clarifying issues, resolving additional submissions, and confirming which submissions remain unresolved and should be referred to a Panel. Refer to *Appendix 9.4B Engagement summary*.

Innovation and Continuous Improvement

Considering heritage early supports more informed decision making, reduces uncertainty for applicants and the broader community, and strengthens the municipality's sense of place and identity. The Amendment is reflective of continuous improvement in Council's planning framework and aligns with best practice.

Collaboration

Collaboration was undertaken with professional heritage experts, external agencies, and the business team throughout the public engagement process.

Financial Implications

An allocation within the 2024-25 Council budget has been used to commence preparation of and for Exhibition of a Planning Scheme Amendment and a further 2025-26 budget allocation will contribute to the Independent Planning Panel as well as the costs associated with the preparation of expert witness statements.

Council Plans, Strategies and Policies

Heritage protection has been frequently raised as a high priority for the community during public consultation on a variety of plans and strategies.

Council Plan 2025-2029

- *Sustainability*

A region that grows sustainably and protects what matters.

Risk Implications

If Council does not progress the Amendment to the next statutory step within the exemption timeframe, there is a risk that the Amendment will not be supported to proceed and may lapse. There is also a reputational and governance risk if submitters are not provided with a clear pathway for independent consideration of unresolved submissions. Referring the unresolved submissions to a Panel manages these risks by following the statutory process and allowing independent assessment of the matters raised.

Conclusion

The Amendment represents the statutory implementation of a significant body of strategic heritage work undertaken over many years to identify and protect places of local heritage significance across Horsham Rural City. It proposes to apply heritage controls to properties within identified heritage precincts, individually significant properties, and properties forming a serial heritage listing, consistent with the findings of the heritage study and review.

Extensive consultation has been undertaken through pre-amendment engagement, formal public exhibition, and further post-exhibition engagement requested by Council. This process has provided affected property owners and submitters with multiple opportunities to understand the proposed controls, raise concerns, clarify how the Heritage Overlay would operate, and resolve or narrow issues where possible. Of the 25 formal submissions received during exhibition, 17 have been resolved and 8 remain unresolved.

The further engagement has assisted Council to better understand the matters that remain in dispute and has confirmed that some submitters wish to have their unresolved submissions considered through an independent Planning Panel. Referral to a Panel is the appropriate statutory pathway where submissions cannot be resolved, and will allow the outstanding matters, relevant post-exhibition changes, and any submitter addendums to be independently assessed before Council makes a final decision on the Amendment.

Progressing the Amendment to the next statutory step also manages the timing risk associated with the exemption granted under Ministerial Direction 15, which requires a Panel request to be made by the end of September 2026. It is therefore recommended that Council receive and consider all submissions, note the outcomes of further engagement, and request that the Minister for Planning appoint an independent Planning Panel to consider the unresolved submissions and relevant post-exhibition changes.

9.5 PLANNING PERMIT APPLICATION PA2500921 18 JORY STREET, NATIMUK

Director:	Justine Kingan
Directorate:	Community and Liveability
File Number:	F24/A02/000001

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

Planning Permit application (**Appendix 9.5A**)

Delegate Report (**Appendix 9.5B**)

Confidential Objections (**Appendix 9.5C**) (**CONFIDENTIAL**)

Confidential submissions in support (**Appendix 9.5D**) (**CONFIDENTIAL**)

Purpose

To determine a planning permit application for the Use of the land for a Home-Based Business at 18 Jory Street, Natimuk.

Summary

The application seeks approval for the use of land at 18 Jory Street, Natimuk for a home-based business (Gym).

The proposed business seeks the use of an existing outbuilding four days a week between the hours of 4:30 – 8:30 pm on weekdays and 9:00 am to 12:00 pm on Saturdays for group fitness sessions associated with gymnasium activity involving silks.

The key issues for consideration are whether the proposed use satisfies the requirements of Clause 52.11 Home-Based Business, whether the site can accommodate the associated car parking demand under Clause 52.06, and whether potential amenity impacts relating to noise, hours of operation, patron numbers, traffic, lighting and privacy can be appropriately managed.

