


Appendix 1: Amendment C81hors Submissions Response Table

Table of contents

Submission 1	2
Submission 2	3
Submission 3	4
Submission 4	5
Submission 5	6
Submission 6	7
Submission 7	8
Submission 8	10
Submission 9	11
Submission 10	12
Submission 11	14
Submission 12	15
Submission 13	16
Submission 14	19
Submission 15	22
Submission 16	23
Submission 17	24
Submission 18	26
Submission 19	27
Submission 20	28
Submission 21	31
Submission 22 +23	32
Submission 24	34
Submission 25	36
Submission 26	38
Submission 27	40
Submission 28	42
Submission 29	44
Submission 30	46
Submission 31	47

Submission 32	48
Submission 33	49
Submission 34	51
Submission 35	52
Submission 36	54
Submission 37	56
Submission 38	58
Submission 39	61
Submission 40	63
Submission 41	65
Submission 42	66
Submission 43	67
Submission 44	68
Submission 45	69
Submission 46	70

Note. Some mapping excerpts provided in this document illustrate a minor error in the cadastre (property boundaries) and do not exactly align with the aerial imagery. This is also the case for some FO1 and LSI01 mapping where the two overlays marginally do not align in some locations. This is a projection problem due to different coordinate systems being used for different GIS layers on the Horsham Community Map. This problem was unable to be resolved prior to this document being produced. The Amendment Maps available on Council's Flood Amendment web-page are correct and are being used for this Amendment.

<p>Submission 1</p> <p>Submitter name: [REDACTED]</p> <p>Property address: 29 Olympic Street, Horsham Parcel details: Lot 1 PS638848 Parish: Horsham Submitter email: [REDACTED] Submitter phone: [REDACTED]</p> <p>Exhibited change:</p> 	<p>Summary of submitter issue/s raised: Submitter opposes the Amendment as the property has previously not flooded and therefore an overlay should not be imposed. The submitter is open to additional controls to be imposed for any new developments but does not support rebranding existing housing to the floodway overlay.</p> <p>Council response: Council directly liaised with the land owner during the exhibition period of the Amendment clarifying that the Design and Development Overlay – Schedule 9 (DDO9) is proposed for removal and that the Amendment will not have any additional impact to the property.</p> <p>Action taken:</p> <ul style="list-style-type: none"> On 21 November 2022 Council spoke directly with the submitter in regards to clarifying his feedback on the Amendment. On 21 November 2022 an email was received from the submitter advising that they withdraw their submission. <p>Proposed outcome / recommendation: Submission withdrawn</p>
---	--

Submission 2

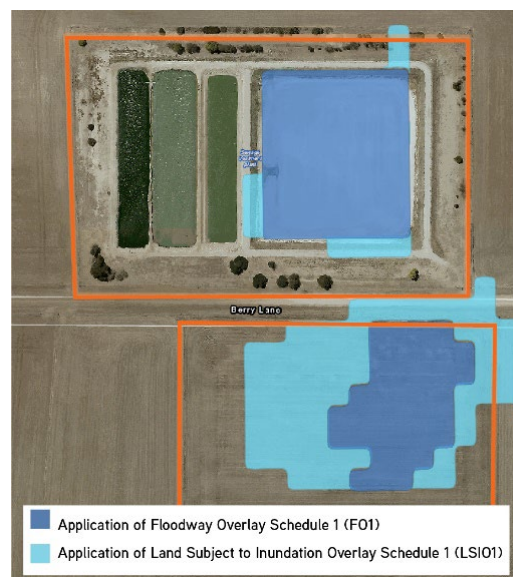
Submitter name: [REDACTED]

Property address: Berry Lane, Natimuk

Parcel details: Lot 1, PS323750 Parish: Natimuk

Submitter email: [REDACTED]

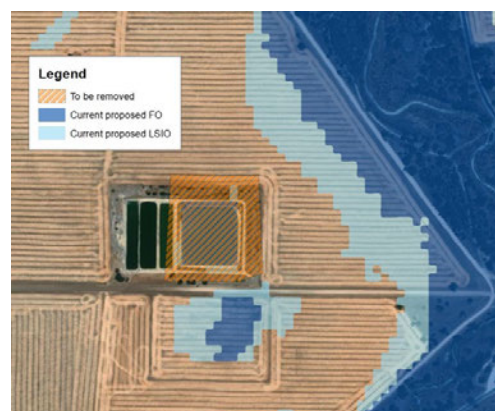
Submitter phone: [REDACTED]

Exhibited changes:**Summary of submitter issue/s raised:**

Submitter questions the basis for the application of the LSI01 and FO1 on the northern lot. The submitter highlights that the changes appear to represent the depth of wastewater storages. The submitter seeks reason and necessity for overlays and removal of the overlays from the land shown on the Amendment maps.

Council response:

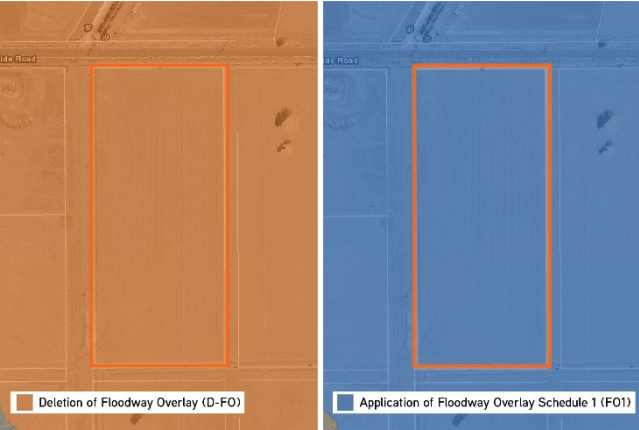
Council met with the submitter on 22 March 2023. Technical consultant, Water Technology, conducted a review of the modelling. It was agreed that the FO1 should be removed from the area of land where the wastewater storage plant is located. The overlays are not intended to control alterations to water supply infrastructure operated by [REDACTED] and should be removed from this area. Below is a revised map which illustrates the extent of LSI01 and FO1 to be removed:

**Action taken:**

- On 22 March 2023 the attended a virtual one-on-one submitter meeting.
- On 7 June 2023 a submission response letter was sent to the submitter.
- On 27 June 2023 an email was received from the submitter advising that they withdraw their submission.

Proposed outcome / recommendation:

Submission withdrawn.

<p>Submission 3</p> <p>Submitter name: [REDACTED]</p> <p>Property address: Riverside Road, Dooen</p> <p>Parcel details: Lot 1, TP602766 Parish: Dooen</p> <p>Submitter email: [REDACTED]</p> <p>Submitter phone: [REDACTED]</p> <p>Exhibited change:</p> 	<p>Summary of submitter issue/s raised:</p> <p>Submitter in support of Amendment. Council refused development of a dwelling and shed to be constructed on the land.</p> <p>Council response:</p> <p>Submitter has clarified her position and wishes to object to the application of the revised FO1 over the entirety of the property and proposes that mitigation measures could prevent future flooding.</p> <p>The modelling undertaken for the <i>Horsham and Wartook Valley Flood Investigation</i> was very well calibrated on the Wimmera River floodplain upstream of Horsham and provides an accurate representation of the current flood risk in this area. The FO layer is considered an accurate representation of the flood risk for the property.</p> <p>A range of flood mitigation options to reduce flood risk were explored by the flood investigation, however, they are largely costly options and would impact on many stakeholders.</p> <p>Action taken:</p> <ul style="list-style-type: none"> On 10 July 2023 Council spoke directly with the submitter in regards to clarifying her feedback on the Amendment. On 10 July 2023 an email was received from the submitter opposing the Amendment. <p>Proposed outcome / recommendation:</p> <p>Refer submission to Planning Panels Victoria.</p>
--	---

Submission 4

Submitter name: [REDACTED]

Property address: 333 Natimuk Hamilton Road, Natimuk

Parcel details: Lot 2 PS746705 Parish: Natimuk

Submitter email: [REDACTED]

Submitter phone: [REDACTED]

Exhibited changes:**Summary of submitter issue/s raised:**

Submitter raises the concern that the proposed LSIO1 and FO1 identified on the Amendment map apply to a dam. This dam is obsolete and it is the submitter's intention to have it filled. The submitter requests that the proposed LSIO1 and FO1 are removed from the previously decommissioned channel area.

Council response:

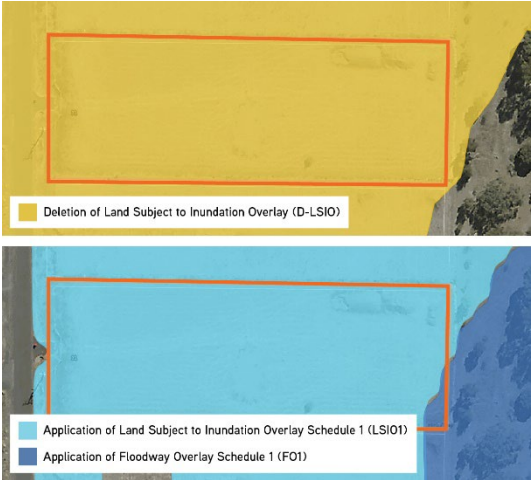
Following a discussion between the submitter and Council on 25 March 2023, technical consultant, Water Technology, has conducted a review of the modelling. It was agreed that the FO1 and LSIO1 could be removed from the area of land where the disused dam is located. It was determined by Water Technology that the sandy nature of the soil and course model topography has resulted in an overestimation of inundation extent. Given the likelihood of development in the area the extent can be removed. Below is a revised map which illustrates the extent of LSIO1 to be removed:

**Action taken:**

- On 25 March 2023 the submitter and Council discussed the Amendment. These discussions continued into the following week. The submitter stated he would withdraw his submission in light of the proposed change to the LSIO1 mapping extent.
- On 7 June 2023 a submission response letter was sent to the submitter.

Proposed outcome / recommendation:

Submitter has not formally withdrawn his submission. Refer submission to Planning Panels Victoria.

<p>Submission 5</p> <p>Submitter name: [REDACTED]</p> <p>Property address: 21 Walnut Avenue, Horsham</p> <p>Parcel details: Lot 5 PS627978 Parish: Natimuk</p> <p>Submitter email: [REDACTED]</p> <p>Submitter phone: [REDACTED]</p> <p>Exhibited proposed changes:</p> 	<p>Summary of submitter issue/s raised:</p> <p>Submitter opposes to the inclusion of the FO1 as they have concerns it will impact the construction of home and shed as well as insurance premiums.</p> <p>Council response:</p> <p>Discussions between the submitter and Council occurred during the exhibition period of the Amendment. Council clarified that the proposed changes to the flood controls would not prohibit the construction of a dwelling and shed.</p> <p>Action taken:</p> <ul style="list-style-type: none"> On 5 December 2022 the submitter and Council resolved the submitter's concerns via phone. On 5 December 2022 email received from submitter formally withdrawing their submission. On 16 February 2023 the Statutory Planning Department issued a Planning Permit. <p>Proposed outcome / recommendation:</p> <p>Submission withdrawn.</p>
---	--

Submission 6

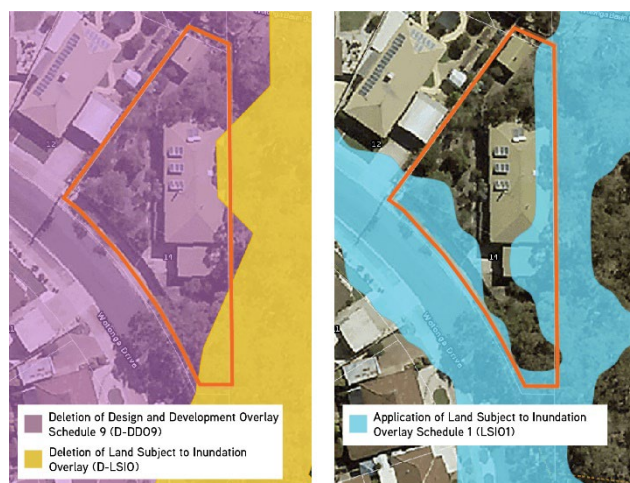
Submitter name: [REDACTED]

Property address: 14 Wotonga Drive, Horsham

Parcel details: Lot 25 LP131188 Parish: Horsham

Submitter email: [REDACTED]

Submitter phone: [REDACTED]

Exhibited proposed changes:**Summary of submitter issue/s raised:**

Submitter advises that the ground level was raised in 1981. In 2011 the flood level was 20cm below the section of land marked in green on the attachment to submission.

Council response:

During the site inspection held on 13 April 2023 Water Technology conducted a review of the modelling. It was agreed that the section of proposed LSI01 would be removed from the corner of the property. The site inspection indicated a fence and associated fill on the edge of the property which was not included in the modelling preventing inundation. Below is a revised map which illustrates the extent of LSI01 to be removed:

**Action taken:**

- On 22 March 2023 submitter attended one on one submitter meeting at the Council offices.
- On 13 April 2023 a site inspection was conducted by Council, Wimmera CMA and Water Technology.
- On 7 June 2023 a submission response letter was sent.
- On 11 June 2023 an email was received from the submitter advising that their submission was withdrawn.

Proposed outcome / recommendation:

Submission withdrawn.

Submission 7

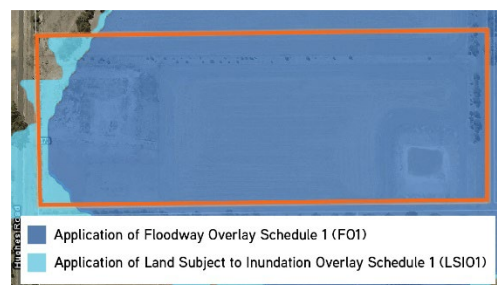
Submitter name: [REDACTED]

Property address: 173 Hughes Road, Quantong

Parcel details: Lot 65/LP3757 Parish: Quantong

Submitter email: [REDACTED]

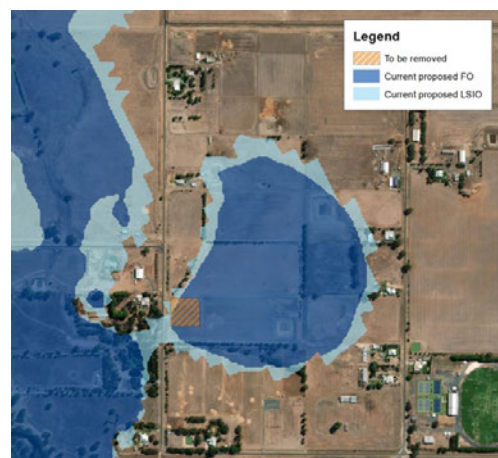
Submitter phone: [REDACTED]

Exhibited changes:**Summary of submitter issue/s raised:**

Submitter raises concerns that the existing house pad has not been reflected in the preparation of the Amendment. There is an approved Planning Permit in place for a dwelling and shed and the submitter is concerned that a further extension may not be granted. Insurance was also raised as a matter of concern.

Council response:

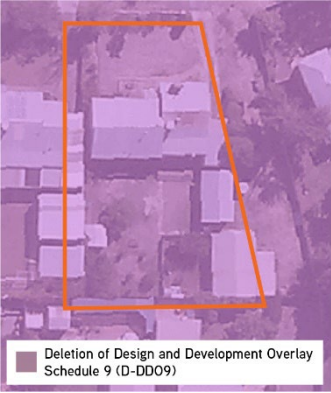
In regards to the existing house pad, during the site inspection held on 13 April 2023, Water Technology reviewed the modelling using survey data from [REDACTED]. Water Technology has advised that the FO1 and LSIO1 should be removed from the house pad. Fill has been placed on the site (as approved by Wimmera CMA and assessed by Water Technology) since completion of the modelling. Below is a revised map, which illustrates the extent of FO1 and LSIO1 to be removed:



In regards to matter concerning the approved Planning Permit, Council can confirm that there is an active planning permit (PA2000032) for use and development of a dwelling and that it has recently been extended to 20 April 2024. The permit considered the flood levels and includes the Wimmera CMA conditions to this effect and the permit may be extended on application.

Insurance companies will base their premiums on their assessment of risk. Insurance is not a direct relevant planning matter that Council or Planning Panels Victoria is able to take into account when deciding whether to apply a flood control. During a one-on-one submitter on 22 March 2023, the Wimmera CMA advised that it can provide written advice to enable discussions with insurance providers about insurance premiums. Written advice can be requested upon lodgement of an online flood advice form or by calling directly.

	<p>Action taken:</p> <ul style="list-style-type: none"> • On 22 March 2023 the submitter attended a one-on-one submitter meeting at the Council offices. • On 13 April 2023 a site inspection was carried out by Council, Wimmera CMA and Water Technology. • On 7 June 2023 a submission response letter was sent to the submitter. • On 26 June 2023 an email was received from the submitter advising that he withdraws his submission. <p>Proposed outcome / recommendation: Submission withdrawn.</p>
--	--

<p>Submission 8</p> <p>Submitter name: [REDACTED]</p> <p>Property address: 9 Centenary Avenue, Horsham Parcel details: Lot 15/LP40738 Parish: Horsham Submitter email: [REDACTED] Submitter phone: [REDACTED]</p> <p>Exhibited proposed changes:</p> 	<p>Summary of submitter issue/s raised: Grounds for the submission is unclear.</p> <p>Council response: The Strategic Planning Team has made various attempts to contact the submitter to clarify the validity of their submission.</p> <p>Action taken:</p> <ul style="list-style-type: none"> On 9 June 2023 a submission response letter was sent. <p>Proposed outcome / recommendation: Refer submission to Planning Panels Victoria.</p>
--	---

Submission 9

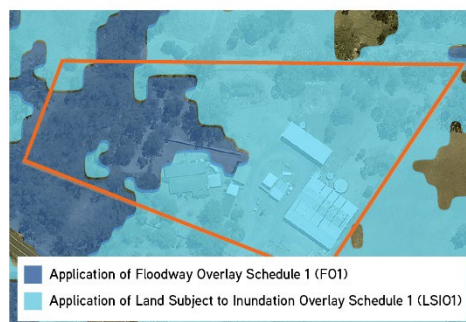
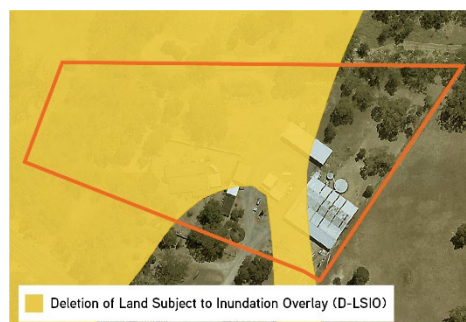
Submitter name: [REDACTED]

Property address: 5802 Western Highway, Dadswells Bridge

Parcel details: Lot 1/LP80366 Parish: Ledcourt

Submitter email: [REDACTED]

Submitter phone: [REDACTED]

Exhibited proposed changes:**Summary of submitter issue/s raised:**

Submitter opposes the Amendment due to the implications to property not being explained satisfactorily. The submitter's questions whether the land can be subdivided to separate the business from the residence.

Council response:

The introduction of the flood controls does not prohibit the subdivision of land. However, future subdivision proposals are required to meet the requirements of the flood controls, such as fill above the designated flood level. Any future plan for subdivision should be designed so it does not adversely impact adjoining properties.

In a letter dated 12 May 2023 it was recommended to the submitter that further discussions be held between Council's Statutory Planning Department as well as the Wimmera CMA in regards to the subdivision proposal.

Action taken:

- On 12 May 2023 a submission response letter was sent.

Proposed outcome / recommendation:

Refer submission to Planning Panels Victoria.

Submission 10

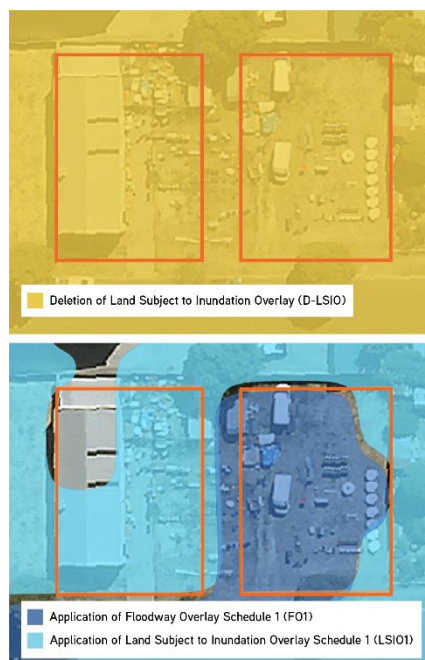
Submitter name: [REDACTED]

Property address: 3 and 5 Sloss Street, Horsham

Parcel details: Lot 17 PP5386 & Lot 16 PP5386 Parish:
Horsham

Submitter email: [REDACTED]

Submitter phone: [REDACTED]

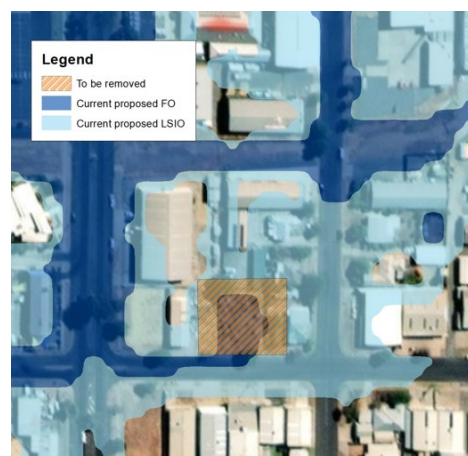
Exhibited changes:**Summary of submitter issue/s raised:**

Submitter opposes the Amendment as they are intending to build a factory/warehouse on the land and would like to understand how these changes will impact upon these plans. The submitter also raises drainage and excess stormwater concerns.

Council response:

The introduction of the flood controls does not prohibit the development of land. However, future development must meet the requirements of the flood controls, such as building above the designated flood level and limiting the impact on adjoining properties.

During a site inspection held on 13 April 2023, Water Technology and the Wimmera CMA advised that cut and fill may be possible between 3 and 5 Sloss Street to achieve flood depths lower than 0.5 metres. This can assist with supporting development and preventing any impacts to adjoining properties. Water Technology also reviewed the modelling and has agreed to remove the proposed FO1 extent from 5 Sloss Street. The FO1 is generally used to control development in areas of conveyance, rather than water pooling. The depth of water in this area is marginally over the 0.5m threshold for the FO1. Given the context of the site, the FO1 would be overly restrictive and the LSI01 would provide sufficient development control. Below is a revised map, which illustrates the extent of FO1 to be amended to LSI01:



Council has advised the submitter that it has further discussions with Council's Statutory Planning Team as well as the Wimmera CMA in regards to any future development proposal.

	<p>Action taken:</p> <ul style="list-style-type: none"> • On 22 March 2023 the submitters attended a one-on-one submitter meeting at the Council offices. • On 2 May 2023 the Wimmera CMA provided written flood advice. • On 7 June 2023 a submission response letter was sent. • On 19 June 2023 the submitter met with Council's Strategic Planner. During this meeting the submitter advised that they preferred to lodge and obtain a Planning Permit for development prior to withdrawing their submission. <p>Proposed outcome / recommendation: Refer submission to Planning Panels Victoria.</p>
--	---

Submission 11

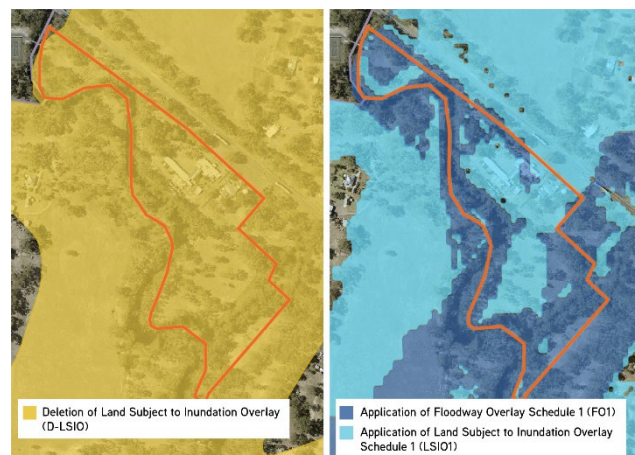
Submitter name: [REDACTED]

Property address: 5835 Western Highway, Dadswells Bridge

Parcel details: Lot 2/LP93275 Parish: Ledcourt

Submitter email: [REDACTED]

Submitter phone: [REDACTED]

Exhibited proposed changes:**Summary of submitter issue/s raised:**

Submitter expresses that the implications for the property due to the Amendment have not been explained satisfactorily. The submitter has future intentions to develop a service station on the land.