A total of 14 submissions were received. Of which three were objections (**Appendix 9.5C**) and 11 were submissions in support (**Appendix 9.5D**). Three objections were received during public notice period, advertised pursuant to Section 52 of the Planning and Environment Act 1987. Following further discussions, one objection has since been withdrawn. The remaining concerns relate primarily to residential amenity, traffic and parking, the suitability of the site for the use, and compliance with the home-based business provisions.

A full planning assessment against the Horsham Planning Scheme considering the relevant policy and

objections has been undertaken for the proposal in accordance with Section 60 of the *Planning and Environment Act 1987*, which specifies the matters which the responsible authority must consider in deciding on an application.

Recommendation

That Council, being the responsible authority under the Horsham Planning Scheme and the *Planning and Environment Act 1987* and having considered the application, referral responses, objections and the relevant provisions of the Horsham Planning Scheme, decides to **Grant a Notice of Decision** for the Use of the land for a Home Based Business at 18 Jory Street, Natimuk in accordance with the conditions contained in the delegate report **(Appendix 9.5B)**.

REPORT

Background

The subject site at Lot 55, 18 Jory Street, Natimuk, is situated within the established township area of Natimuk and is developed with an existing dwelling and outbuilding. The surrounding area is predominantly residential in character, with dwellings located on adjoining and nearby properties, and the site benefits from rear access via an existing laneway.

The proposal is to use the existing rear outbuilding for a small-scale home-based business involving group fitness and aerial silks classes. Sessions are proposed to be scheduled in small groups, with up to six patrons at any one time, and are to operate during limited afternoon, evening and Saturday morning hours. The use is intended to occur within the existing building, with customer access and parking to be managed on the site.

The application is required to be assessed against the Horsham Planning Scheme, including the Planning Policy Framework, Clause 32.05 Township Zone, Clause 44.04 Land Subject to Inundation Overlay, Clause 52.06 Car Parking, Clause 52.11 Home-Based Business and Clause 65.01 Approval of an Application or Plan. A home-based business is a Section 1 use in the Township Zone; however, the proposal requires assessment against the particular provisions because the nature of the activity, patron numbers, parking demand and potential amenity impacts must be considered.

Refer to the delegate report (**Appendix 9.5B**) for a full description of the proposed Home-Based Business and assessment against the requirements of the Horsham Planning Scheme and the *Planning and Environment Act 1987*.



Figure 1. Aerial image

Discussion

The proposed use of a Gymnasium with a number of visitors requires council to carefully consider the impact on the amenity as required by Clause 52.11 as outlined in the Delegate Report.

Objectors raised concerns regarding the suitability of the proposed home-based business within a residential area, including whether the use satisfies the requirements of Clause 52.11, the proposed hours of operation, patron numbers, noise, privacy, traffic, parking and general residential amenity.

The purpose of the Clause 52.11 home-based business provisions is to allow residents to conduct small scale businesses from their home, such as massage practitioners, therapists, piano teachers, accountants and other professionals. The provisions are not intended to facilitate commercial activity where the business operator does not reside at the premises or has an unreasonable impact on the neighbourhood amenity.

Accordingly, a permit should only be permitted where adherence to clear and reasonable conditions can be achieved, and the following have conditions have been proposed:

Business operation

- 1. The business must be operated by the resident of the premises and appropriate evidence must be submitted prior to the commencement of the use, to the satisfaction of the Responsible Authority.*

Hours of operation

5. *The use shall operate only between the hours of 4:00 pm to 8:00 pm, Wednesday to Friday and Saturday 9am to 12:30 pm to the satisfaction of the Responsible Authority.*

Limit on number of patrons

6. *No more than six (6) persons and up to two (2) staff may be present in the premises at any one time without the written consent of the responsible authority.*

Note: This does not include any parent or legal guardian present on site for a person under the age of 18 present but not participating within the home-based business activity.