Council response:

The introduction of the flood controls does not prohibit the development of land. However, future development does have to meet the requirements of the flood controls, such as building above the designated flood level. Approved permits are not subject to the proposed flood controls (accrued rights). Any future development should be designed so it does not adversely impact adjoining properties.

Council has advised the submitter that it should have further discussions with Council's Investment and Business Development and Statutory Planning Teams as well as the Wimmera CMA in regards to a development proposal.

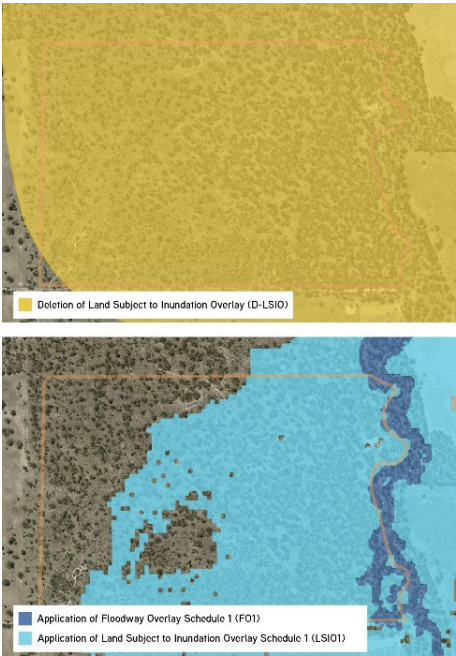
Changes to the proposed overlay extent to the property are not supported. The modelling results were well verified to observed flooding in 2011. The overlays accurately represent the level of flood risk in Dadswells Bridge and provide a sound basis for development control.

Action taken:

- On 22 March 2023 the submitter attended a one-on-one submitter meeting at the Council offices.
- On 7 June 2023 a submission response letter was sent.

Proposed outcome / recommendation:

Refer submission to Planning Panels Victoria.

<p>Submission 12</p> <p>Submitter name: [REDACTED]</p> <p>Property address: 401 Fulbrooks Road, Dadswells Bridge</p> <p>Parcel details: Lot 61 PP2695 Parish: Ledcourt</p> <p>Submitter email: [REDACTED]</p> <p>Submitter phone: [REDACTED]</p> <p>Exhibited proposed changes:</p> 	<p>Summary of submitter issue/s raised:</p> <p>Submitter opposes the Amendment due to perceived inaccuracies to the flood modelling mapping. The submitter requests that the proposed LSI01 is removed from the south east corner of the property.</p> <p>Council response:</p> <p>During a meeting with the submitter on 11 April 2023, the submitter expressed concerns in regards to building restrictions for the property as the submitters has intentions to construct a dwelling. It was clarified during this meeting that the proposed LSI01 mapping extent does impact the proposed house pad location. During the meeting is was explained that the proposed flood controls will in fact reduce the impacts of flooding to the property. In this meeting the submitter advised she would withdraw her submission. Additional advice was provided via email to the submitter in relation to statutory planning requirements for a future planning permit application.</p> <p>There will be no change to the proposed LSI01 mapping extent. Modelling used to generate the mapping was well verified to observe flooding in 2011 and is a significant improvement on the current overlays, as well as being a reduction in extent.</p> <p>Action taken:</p> <ul style="list-style-type: none"> On 11 April 2023 the submitter attended one-on-one submitter meeting via teams. On 11 April 2023 further statutory planning advice was emailed to the submitter. On 7 June 2023 a submission response letter was sent. <p>Proposed outcome / recommendation:</p> <p>Submitter has not formally withdrawn her submission. Refer submission to Planning Panels Victoria.</p>
--	---

Submission 13

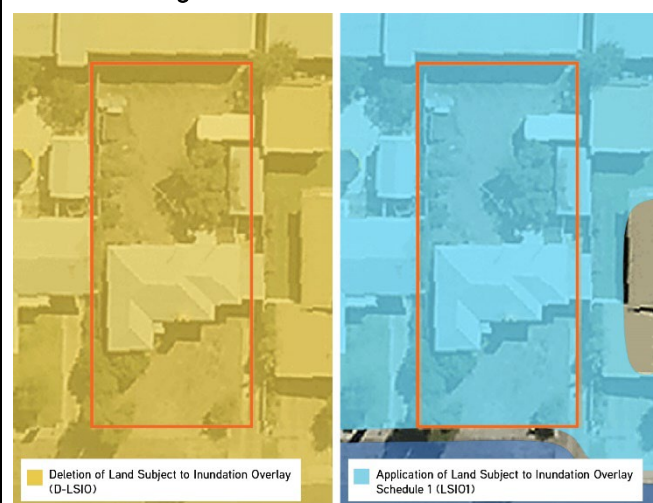
Submitter name: [REDACTED]

Property address: 33 Rennison Street, Horsham

Parcel details: Lot 53/LP64514 Parish: Horsham

Submitter email: [REDACTED]

Submitter phone no: [REDACTED]

Exhibited changes:**Summary of submitter issue/s raised:**

Submitter raises the following issues with the Amendment:

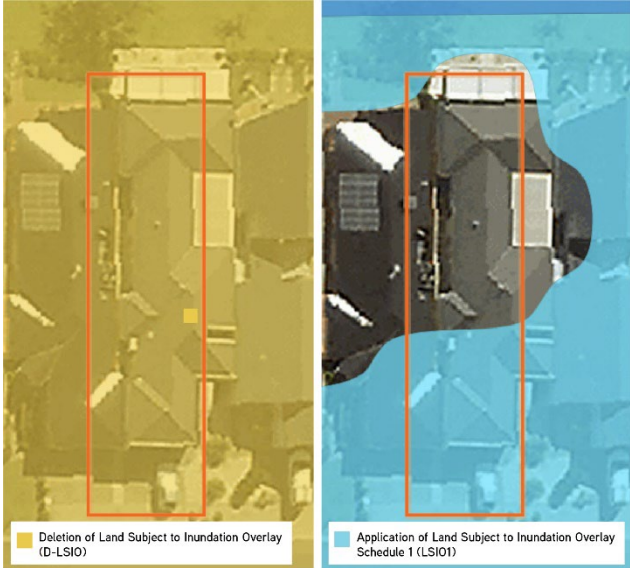
1. The State Government's *Guidelines for Development in Flood Affected Areas* should be followed by Council and the Wimmera CMA. For safety reasons, any further Greenfield development should be flood free. There should be no development in any LSIO1 areas.
2. In regards to the principles outlined in the *Infrastructure Design Manual* adopted by Council, storm water principles cannot be achieved in LSIO1 areas.
3. Questions why the LSIO1 depth is up to 500mm in Horsham and 350mm elsewhere across Victoria.
4. Increasing the LSIO1 extent will raise insurance premiums and make flood insurance unobtainable for land owners.
5. Previous residential areas that were not impacted are now due to removal of floodplain storage removal. The Amendment needs to accurately reflect recent flood events. In the 2011 major flood water only came across front lawn of the property.
6. Undeveloped residential land should have a FO1. Council approved development in LSIO areas causing flood levels to rise and affecting existing homes.
7. Improvement of drains and storm water is required.
8. Community consultation did not adhere to Council's community consultation guidelines.

Council response:

1. The purpose of the three main flood controls (FO1, LSIO1 and SBO1) is to define what is considered an acceptable threshold for managing risk. Council has applied these different flood controls based on the threshold of managing risk identified in the Wimmera CMA's flood investigation reports. Generally, in Greenfield development the Wimmera CMA requires development outside the floodplain unless it can show no impact on neighbours through detailed flood modelling.
2. The Wimmera CMA uses the *Guidelines for Development in Flood Affected Areas 2019* to condition development in the LSIO. This is consistent with the *Victorian Floodplain Management Strategy 2016*.
3. The LSIO1 applies to riverine and coastal flooding and represents the area of land flooded by the 1% AEP flood. Flood depth of up to 500mm is the adopted approach that is used to determine LSIO1 within the Wimmera. The FO1 is used for flooding above 500mm where the depth and velocity of water presents a risk to life and property. This is consistent with flood risk identified in the State Government's *Guidelines for Development in Flood Affect Areas 2019*.
4. Insurance companies will base their premiums on their assessment of risk. Insurance is not a direct relevant planning matter that Council or Planning Panels Victoria is able to take into account when

	<p>deciding whether to apply a flood control.</p> <p>The Wimmera CMA can provide written advice to confirm extent of mapping onsite and enable discussions with insurance providers about premiums. Written advice can be requested upon lodgment of an online flood advice form or by calling directly.</p> <p>5. Modelling is consistent with historic flood levels across Horsham. The proposed flood controls are based on the best available information, best practice modelling and techniques, developed over many years by experts in this 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.</p> <p>It cannot be assumed that flooding will not occur simply because there are no recollections of previous flooding at 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.</p> <p>The <i>Horsham and Wartook Valley Flood Investigation (2019)</i> determined the January 2011 event was between a 2% and 1% AEP flood event (between a 1 in 50 and 1 in 100 year flood event) based in more than 100 years of streamflow record at the Walmer streamflow gauge. The mapping shows a greater flood extent than observed in January 2011 because the 1% AEP event is larger than that occurred during January 2011.</p> <p>Following the site inspection held on 13 April 2023, Water Technology reviewed the topographic survey captured in 2016. The data indicates a maximum topographic level of 127.38 m AHD in the rear of 33 Rennison Street, this compares to a 1% AEP water level of 127.59 m AHD. This data indicates a 1% AEP flood depth of around 210mm. Water Technology has advised that it does not support any changes to the LSIO1 layer in this area. The dwelling has a surveyed floor level of 127.62 m AHD, this is 30mm above the 1% AEP flood level.</p> <p>6. New development in the LSIO is subject to a planning permit and the advice of the Wimmera CMA and the following policy is applied:</p> <p><i>To ensure that development maintains the free passage and temporary storage of</i></p>
--	--

	<p><i>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.</i></p> <p>Where new development is permitted is on the basis on flood modeling and advice that there is no significant impact to surrounding properties.</p> <p>7. The matter of storm water and drainage is the responsibility of Council who has a program of maintenance and upgrades. It is noted the <i>Horsham and Wartook Valley Flood Investigation 2019</i> includes and urban flood modelling which will be used to develop a Drainage Strategy.</p> <p>8. Council has given public notice of the Amendment in accordance with the legislative requirements detailed in the <i>Planning and Environment Act 1987</i>. In addition, Council held a series of information sessions in December 2022 at various locations and has provided opportunities for submitters to meet with Council and the Wimmera CMA to discuss in more details their individual submissions. Furthermore, consultation was undertaken during the preparation of the flood studies. The Wimmera CMA wrote to property owners who were affected and offered one on one meetings and drop in sessions.</p> <p>Action taken:</p> <ul style="list-style-type: none"> • On 19 December 2023 the submitter withdraw her submission dated 14 December 2023 and replaced it with a revised submission. • On 21 March 2023 the submitter attended an information session at Council offices and discussed her submission with Wimmera CMA. • On 13 April 2023 a site inspection was attended by the Wimmera CMA and Water Technology to review modelling onsite. • On 7 June 2023 a submission response letter was sent. • On 21 June 2023 submitter emailed Council requesting submission be referred to Planning Panels Victoria. <p>Proposed outcome / recommendation: Refer submission to Planning Panels Victoria.</p>
--	--

<p>Submission 14</p> <p>Submitter name: [REDACTED]</p> <p>Property address: 7 Rushbrook Close, Horsham Parcel details: Lot 15 PS510241 Parish: Horsham Submitter email: [REDACTED] Submitter phone: [REDACTED]</p> <p>Exhibited proposed changes:</p> 	<p>Summary of submitter issue/s raised:</p> <p>Submitter raised the following issues with the Amendment:</p> <ol style="list-style-type: none"> 1. Impact to insurance premiums and the possibility of insurance being unobtainable for land owners in the future. 2. Questions why the LSI01 depth is up to 500mm in Horsham and 350mm elsewhere across Victoria. 3. Concerns regarding future development in floodplain areas as development will remove flood storage and impede flows. Amendment does not maintain or reduce 1% flood levels. <p>Council notes that additional concerns were raised on a site inspection held on 13 April 2023 in regards to:</p> <ol style="list-style-type: none"> 4. The weir boards at Weir Park were not removed during the 2011 flood event and flood modelling uses this data. The modelling is flawed as it does not take into account a scenario where boards were in place. <p>Council response:</p> <ol style="list-style-type: none"> 1. Insurance companies will base their premiums on their assessment of risk. Insurance is not a direct relevant planning matter that Council or Planning Panels Victoria is able to take into account when deciding whether or not, to apply a flood control. The Wimmera CMA can provide written advice to confirm extent of mapping onsite and enable discussions with insurance providers about premiums. Written advice can be requested upon lodgment of an online flood advice form or by calling directly. 2. The LSI01 applies to riverine and coastal flooding and represents the area of land flooded by the 1% AEP flood. Flood depth of up to 500mm is the adopted approach that is used to determine LSI01 within the Wimmera. The FO1 is used for flooding above 500mm where the depth and velocity of water presents a risk to life and property. This is consistent with flood risk identified in the State Government's <i>Guidelines for Development in Flood Affect Areas 2019</i>. 3. The purpose of the three main flood controls (FO1, LSI01 and SBO1) is to define what is considered an acceptable threshold for managing risk. Council has applied the different flood controls based on the threshold of managing risk identified in the Wimmera CMA flood investigation reports and they will be used in the statutory planning process to manage future development and protect the floodplain from development. 4. It has been documented that the weir boards were removed in 2011. During community consultation on the <i>Horsham and Wartook Valley Flood Investigation</i> the weir boards were not raised as a concern. If there was delay in their removal (i.e. they were removed when the weir was full) it is not expected to have caused any discernable impact to flood levels. The flow rate in the Wimmera River would mean
--	--

the weir volume is insignificant compared to the volume of the January 2011 event.

The submitter was provided with a report regarding the Wimmera/Grampians flood and storm event from the minutes of the Council meeting held on 7 February 2011. It provides details regarding the position of the weir boards during the January 2011 flood.

The image below was also provided to the submitter to illustrate the removal of the weird boards.

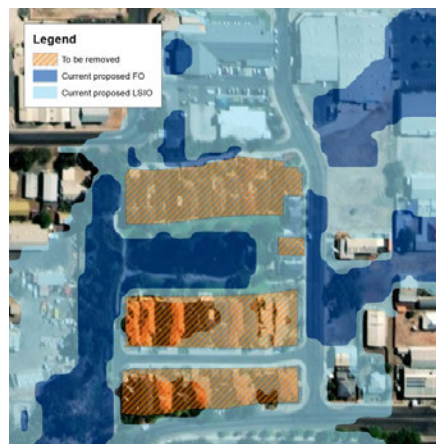


Survey of City Gardens

During a site inspection held on 13 April 2023 with Council, Wimmera CMA and Water Technology, it was agreed that modelling would be reviewed pending a flood level survey to be completed for City Gardens Estate (Market Lane and Rushbrook Close).

The survey was undertaken by [REDACTED] on 5 May 2023. Water Technology has reviewed the 1% AEP water levels that indicates a maximum floor level of 126.75 m AHD in the rear of 7 Rushbrook Close, this compares to a 1% AEP water level of 126.55 m AHD.

Given the floor level of the building was demonstrated to be above the 1% AEP flood level (used to delineate the LSI01 and FO1 extents), it has been agreed the section of LSI01 would be removed from the dwelling floor area. The modelling showed inundation due to the base LiDAR data misrepresenting the buildings, and interpolating from the road at the front to the pond at the rear as part of the data processing. Below is a map of the proposed revised LSIO mapping extent for City Gardens:



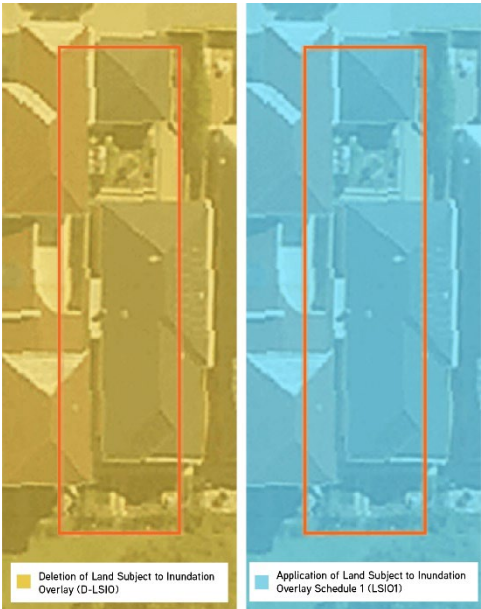
Council notes that the original submission did not include the matter in regards to the weir boards. Council has accepted an addendum to the submitter's submission.

Action taken:

- On 21 March 2023 the submitter attended an information session at Council offices and discussed submission with Wimmera CMA.
- On 13 April 2023 a site inspection was attended by Council, Wimmera CMA and Water Technology where modelling was reviewed onsite.
- On 5 May 2023 a survey undertaken of City Gardens estate.
- On 7 June 2023 a submission response letter was sent.
- On 20 June 2023 additional submission lodged. Submitter requested to have submissions referred to Planning Panels Victoria.

Proposed outcome / recommendation:

Refer submission to Planning Panels Victoria.

<p>Submission 15</p> <p>Submitter name: [REDACTED]</p> <p>Property address: 3 Market Lane, Horsham Parcel details: Lot 27 PS510241 Parish: Horsham Submitter email: Not provided Submitter phone: [REDACTED]</p> <p>Exhibited proposed changes:</p> 	<p>Summary of submitter issue/s raised:</p> <p>Submitter raised the following issues with the Amendment:</p> <ol style="list-style-type: none"> 1. Increase to insurance premiums and insurance may become unattainable for land owners in the LSI01. 2. There should be no further development in LSI01 areas. 3. Flood mapping should state that no development in LSI01 shall remove flood storage or impede flood flows nor increase run-off. <p>Council response:</p> <ol style="list-style-type: none"> 1. Insurance companies will base their premiums on their assessment of risk. Insurance is not a direct relevant planning matter that Council or Planning Panels Victoria is able to take into account when deciding whether or not, to apply a flood control. The Wimmera CMA can provide written advice to confirm extent of mapping onsite and enable discussions with insurance providers about premiums. Written advice can be requested upon lodgment of an online flood advice form or by calling directly. 2. The purpose of the three main flood controls (FO1, LSI01 and SBO1) is to define what is considered an acceptable threshold for managing risk. Council has applied the different flood controls based on the threshold of managing risk identified in the Wimmera CMA flood investigation reports and they will be used in the statutory planning process to manage future development and protect the floodplain from development. Generally, in Greenfield development the Wimmera CMA require development outside floodplain unless it can show no impact on neighbours through detailed flood modelling. 3. The LSI01 planning provisions consider the effect 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. https://planningschemes.app.planning.vic.gov.au/Horsham/ordinance/44.04 <p>Action taken:</p> <ul style="list-style-type: none"> • On 7 June 2023 a submission response letter was sent. <p>Proposed outcome / recommendation:</p> <p>Refer submission to Planning Panels Victoria.</p>
--	--

Submission 16

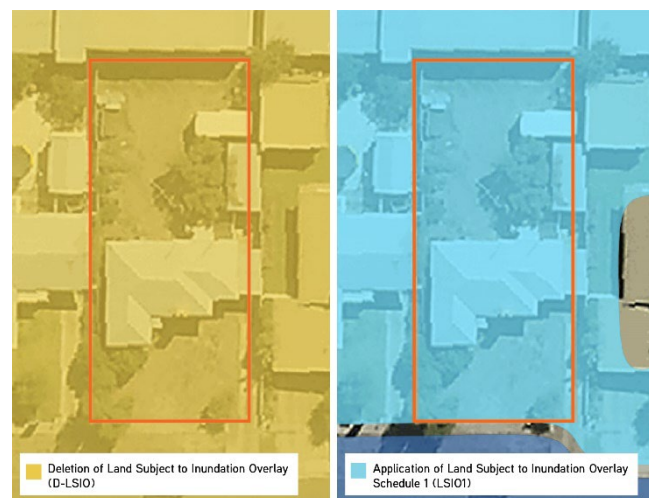
Submitter name: [REDACTED]

Property address: 33 Rennison Street, Horsham

Parcel details: Lot 53 LP64514 Parish: Horsham

Submitter email: [REDACTED]

Submitter phone: [REDACTED]

Exhibited changes:**Summary of submitter issue/s raised:**

Submitter raised the following issues with the Amendment:

1. Concerns regarding future development in floodplain areas as development will remove flood storage and impede flows.
2. Increase to insurance premiums and insurance may become unattainable for land owners in the LSI01.
3. The State Government's *Guidelines for Development in Flood Affected Areas* should be followed, for safety reasons, any further Greenfield development should be flood free.

Council response:

1. The purpose of the three main flood controls (FO1, LSI01 and SB01) is to define what is considered an acceptable threshold for managing risk. Council has applied the different flood controls based on the threshold of managing risk identified in the Wimmera CMA flood investigation reports and they will be used in the statutory planning process to manage future development and protect the floodplain from development.
2. Insurance companies will base their premiums on their assessment of risk. Insurance is not a direct relevant planning matter that Council or Planning Panels Victoria is able to take into account when deciding whether or not, to apply a flood control. The Wimmera CMA can provide written advice to confirm extent of mapping onsite and enable discussions with insurance providers about premiums. Written advice can be requested upon lodgment of an online flood advice form or by calling directly.
3. Council has prepared Planning Scheme Amendment C81 in accordance with *State Government Guidelines for Development in Flood Affected Areas* and *Planning Practice Note 12 Applying the Flood Provisions in Planning Schemes*. As noted above, the flood overlays are not designed to prohibit all development in flood prone areas but to manage the flood risk. Modelling and works are undertaken for major developments to ensure no major impacts occur for flood levels and adjacent land.

Action taken:

- On 7 June 2023 a submission response letter was sent.
- On 21 June 2023 the submitter emailed Council requesting submission be referred to Planning Panels Victoria.

Proposed outcome / recommendation:

Refer submission to Planning Panels Victoria.

Submission 17

Submitter name: [REDACTED]

Property address: 767 Three Chain Road, Natimuk & 378 Lake Road, Natimuk

Parcel details:

767 Three Chain Road

Lot 1 TP820421, Lot 1 TP224497,

Lot 123, 129, 146, 147, 163 PP3285

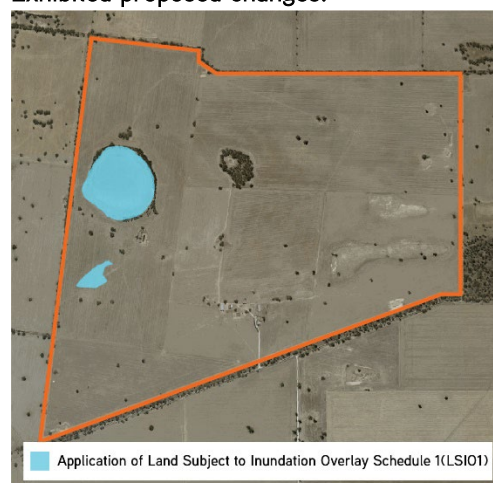
Lot 1/TP680489

378 Lake Road, Natimuk

Lot 1 and 2 TP672722 Parish: Natimuk and CA70 PP5578, CA70A PP5578, CA70B PP5578, Lot 1 TP622328, CA73 PP3285 Parish: Natimuk

Submitter email: [REDACTED]

Submitter phone: [REDACTED]

Exhibited proposed changes:

767 Three Chain Road

Summary of submitter issue/s raised:

Submitter states that the area for proposed LSIO1 is recorded incorrectly.