Limit of number of group activities

7. *No more than four (4) group fitness activities with a maximum of twelve (12) people may occur annually without prior written approval of the Responsible Authority following notification of neighbouring properties.*

Fencing

12. *Within one (1) month of the commencement of the use a fence must be erected along the eastern boundary of the site to a minimum height of 2 metres above natural ground level. The design and construction of the fence must be able to achieve acoustic standards to the satisfaction of the responsible authority.*

Screening

13. *Before the use commences, appropriate screening measures must be undertaken to restrict overlooking from the upper level windows overlooking into the private open space areas of the adjoining residential properties to the satisfaction of the responsible authority.*

Number of car parking spaces required

15. *No fewer than 4 car space(s) must be provided on the land for the use and development, including 1 space clearly marked for use by disabled persons.*

Car park construction

16. *Before the use or occupation of the development starts, the area(s) set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:*

- a. constructed*
- b. properly formed to such levels that they can be used in accordance with the plans*
- c. surfaced with an all-weather material*
- d. drained*
- e. clearly marked and signed to show the direction of traffic along access lanes and driveways*
- f. to the satisfaction of the responsible authority.*

Car spaces, access lanes and driveways must be kept available for these purposes at all times.

Laneway access

17. No access is to be permitted via the rear laneway for patrons of the business.

The objectors have supported these conditions as the minimum requirement and are concerned the applicant may not comply with these requirements and continue to operate on an informal basis that will have detrimental impact on their amenity.

The applicant has raised the concerns regarding the onerous and costly impacts of acoustic treatments, limited hours of operation, fencing and all-weather onsite parking, however these conditions are considered reasonable and necessary to ensure compliance with the Horsham Planning Scheme. If the applicant wishes to dispute these conditions they may appeal under *Section 80* of the *Planning and Environment Act* through the Victorian Civil and Administrative Tribunal.

Overall, the submissions have been acknowledged and have informed the recommended permit conditions as reasonable and enforceable. While the objectors' concerns are understood, the proposal is considered acceptable having regard to the purpose of 52.11 and limited scale, proposed on-site parking and the ability to manage potential amenity impacts through conditions.

Based on the assessment of 52.11 and 52.06 of the Horsham Planning Scheme outlined in the delegate report, it is recommended that a planning permit be issued with conditions to manage the operation of the business.

Options to Consider

Option 1 – Resolve to Issue a Notice of Decision to Grant a Planning Permit

This option is recommended by officers as it is considered that the proposal is consistent with the relevant objectives and policies of the Horsham Planning Scheme.

Option 2 – Refuse the application

This option is not recommended by officers; on the grounds that the proposal with adequate conditions will comply with the Horsham Planning Scheme. *Option 3 – Defer a decision on the application*

This option is not recommended by officers as it is considered that all required information is available to form a position on the application. Deferring a decision will allow the applicant to apply to VCAT under Section 79 of the *Planning and Environment Act 1987* for failure to determine an applicant within the prescribed timeframe.

Sustainability Implications

The proposal for the Use of the land as a Home-Based Business is not considered to result in any significant sustainability impacts.

Community Engagement

As a requirement under Section 52 of the *Planning and Environment Act 1987*, notice of the application was given to adjoining landowners and occupiers. Following the notification period, three (3) submissions were received objecting to the proposal.

The applicant provided a written response to objections on 27 February 2026. This information was circulated to all objectors, and no objections were withdrawn.

A mediation meeting was held at NC2 in Natimuk on 8 May 2026. At the meeting, it was determined that draft conditions would be circulated to the applicant and objectors. Draft conditions were subsequently circulated. No resolution was reached at that time.

Further discussions have occurred between the rear adjoining property owner and the landowner. As a result, one objection has now been withdrawn.

Innovation and Continuous Improvement

Not applicable.

Collaboration

This report has been prepared in collaboration with Council officers within the Statutory Planning department and has sought the advice of Councils Infrastructure, Building and Environmental Health Department.

Financial Implications

Council may be subject to the cost of defending Council's decision should an application for review be lodged with VCAT by either party.

Regional, State and National Plans and Policies

The delegate report provides an assessment against the relevant plans and policies.

Council Plans, Strategies and Policies

Council Plan 2025-2029

- *Liveability*

A region where health and wellbeing are prioritised

- *Sustainability*

A region that grows sustainably and protects what matters.

Risk Implications

The proposal raises concerns within the community in relation to impacts on neighbourhood amenity.