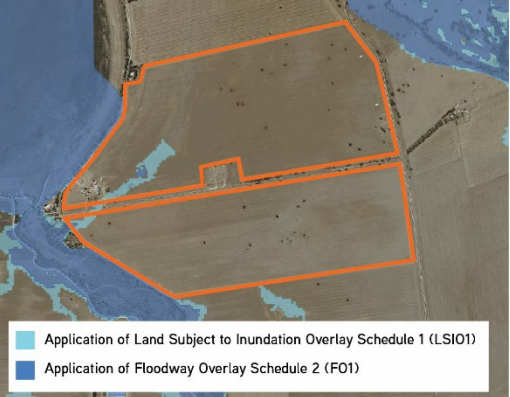
Council response:


Modelling is consistent with historic flood levels across Natimuk. The proposed flood controls are based on the best available information, best practice modelling and techniques, developed over many years by experts in this 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.

At the site inspection, Water Technology conducted a review of the modelling. It was agreed that the section of LSIO1 and FO1 would be removed from the 378 Lake Road, Natimuk. This site inspection also clarified the sandy nature of the soil in the area and it was determined the modelling overstated the inundation. Given the limited likelihood of development the LSIO1 layer can be removed. No change is to occur at 767 Three Chain Road, Natimuk. Below is a map highlighting the proposed mapping changes:

**Action taken:**

- On 7 June 2023 a submission response letter was sent.
- On 9 June 2023 submitter called Council following receipt of his submission response letter.
- On 13 June 2023 Council and Water Technology conducted a site visit where modelling was reviewed.

 <p>378 Lake Road, Natimuk</p>	<p>Water Technology agreed to remove the section of LSIO from 378 Lake Road property.</p> <ul style="list-style-type: none"> On 26 June 2023 a second letter was to submitter requesting their position. <p>Proposed outcome / recommendation: Submitter has not formally withdrawn his submission. Refer submission to Planning Panels Victoria.</p>
---	---

<p>Submission 18</p> <p>Submitter name: [REDACTED]</p> <p>Property address: 8 Agnew Court, Horsham Parcel details: Lot 36 PS409677 Parish: Horsham Submitter email: Not provided Submitter phone: [REDACTED]</p> <p>Exhibited changes:</p> 	<p>Summary of submitter issue/s raised:</p> <p>Submitter raised the following issues with the Amendment:</p> <ol style="list-style-type: none"> 1. No future development should occur in LSI01 areas. 2. Questions why Council extending LSI01 over residential areas. 3. Increase to insurance premiums and insurance may become unattainable for land owners in the LSI01. <p>Council response:</p> <ol style="list-style-type: none"> 1. The purpose of the three main flood controls (FO1, LSI01 and SBO1) is to define what is considered an acceptable threshold for managing risk. Council has applied the different flood controls based on the threshold of managing risk identified in the Wimmera CMA flood investigation reports. Generally, in Greenfield development the Wimmera CMA require development outside floodplain unless it can show no impact on neighbours through detailed flood modelling. 2. Land in undeveloped residential areas (Greenfield areas) must address potential flood impacts. It is possible to incorporate flood mitigation through storm water retention systems and local drainage schemes on underdeveloped land. The FO1 could be introduced via a future planning scheme amendment if a flood investigation identifies a high risk. 3. Insurance companies will base their premiums on their assessment of risk. Insurance is not a direct relevant planning matter that Council or Planning Panels Victoria is able to take into account when deciding whether to apply a flood control. The Wimmera CMA can provide written advice to confirm extent of mapping onsite and enable discussions with insurance providers about premiums. Written advice can be requested upon lodgment of an online flood advice form or by calling directly. <p>Action taken:</p> <ul style="list-style-type: none"> • On 7 June 2023 a submission response letter was sent. <p>Proposed outcome / recommendation:</p> <p>Refer submission to Planning Panels Victoria.</p>
---	--

Submission 19

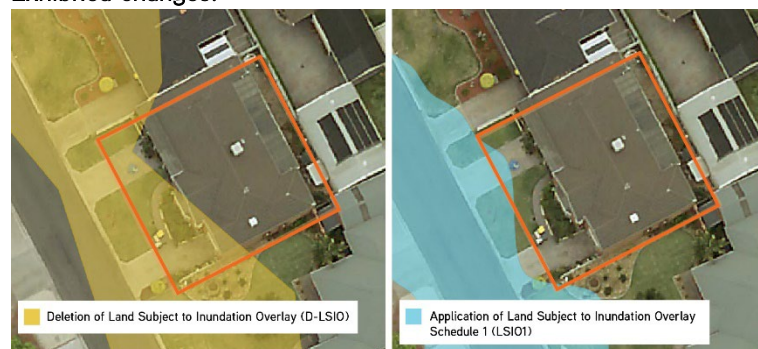
Submitter name: [REDACTED]

Property address: 2/31 Major Mitchell Drive, Horsham

Parcel details: Lot 2 PS425576 Parish: Horsham

Submitter email: [REDACTED]

Submitter phone: [REDACTED]

Exhibited changes:**Summary of submitter issue/s raised:**

Submitter raised the following issues with the Amendment:

1. Increase to insurance premiums and insurance may become unattainable for land owners in the LSI01.
2. No future development should occur in LSI01 areas.
3. Questions why the LSI01 depth is up to 500mm in Horsham and 350mm elsewhere across Victoria.

Council response:

1. Insurance companies will base their premiums on their assessment of risk. Insurance is not a direct relevant planning matter that Council or Planning Panels Victoria is able to take into account when deciding whether to apply a flood control. The Wimmera CMA can provide written advice to confirm extent of mapping onsite and enable discussions with insurance providers about premiums. Written advice can be requested upon lodgment of an online flood advice form or via calling directly.
2. The purpose of the three main flood controls (FO1, LSI01 and SBO) is to define what is considered an acceptable threshold for managing risk. Council has applied the different flood controls based on the threshold of managing risk identified in the Wimmera CMA flood investigation reports. Generally, in Greenfield development the Wimmera CMA require development outside floodplain unless it can show no impact on neighbours through detailed flood modelling.
3. The LSI01 applies to riverine and coastal flooding and represents the area of land flooded by the 1% AEP flood. Flood depth of up to 500mm is the adopted approach that is used to determine LSI01 within the Wimmera. The FO1 is used for flooding above 500mm where the depth and velocity of water presents a risk to life and property. This is consistent with flood risk identified in the State Government's *Guidelines for Development in Flood Affect Areas 2019*.

Action taken:

- On 7 June 2023 a submission response letter was sent.

Proposed outcome / recommendation:

Refer submission to Planning Panels Victoria.

Submission 20

Submitter name: [REDACTED]

Property address: 2 Market Lane, Horsham

Parcel details: Lot 26 PS510241 Parish: Horsham

Submitter email: [REDACTED]

Submitter phone: [REDACTED]

Exhibited changes:**Summary of submitter issue/s raised:**

Submitter raised the following issues with the Amendment:

1. Increase to insurance premiums and insurance may become unattainable for land owners in the LSIO1.
2. No future development should occur in LSIO1 areas.
3. The Wimmera CMA should abide by State guidelines and refuse development in the floodplain.

Council response:

1. Insurance companies will base their premiums on their assessment of risk. Insurance is not a direct relevant planning matter that Council or Planning Panels Victoria is able to take into account when deciding whether to apply a flood control. The Wimmera CMA can provide written advice to confirm extent of mapping onsite and enable discussions with insurance providers about premiums. Written advice can be requested upon lodgment of an online flood advice form or via calling directly.
2. The LSIO1 applies to riverine and coastal flooding and represents the area of land flooded by the 1% AEP flood. 500mm is the approach that is used to determine LSIO1 within the Wimmera, beyond 500mm is the FO1.

New development in the LSIO1 is subject to a planning permit and the advice of the Wimmera CMA and the following policy is applied:

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.

Where new development is permitted, it is on the basis on flood modelling and advice that there is no significant impact on surrounding properties

3. Council has prepared the Amendment in accordance with the State Government's *Guidelines for Development in Flood Affected Areas 2019* and *Planning Practice Note 12 Applying the Flood Provisions in Planning Schemes*. The flood overlays are not designed to prohibit all development in flood prone areas but to manage the flood risk. Modelling and works are undertaken for major developments to ensure no major impacts occur for flood levels and adjacent land.

Survey of City Gardens

At a one-on-one submitter meeting on 22 March 2023 the accuracy of the LSIO1 extent was discussed for the property. A site visit to the property was agreed to in order to potentially resolve the question as to the LSIO1 mapping accuracy.

The site visit took place on 13 April with Council, Wimmera CMA and Water Technology and it was agreed that the modelling would be reviewed pending a floor level survey to be completed for City Gardens Estate (Market Lane and Rushbrook Close).

The survey was undertaken by [REDACTED] 5 May 2023 and new data was produced as an output of the survey. Water Technology reviewed the 1% AEP water levels that indicates a maximum floor level of 126.7 m AHD in the rear of 2 Market Lane, this compares to a 1% AEP water level of 126.63 m AHD.

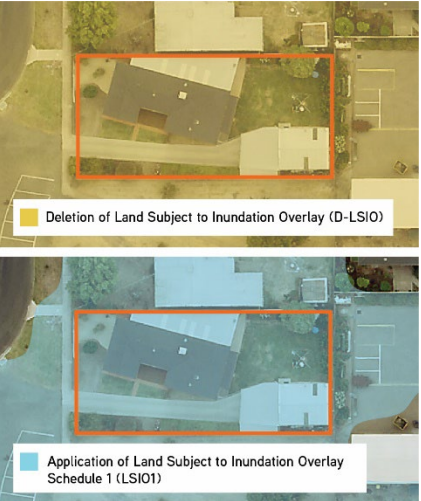
Given the floor level of the building was demonstrated to be above the 1% AEP flood level (used to delineate the LSI01 and FO extents), it has been agreed the section of LSI01 would be removed from the dwelling floor area. The modelling showed inundation due to the base LiDAR data misrepresenting the buildings, and interpolating from the road at the front to the pond at the rear as part of the data processing. Below is a map of the proposed revised LSI01 mapping extent for City Gardens:



Action taken:

- On 22 March 2023 the submitter attended a one on one submitter meeting at Council offices.
- On 13 April 2023 a site inspection was attended by Council, Wimmera CMA and Water Technology where modelling was reviewed onsite.

	<ul style="list-style-type: none"> • On 5 May 2023 flood level surveys were undertaken of the City Gardens estate. • On 9 June 2023 a submission response letter was sent. • On 21 June 2023 the submitter requested that her submission is referred to Planning Panels Victoria. <p>Proposed outcome / recommendation: Refer submission to Planning Panels Victoria.</p>
--	---

<p>Submission 21</p> <p>Submitter name: [REDACTED]</p> <p>Property address: 1 Culliver Street, Horsham</p> <p>Parcel details: Lot 28 LP15603 Parish: Horsham</p> <p>Submitter email: [REDACTED]</p> <p>Submitter phone: [REDACTED]</p> <p>Exhibited changes:</p> 	<p>Summary of submitter issue/s raised:</p> <p>Submitter raised the following issues:</p> <ol style="list-style-type: none"> 1. Increase to insurance premiums and insurance may become unattainable for land owners in the LSI01. 2. Questions why the LSI01 depth is 500mm in Horsham and yet 350mm elsewhere in Victoria. 3. Concerns regarding future development in floodplain areas as development will remove flood storage and impede flows. Amendment does not maintain or reduce 1% flood levels. <p>Council response:</p> <ol style="list-style-type: none"> 1. Insurance companies will base their premiums on their assessment of risk. Insurance is not a direct relevant planning matter that Council or Planning Panels Victoria is able to take into account when deciding whether to apply a flood control. The Wimmera CMA can provide written advice to confirm extent of mapping onsite and enable discussions with insurance providers about premiums. Written advice can be requested upon lodgment of an online flood advice form or via calling directly. 2. The LSI01 applies to riverine and coastal flooding and represents the area of land flooded by the 1% AEP flood. Flood depth of up to 500mm is the adopted approach that is used to determine LSI01 within the Wimmera. The FO1 is used for flooding above 500mm where the depth and velocity of water presents a risk to life and property. This is consistent with flood risk identified in the State Government's <i>Guidelines for Development in Flood Affect Areas 2019</i>. 3. The purpose of the three main flood controls (FO1, LSI01 and SBO) is to define what is considered an acceptable threshold for managing risk. Council has applied the different flood controls based on the threshold of managing risk identified in the Wimmera CMA flood investigation reports and they will be used in the statutory planning process to manage future development and protect the floodplain from development. <p>Action taken:</p> <ul style="list-style-type: none"> • On 7 June 2023 a submission response letter was sent. <p>Proposed outcome / recommendation:</p> <p>Refer submission to Planning Panels Victoria.</p>
--	--

Submissions 22 & 23

Submitter name: [REDACTED]

Property address: 62A McPherson Street & Horsham and 69 Major Mitchell Drive, Horsham

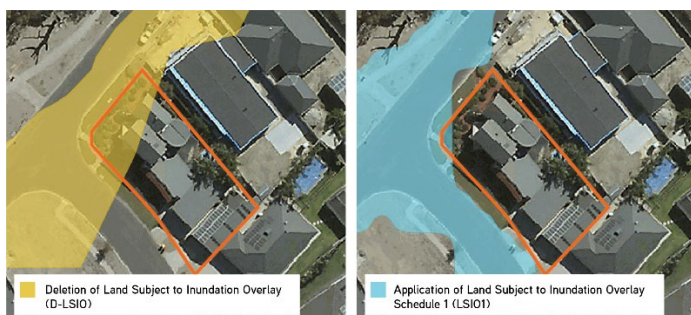
Parcel details: Lot 17/PP5386 Parish: Horsham & Lot 98/PS449841 Parish: Horsham

Submitter email: [REDACTED]

Submitter phone: [REDACTED]

Exhibited changes:

62A McPherson Street



69 Major Mitchell Drive

Summary of submitter issue/s raised:

The submitter has raised the follow issues in both its submissions:

1. Increase to insurance premiums and insurance may become unattainable for land owners in the LSI01.
2. Questions why the LSI01 depth is 500mm in Horsham and yet 350mm elsewhere in Victoria.
3. Council approving residential and industrial developments which do not accord with the *Infrastructure Design Manual*.
4. No future development should occur in LSI01 areas.

Council response:

1. Insurance companies will base their premiums on their assessment of risk. Insurance is not a direct relevant planning matter that Council or Planning Panels Victoria is able to take into account when deciding whether to apply a flood control. The Wimmera CMA can provide written advice to confirm extent of mapping onsite and enable discussions with insurance providers about premiums. Written advice can be requested upon lodgment of an online flood advice form or via calling directly.
2. The LSI01 applies to riverine and coastal flooding and represents the area of land flooded by the 1% AEP flood. Flood depth of up to 500mm is the adopted approach that is used to determine LSI01 within the Wimmera. The FO1 is used for flooding above 500mm where the depth and velocity of water presents a risk to life and property. This is consistent with flood risk identified in the State Government's Guidelines for Development in Flood Affect Areas 2019.
3. Council has prepared Amendment C81hors in accordance with *State Government Guidelines for Development in Flood Affected Areas* and *Planning Practice Note 12 Applying the Flood Provisions* in Planning Schemes. As noted above, the flood overlays are not designed to prohibit all development in flood prone areas but to manage the flood risk. Modelling and works are undertaken for major developments to ensure no major impacts occur for flood levels and adjacent land.
4. The purpose of the three main flood controls (FO1, LSI01 and SBO) is to define what is considered an acceptable threshold for managing risk. Council has applied the different flood controls based on the threshold of managing risk identified in the Wimmera CMA flood investigation reports. Generally, in Greenfield development the Wimmera CMA require development outside floodplain unless it can show no impact on neighbours through detailed flood modelling.

	<p>Action taken:</p> <ul style="list-style-type: none">On 7 June 2023 a submission response letter was sent. <p>Proposed outcome / recommendation: Refer submission to Planning Panels Victoria.</p>
--	--

Submission 24

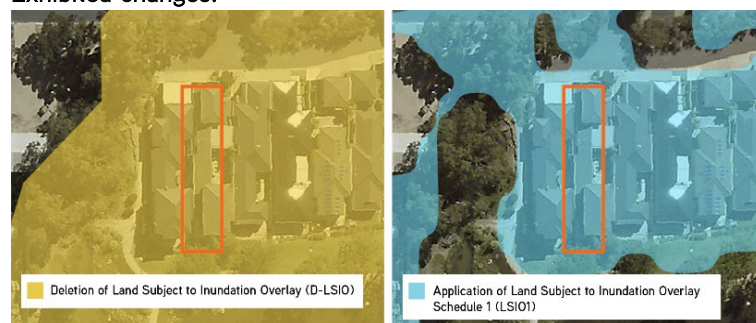
Submitter name: [REDACTED]

Property address: 11 Market Lane, Horsham

Parcel details: Lot 35 PS510241 Parish: Horsham

Submitter email: [REDACTED]

Submitter phone: [REDACTED]

Exhibited changes:**Summary of submitter issue/s raised:**

The submitter has raised the follow issues:

1. Concerns regarding future development in floodplain areas as development will remove flood storage and impede flows.
2. Increase to insurance premiums and insurance may become unattainable for land owners in the LSI01.
3. Storm water retention principles in accordance with the Council adopted *Infrastructure Design Manual* will be unachievable in the LSI01.

Council response:

1. The purpose of the three main flood controls (FO1, LSI01 and SBO) is to define what is considered an acceptable threshold for managing risk. Council has applied the different flood controls based on the threshold of managing risk identified in the Wimmera CMA flood investigation reports.
2. Insurance companies will base their premiums on their assessment of risk. Insurance is not a direct relevant planning matter that Council or Planning Panels Victoria is able to take into account when deciding whether to apply a flood control. The Wimmera CMA can provide written advice to confirm extent of mapping onsite and enable discussions with insurance providers about premiums. Written advice can be requested upon lodgment of an online flood advice form and or by calling directly.
3. Storm water retention is not a purpose of the LSI01, rather, its purpose is to ensure that development retains 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 if flow velocity. Storm water retention can be achieved in the LSI01 however; it is prohibited within FO1.

Survey of City Gardens

As a result of discussion with other submitters and their concerns in regards to the accuracy of the LSI01 mapping extent, the property was subject to further review through a floor level survey and a comparisons with the modelling data.

Action taken:

- On 5 May 2023 a survey undertaken of City Gardens estate.

	<ul style="list-style-type: none">On 7 June 2023 a submission response letter was sent. <p>Proposed outcome / recommendation: Refer submission to Planning Panels Victoria.</p>
--	--

Submission 25

Submitter name: [REDACTED]

Property address: 7 Market Lane, Horsham

Parcel details: Lot 1 PS519062 Parish: Horsham

Submitter email: [REDACTED]

Submitter phone: [REDACTED]

Exhibited changes:**Summary of submitter issue/s raised:**

The submitter has raised the follow issues:

1. Increase to insurance premiums and insurance may become unattainable for land owners in the LSIO1.
2. No future development should occur in LSIO areas. The State Government's *Guidelines for Development in Flood Affected Areas* state that Greenfield development sites should be flood free.
3. Storm water retention principles in accordance with the Council adopted *Infrastructure Design Manual* will be unachievable in the LSIO1.

Council response:

1. Insurance companies will base their premiums on their assessment of risk. Insurance is not a direct relevant planning matter that Council or Planning Panels Victoria is able to take into account when deciding whether to apply a flood control. The Wimmera CMA can provide written advice to confirm extent of mapping onsite and enable discussions with insurance providers about premiums. Written advice can be requested upon lodgment of an online flood advice form or calling directly.
2. The purpose of the three main flood controls (FO1, LSIO1 and SBO) is to define what is considered an acceptable threshold for managing risk. Council has applied the different flood controls based on the threshold of managing risk identified in the Wimmera CMA flood investigation reports. Generally, in Greenfield development the Wimmera CMA require development outside floodplain unless it can show no impact on neighbours through detailed flood modelling.
3. Storm water retention is not a purpose of the LSIO1. Rather, its purpose is to ensure that development retains 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 if flow velocity. Storm water retention can be achieved in the LSIO1, however, it is prohibited within the FO1.


Survey of City Gardens

As a result of discussion with other submitters and their concerns in regards to the accuracy of the LSIO1 mapping extent, the property was subject to further review through a floor level survey and a comparisons with the modelling data.


Action taken:

- On 21 March 2023 the submitter attended an information session at Council offices.
- On 5 May 2023 a survey undertaken of City Gardens estate.

	<ul style="list-style-type: none">On 7 June 2023 a submission response letter was sent. <p>Proposed outcome / recommendation: Refer submission to Planning Panels Victoria.</p>
--	--

<p>Submission 26</p> <p>Submitter name: [REDACTED]</p> <p>Property address: 2 Market Lane, Horsham Parcel details: Lot 1 PS519062 Parish: Horsham Submitter email: [REDACTED] Submitter phone: [REDACTED]</p> <p>Exhibited changes:</p> 	<p>Summary of submitter issue/s raised:</p> <p>The submitter has raised the follow issues:</p> <ol style="list-style-type: none"> 1. Increase to insurance premiums and insurance may become unattainable for land owners in the LSIO1. 2. No future development should occur in LSIO1 areas. 3. The Wimmera CMA should abide by State guidelines and refuse development in the floodplain. <p>Council response:</p> <ol style="list-style-type: none"> 1. Insurance companies will base their premiums on their assessment of risk. Insurance is not a direct relevant planning matter that Council or Planning Panels Victoria is able to take into account when deciding whether to apply a flood control. The Wimmera CMA can provide written advice to confirm extent of mapping onsite and enable discussions with insurance providers about premiums. Written advice can be requested upon lodgment of an online flood advice form by or calling directly. 2. The purpose of the three main flood controls (FO1, LSIO1 and SBO) is to define what is considered an acceptable threshold for managing risk. Council has applied the different flood controls based on the threshold of managing risk identified in the Wimmera CMA flood investigation reports. Generally, in Greenfield development the Wimmera CMA require development outside floodplain unless it can show no impact on neighbours through detailed flood modelling. 3. Council has prepared Planning Scheme Amendment C81 in accordance with the State Government's <i>Guidelines for Development in Flood Affected Areas</i> and <i>Planning Practice Note 12 Applying the Flood Provisions in Planning Schemes</i>. As noted above, the flood overlays are not designed to prohibit all development in flood prone areas but to manage the flood risk. Modelling and works are undertaken for major developments to ensure no major impacts occur for flood levels and adjacent land. <p>Survey of City Gardens</p> <p>As a result of discussion with other submitters and their concerns in regards to the accuracy of the LSIO1 mapping extent, the property was subject to further review through a floor level survey and a comparisons with the modelling data.</p> <p>Action taken:</p> <ul style="list-style-type: none"> • On 13 April 2023 an onsite inspection was conducted with the submitter present. • On 5 May 2023 a survey undertaken of City Gardens estate. • On 13 May 2023 a submission response letter was sent. • On 23 May 2023 submitter emailed to advise that submission was still relevant and not to be withdrawn.
---	--

	<ul style="list-style-type: none">On 21 June 2023 submitter emailed Council to advise that the proposed changes to the LSI01 extent as indicated by Water Technology are to be clarified before he formally withdraws his submission. <p>Proposed outcome / recommendation: Refer submission to Planning Panels Victoria.</p>
--	--