Conclusion

Planning Permit PA2500921 has been assessed against the relevant provisions of the Horsham Planning Scheme and Council as the Responsible Authority is requested to decide on the application in accordance with the recommendation to issue a *Notice of Decision to Grant a Permit* contained in the delegate report.

The proposed home-based business is considered an acceptable response for the site and its township context. The application is consistent with the purpose of the Township Zone, which supports a mix of residential, commercial, and other uses in small towns where neighbourhood character and amenity are appropriately maintained. Subject to conditions managing matters such as patron numbers, car parking, hours of operation and off-site amenity impacts, the proposal satisfies the relevant Home-Based

Business requirements of Clause 52.11 and represents an appropriate use within the established residential setting.

10. COUNCILLOR REPORTS AND ACKNOWLEDGEMENTS

Cr Brian Klowss

Committee Representation	
Date	Description
	-
Other Council Activities	
25/07/26	Councillor Workshop
27/07/26	HRCC CEO/Mayor Meeting
27/07/26	Garbage Truck Gift card draw
27/07/26	Council Meeting
29/07/26	Meeting between Nationals MPs and Wimmera Southern Mallee councils re: Resource Ready
03/08/26	HRCC CEO/Mayor Meeting
03/08/26	BGLC HRCC CEO/Mayor Meeting
03/08/26	Council Briefing
04-05/08/26	VLGA Councillor Mandatory Training Program – 2 Days
07/08/26	Homelessness Week Community Event
10/08/26	HRCC CEO/Mayor Meeting
10/06/26	CEO performance review catchup
10/08/26	Council Briefing
12/08/26	Regional Cities Victoria Annual Forum and Leaders Reception
12/08/26	Across Victoria Alliance Groups Meeting
13/08/26	CEO ERC Meeting with Chair
17/08/26	HRCC CEO/Mayor Meeting
17/08/26	Council Briefing
18/08/26	Vietnam Veterans Day

Cr Bec Sluggett

Committee Representation	
Date	Description
24/07/26	Western Highway Action Committee
Other Council Activities	
25/07/26	Councillor Workshop with Darren Rae
03/08/26	Council Briefing
04/08/26	One on One Meeting with CEO
04/08/26- 05/08/26	Councillor Year 2 Mandatory Training with the VLGA – This was done in with other Councillors of the Wimmera Southern Mallee Council Alliance in Warracknabeal. This meant as a group we were able to save money and time by getting the training done together. It also provided a great opportunity for the regions Councillors to catch up and talk about shared experiences.

07/08/26	The Wimmera Homelessness Alliance Homelessness Week Event – May Park. This event was to shine the light on the issue that effects many people in Horsham. With community groups, organisations and service providers there to share information and support. I particularly like the fact that the organisations are working together to optimise their resources and to try and ensure that no one falls through the gaps. Although many of those I spoke to were aware and concerned that there is a growing need for support that they are struggling to meet.
10/08/26	Council Briefing
13/08/26	CEO ERC Meeting and One on One meeting with Chairperson of Committee

Cr Cam McDonald

Committee Representation	
Date	Description
	-
Other Council Activities	
06/07/26	Council Briefing
09/07/26	Council Training Planning
13/07/26	Council Briefing Natimuk Rd Bike Path Community presentation Attended by; Tony Sleep, Ian McCulloch, Dave Brennan, and Jason Harding
20/07/26	Council Briefing
27/07/26	Council Meeting

11. URGENT BUSINESS

12. PETITIONS AND JOINT LETTERS

13. PROCEDURAL BUSINESS

13.1 INFORMAL MEETINGS OF COUNCILLORS – RECORD OF MEETINGS

- Council Briefing Meetings held on 3, 10 and 17 August 2026.
- Mining and Renewables Working Group held on 3 August 2026.

Refer to **Appendix 13.1A**

13.2 COUNCIL COMMITTEE MINUTES

- Horsham Regional Livestock Exchange meeting held on 23 April 2026.

Refer to **Appendix 13.2A**

Recommendation

That Council receive and note agenda items:

- 13.1 Informal Meetings of Councillors – Record of Meetings
- 13.2 Council Committee Minutes

14. NOTICE OF MOTION