<p>Submission 27</p> <p>Submitter name: [REDACTED]</p> <p>Property address: 1 Agnew Court, Horsham Parcel details: Lot 29 PS409677 Parish: Horsham Submitter email: [REDACTED] Submitter phone: [REDACTED]</p> <p>Exhibited changes:</p> 	<p>Summary of submitter issue/s raised:</p> <ol style="list-style-type: none"> 1. Increase to insurance premiums and insurance may become unattainable for land owners in the LSI01. 2. No future development should occur in LSI01 areas. 3. The State Government's <i>Guidelines for Flood Affected Areas, February 2019</i>, clearly states, for safety reasons, the subdivided sites should be flood free. <p>Council response:</p> <ol style="list-style-type: none"> 1. Insurance companies will base their premiums on their assessment of risk. Insurance is not a direct relevant planning matter that Council or Planning Panels Victoria is able to take into account when deciding whether to apply a flood control. The Wimmera CMA can provide written advice to confirm extent of mapping onsite and enable discussions with insurance providers about premiums. Written advice can be requested upon lodgment of an online flood advice form by or calling directly. 2. The LSI01 applies to riverine and coastal flooding and represents the area of land flooded by the 1% AEP flood. Flood depth of up to 500mm is the adopted approach that is used to determine LSI01 within the Wimmera. The purpose of the three main flood controls (LSIO1, FO1 and SBO1) is to define what is considered an acceptable threshold for managing risk. Council has applied the different flood controls based on the threshold of managing risk identified in the Wimmera CMA flood investigation reports. <p>New development in the LSI01 is subject to a planning permit and the advice of the Wimmera CMA and the following policy is applied:</p> <p><i>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.</i></p> <p>Where new development is permitted, it is on the basis on flood modelling and advice that there is no significant impact on surrounding properties</p> <ol style="list-style-type: none"> 3. Council has prepared the Amendment in accordance with the State Government's <i>Guidelines for Development in Flood Affected Areas</i> and <i>Planning Practice Note 12 Applying the Flood Provisions in Planning Schemes</i>. As noted above, the flood overlays are not designed to prohibit all development in flood prone areas but to manage the flood risk. Modelling and works are undertaken for major developments to ensure no major impacts occur for flood levels and adjacent land.
---	--

	<p>Action taken:</p> <ul style="list-style-type: none">• On 22 March 2023 the submitter attended one-on-one submitter meeting at the Council offices.• On 7 June 2023 a submission response letter was sent. <p>Proposed outcome / recommendation: Refer submission to Planning Panels Victoria.</p>
--	---

Submission 28

Submitter name: [REDACTED]

Property address: 3 Agnew Court, Horsham

Parcel details: Lot 31 PS409677 Parish: Horsham

Submitter email: [REDACTED]

Submitter phone: [REDACTED]

Exhibited changes:**Summary of submitter issue/s raised:**

The submitter

1. Increase to insurance premiums and insurance may become unattainable for land owners in the LSI01
2. Questions why is the LSI01 depth is 500mm in Horsham and 350mm elsewhere in Victoria.
3. Development in the LSI01 impacted land is causing flood levels to rise and impacting existing homes.

Council response:

1. Insurance companies will base their premiums on their assessment of risk. Insurance is not a direct relevant planning matter that Council or Planning Panels Victoria is able to take into account when deciding whether to apply a flood control. At the submitter meeting held on 22 March 2023 the Wimmera CMA advised that they can provide written advice to enable discussions with insurance providers about insurance premiums. Written advice can be requested upon lodgement of an online flood advice form or by calling directly.
2. The LSI01 applies to riverine and coastal flooding and represents the area of land flooded by the 1% AEP flood. Flood depth of up to 500mm is the adopted approach that is used to determine LSI01 within the Wimmera. The FO1 is used for flooding above 500mm where the depth and velocity of water presents a risk to life and property. This is consistent with flood risk identified in the State Government's *Guidelines for Development in Flood Affect Areas 2019*.
3. The purpose of the three main flood controls (LSIO1, FO1 and SBO1) is to define what is considered an acceptable threshold for managing risk. Council has applied the different flood controls based on the threshold of managing risk identified in the Wimmera CMA flood investigation reports.

New development in the LSI01 is subject to a planning permit and the advice of the Wimmera CMA and the following policy is applied:

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.

Where new development is permitted it is on the basis on flood modelling and advice that there is no significant impact on surrounding properties. Generally, in Greenfield development the Wimmera CMA require development outside floodplain unless it can show no impact on neighbours through detailed flood modelling.

	<p>Action taken:</p> <ul style="list-style-type: none"> • 22 March 2023 the submitter attended one-on-one submitter meeting at the Council offices. • 7 June 2023 a submission response letter was sent. <p>Proposed outcome / recommendation: Refer submission to Planning Panels Victoria.</p>
--	--

Submission 29

Submitter name: [REDACTED]

Property address: 7 Agnew Court, Horsham

Parcel details: Lot 35 PS409677 Parish: Horsham

Submitter email: [REDACTED]

Submitter phone: Not provided

Exhibited changes:**Summary of submitter issue/s raised:**

The submitter raised the following issues:

1. Questions the LSI01 depth being 500mm in Horsham and 350mm elsewhere in Victoria.
2. The proposed overlays impact land that was not affected by previous flood events.
3. Land immediately adjacent to a flood plain should have a minimum building flood level of 500mm above the 1% flood.

Council response:

1. The LSI01 applies to riverine and coastal flooding and represents the area of land flooded by the 1% AEP flood. Flood depth of up to 500mm is the adopted approach that is used to determine LSI01 within the Wimmera. The FO1 is used for flooding above 500mm where the depth and velocity of water presents a risk to life and property. This is consistent with flood risk identified in the State Government's *Guidelines for Development in Flood Affect Areas 2019*.
2. Modelling is consistent with historic flood levels across Horsham. The proposed flood controls are based on the best available information, best practice modelling and techniques, developed over many years by experts in this 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.

It cannot be assumed that flooding will not occur simply because there are no recollections of previous flooding at 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.

3. The purpose of the three main flood controls (FO1, LSI01 and SBO1) is to define what is considered an acceptable threshold for managing risk. Council has applied the different flood controls based on the threshold of managing risk identified in the Wimmera CMA flood investigation reports. Generally, in Greenfield development the Wimmera CMA require development outside floodplain unless it can show no impact on neighbours through detailed flood modelling.

Action taken:

- On 13 May 2023 a submission response letter was sent.

	<ul style="list-style-type: none"> On 25 May 2023 submitter requested further advice in regards to impact on their property. On 25 May 2023 Council clarified in an email that the property was not impacted by the proposed LSI01 mapping and offered to meet with the submitter. No response from submitter. <p>Proposed outcome / recommendation: Refer submission to Planning Panels Victoria.</p>
--	---

Submission 30

Submitter name: [REDACTED]

Property address: 149 Barnes Boulevard, Horsham

Parcel details: 124 PS407739 Parish: Horsham

Submitter email: [REDACTED]

Submitter phone: [REDACTED]

Exhibited changes:**Summary of submitter issue/s raised:**

Submitter states support for the proposed corrections as per the upcoming Corrections Amendment C82hors.

The submitter raises the issue that insurance is going up due to the property having a separate flood prone area and if under one banner the whole block may be interpreted as a flood risk.

The submitter lastly raises concerns that the existing Urban Floodway Zone along Barnes Boulevard prevents people from building.

Council response:

In regards to the insurance matter, insurance companies will base their premiums on their assessment of risk. Insurance is not a direct relevant planning matter that Council or Planning Panels Victoria is able to take into account when deciding whether to apply a flood control. The Wimmera CMA can provide written advice to confirm extent of mapping onsite and enable discussions with insurance providers about premiums. Written advice can be requested upon lodgment of an online flood advice form or by calling directly.

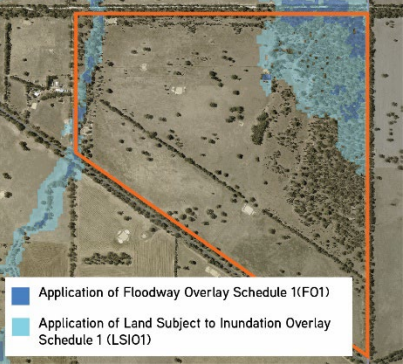
The Amendment proposes to rezone the rear segment of the property which is currently Urban Floodway Zone (UFZ) to a more appropriate zone. The property will therefore be zoned in its entirety Low Density Residential Zone (LDRZ). The UFZ generally applies to areas where the potential flood risk is very 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.

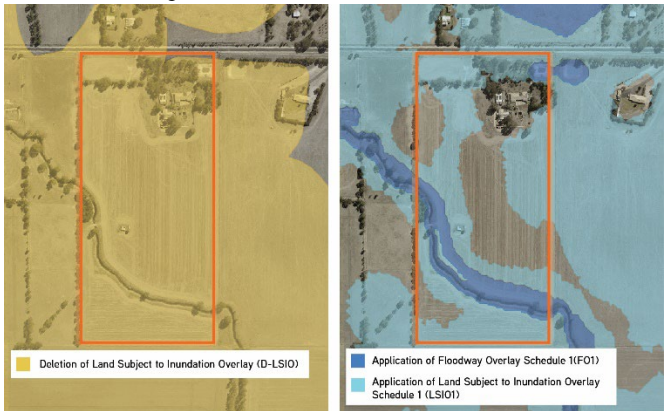
Action taken:

- On 13 May 2023 a submission response letter was sent.

Proposed outcome / recommendation:

Refer submission to Planning Panels Victoria.

<p>Submission 31</p> <p>Submitter name: [REDACTED]</p> <p>Property address: Western Highway, Dadswells Bridge</p> <p>Parcel details: CA191, 190, 192/PP2984 Parish: Ledcourt</p> <p>Submitter email: [REDACTED]</p> <p>Submitter phone: Not provided.</p> <p>Exhibited changes:</p> 	<p>Summary of submitter issue/s raised:</p> <p>Submitter states that the property was not subject to flooding in the past and therefore queries the application of the new overlays proposed.</p> <p>The submitter requests that the proposed overlays are amended to demonstrate the actual situation.</p> <p>Council response:</p> <p>Modelling is consistent with historic flood levels across Dadswells Bridge. The proposed flood controls are based on the best available information, best practice modelling and techniques, developed over many years by experts in this 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.</p> <p>The modelling used to create the mapping was well calibrated to the January 2011 event and represents flooding in Dadswells Bridge well. The layers provide an accurate representation of flood risk and no change is warranted.</p> <p>It is noted that an addendum to the original submission with additional queries has been received and accepted by the Strategic Planning Team and will be referred to Planning Panels Victoria.</p> <p>Action taken:</p> <ul style="list-style-type: none"> On 13 May 2023 a submission response letter was sent. <p>Proposed outcome / recommendation:</p> <p>Refer submission to Planning Panels Victoria.</p>
--	--

<p>Submission 32</p> <p>Submitter name: [REDACTED]</p> <p>Property address: 102 Horsham Lubeck Road, Riverside Parcel details: Lot 2 LP114213 Parish: Horsham Submitter email: [REDACTED] Submitter phone: [REDACTED]</p> <p>Exhibited changes:</p> 	<p>Summary of submitter issue/s raised:</p> <p>Submitter states that the Amendment will have serious financial, social and asset devaluation ramifications to the property.</p> <p>The submission notes that legal advice is being sought.</p> <p>Council response:</p> <p>At the submitter meeting held on 22 March 2023 it was clarified that the Amendment proposes a reduced extent of LSI01 on the property. The proposed FO1 will not impact the existing dwelling on the land.</p> <p>While no legal advice was given, it is important to note that Council acknowledges receipt of the additional submission, which was submitted on 3 March 2023 prior to the submitter meetings taking place. Legal advice was never submitted.</p> <p>Action taken:</p> <ul style="list-style-type: none"> On 20 December 2022 Council notified the submitter via email that it would accept a late submission to enable the submitter time to seek legal advice. On 3 March 2023 the submitter provided an addendum to the original submission. On 22 March 2023 the submitter attended one on one submitter meeting at the Council offices. The submitter advised he would withdraw his submission. On 7 June 2023 a submission response letter was sent. <p>Proposed outcome / recommendation:</p> <p>The submitter has not formally withdrawn his submission. Refer submission to Planning Panels Victoria.</p>
---	--

Submission 33

Submitter name: [REDACTED]

Property address: 9 Agnew Court, Horsham

Parcel details: Lot 37 PS409677 Parish: Horsham

Submitter email: [REDACTED]

Submitter phone: [REDACTED]

Exhibited changes:**Summary of submitter issue/s raised:**

Submitter opposes the Amendment for the following reasons:

1. Residents in Southbank within Agnew Court have not previously been affected by flooding and will now be impacted by the LSI01 due to future subdivision and fill requirements impacting on neighbouring housing estates.
2. Refers to the State Government's *Guidelines for Development in Flood Affected Areas* and states that Greenfield development will expose residents to flood hazards. Subdivision should not occur in flood prone areas.
3. More consultation with land owners would alleviate a large number of issues in the area without having to consider physical flood mitigation practices.

Council response:

1. During the submitter meeting held on 22 March 2023 it was agreed that the application of the LSI01 only new covers a small portion of the property and does not have an impact on the existing dwelling.

Modelling is consistent with historic flood levels across Horsham. The proposed flood controls are based on the best available information, best practice modelling and techniques, developed over many years by experts in this 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.

It cannot be assumed that flooding will not occur simply because there are no recollections of previous flooding at 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.

The *Horsham and Wartook Valley Flood Investigation (2019)* determined the January 2011 event was between a 2% and 1% AEP flood event (between a 1 in 50 and 1 in 100 year flood event) based in more than 100 years of streamflow record at the Walmer streamflow gauge. The mapping shows a greater flood extent than observed in January 2011 because the 1% AEP event is larger than that occurred during January 2011.

The purpose of the three main flood controls (FO1, LSI01 and SBO) is to define what is considered an

	<p>acceptable threshold for managing risk. Council has applied the different flood controls based on the threshold of managing risk identified in the Wimmera CMA flood investigation reports. Generally, in Greenfield development the Wimmera CMA require development outside floodplain unless it can show no impact on neighbours through detailed flood modelling.</p> <ol style="list-style-type: none"> 2. Council has prepared the Amendment in accordance with State Government's <i>Guidelines for Development in Flood Affected Areas</i> and <i>Planning Practice Note 12 Applying the Flood Provisions in Planning Schemes</i>. The flood overlays are not designed to prohibit all development in flood prone areas but to manage the flood risk. Modelling and works are undertaken for major developments to ensure no major impacts occur for flood levels and adjacent land. 3. Council has given public notice of the Amendment in accordance with the legislative requirements detailed in the <i>Planning and Environment Act 1987</i>. In addition, Council held a series of information sessions in December 2022 at various locations and has provided opportunities for submitters to meet with Council and the Wimmera CMA to discuss in more details their individual submissions. Furthermore, consultation was undertaken during the preparation of the flood studies. The Wimmera CMA wrote to property owners who were affected and offered one on one meetings and drop in sessions. <p>During the submitter meeting the submitter stated they would withdraw their submission.</p> <p>Action taken:</p> <ul style="list-style-type: none"> • On 22 March 2023 the submitter attended one on one submitter meeting at the Council offices. • On 7 June 2023 a submission response letter was sent. <p>Proposed outcome / recommendation:</p> <p>The submitter has not formally withdrawn their submission. Refer submission to Planning Panels Victoria.</p>
--	--

Submission 34

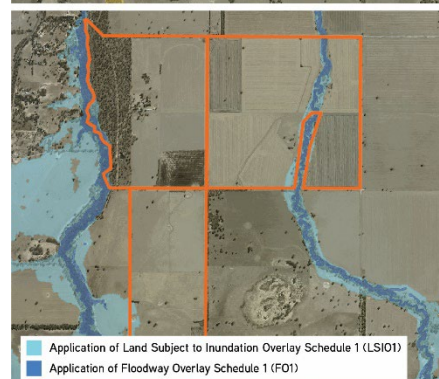
Submitter name: [REDACTED]

Property address: 101 McKenzie Creek Reserve Road,
McKenzie Creek/820 Grahams Bridge Road, Bungalally

Parcel details: 8, 8A, 9/PP2276, 12, 13/PP2276 Parish:
Bungalally

Submitter email: [REDACTED]

Submitter phone: [REDACTED]

Exhibited changes:**Summary of submitter issue/s raised:**

Submitted raises concerns with how the proposed changes will impact insurance and the timing of the Amendment (the lead up to Christmas and only 20 days to comment).

The submitter has questions in regards to the construction of an additional house on the property.

Council response:

Insurance companies will base their premiums on their assessment of risk. Insurance is not a direct relevant planning matter that Council or Planning Panels Victoria is able to take into account when deciding whether or not to apply a flood control. The Wimmera CMA can provide written advice to confirm extent of mapping onsite and enable discussions with insurance providers about premiums. Written advice can be requested upon lodgment of an online flood advice form or by calling directly.

The introduction of the flood controls does not prohibit the development of land. However, future development must meet the requirements of the flood controls, such as building above the designated flood level. Approved permits are not subject to the proposed flood controls (accrued rights). Any future development should be designed so it does not adversely impact adjoining properties.

It is suggested that further discussions be held with Council's Statutory Planning Department, in relation to the construction of a second dwelling on land within the Farming Zone. The Amendment proposes the application of the LSI01 and FO1 following the paths of McKenzie Creek and Bungalally Creek. Any development outside of these areas will not be impacted by this Amendment.

Action taken:

- On 13 May 2023 a submission response letter was sent.

Proposed outcome / recommendation:

Refer submission to Planning Panels Victoria.

Submission 35

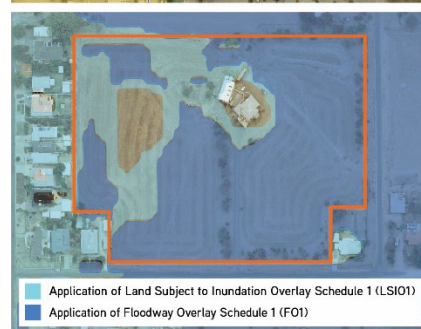
Submitter name: [REDACTED]

Property address: 61 Pryors Road, Horsham

Parcel details: S2/PS421072 Parish: Horsham

Submitter email: [REDACTED]

Submitter phone: [REDACTED]

Exhibited changes:**Summary of submitter issue/s raised:**

Submitter has concerns regarding a previous planning permit for a 31 lot subdivision as well as future intentions to develop the property.

The submitters proposes modifications to the subdivision design to reduce the number of lots and creation of a wetland or seeks compensation.

The submitter also raises that matter that a levy was paid towards drainage works.

Lastly the submitter raises the issue that during the 2011 flood event the culvert under the railway line was purposely blocked impacting flood flows within the area.

Council response:

Council records state that a previous Planning Permit 3240 for subdivision was approved but subsequently expired on 29 January 2000.

The introduction of the flood controls does not prohibit the subdivision of land. However, future subdivision proposals are required to meet the requirements of the flood controls, such as fill above the designated flood level. Any future plan for subdivision should be designed so it does not adversely impact adjoining properties.

It is recommended that further discussions be held with Council's Statutory Planning Department as well as the Wimmera CMA in regards to your subdivision proposal and proposed modifications to lot design. Council notes that the matter in regards to the levy paid still requires internal follow up.

Modelling of Horsham was well calibrated to observe flooding in January 2011. Modelling of the property accurately represents potential inundation and the proposed layers accurately reflect the sites flood risk. No change to the layers is warranted.

The culvert in the railway line approximately opposite Peppertree Lane was temporarily blocked in the 2011 flood. This was because of the high level of water in Police Paddock due to local runoff and storm water from Horsham North. With this high level there was the potential for the storm water system to backup into properties in parts of Horsham North. This blockage was put in place under the direction of the Incident Controller for the flood event. Whether the culvert should be blocked in a future flood would need to be considered based on the nature of the flood event and the conditions. For example, if Police Paddock is low, then the culvert should be left open.

	<p>Action taken:</p> <ul style="list-style-type: none"> On 21 March 2023 submitters attended information session held at Council offices. On 13 May 2023 a submission response letter was sent. <p>Proposed outcome / recommendation: Refer submission to Planning Panels Victoria.</p>
--	---

Submission 36

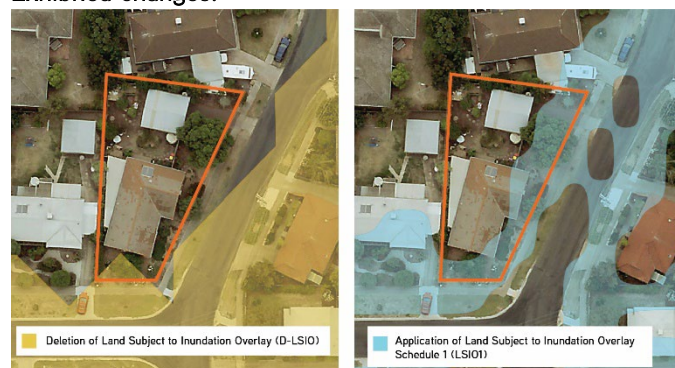
Submitter name: [REDACTED]

Property address: 10 Lewis Street, Horsham

Parcel details: 15 LP76423 Parish: Horsham

Submitter email: [REDACTED]

Submitter phone: [REDACTED]

Exhibited changes:**Summary of submitter issue/s raised:**

Submitter opposes the Amendment and raises the following concerns:

1. Will see further development in areas prone to flooding, impeding the course of flood waters and remove flood storage.
2. Refers to the State Government's *Guidelines for Development in Flood Affected Areas* stating that Greenfield development will expose residents to flood hazards. Subdivision should not occur in flood prone areas.
3. Increasing insurance premiums and the possibility of decreasing property values.
4. It is unfeasible to raise the floor level to 500m of the existing dwelling.

Council response:

1. Council has prepared the Amendment in accordance with State Government's *Guidelines for Development in Flood Affected Areas* and *Planning Practice Note 12 Applying the Flood Provisions in Planning Schemes*. The flood overlays are not designed to prohibit all development in flood prone areas but to manage the flood risk. Modelling and works are undertaken for major developments to ensure no major impacts occur for flood levels and adjacent land.
2. Council has prepared the Amendment in accordance with State Government's *Guidelines for Development in Flood Affected Areas* and *Planning Practice Note 12 Applying the Flood Provisions in Planning Schemes*. As noted above, the flood overlays are not designed to prohibit all development in flood prone areas but to manage the flood risk. Modelling and works are undertaken for major developments to ensure no major impacts occur for flood levels and adjacent land.
3. Insurance companies will base their premiums on their assessment of risk. Insurance is not a direct relevant planning matter that Council or Planning Panels Victoria is able to take into account when deciding whether or not to apply a flood control. At the submitter meeting held on 22 March 2023 the Wimmera CMA advised that they can provide written advice to enable discussions with insurance providers about insurance premiums. Written advice can be requested upon lodgment of an online flood advice form or by calling directly.

It is Council's policy to implement changes to flood modelling prepared by the Wimmera CMA. Direct financial impacts and impacts on property values are not a relevant planning matter that Council or Planning Panels Victoria is able to take into account. Social impacts must be considered in a broader context. The Amendment should have a positive social benefit on the basis that 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.

	<p>4. It is not a requirements to raise floor levels for existing buildings. At the submitter meeting held on 22 March 2023 it was confirmed that the new LSI01 does not cover any buildings. Any future buildings and works outside of the area of the LSI01 will not require statutory planning approval.</p> <p>Action taken:</p> <ul style="list-style-type: none"> On 22 March 2023 the submitter attended information session held at Council offices. On May 2023 a submission response letter was sent. <p>Proposed outcome / recommendation: Refer submission to Planning Panels Victoria.</p>
--	---

Submission 37

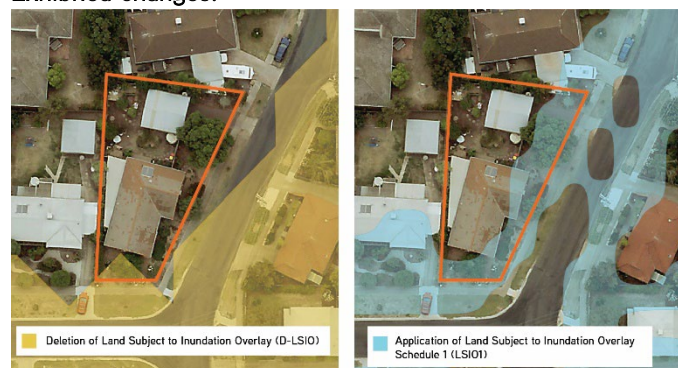
Submitter name: [REDACTED]

Property address: 10 Lewis Street, Horsham

Parcel details: 15/LP76423 Parish: Horsham

Submitter email: [REDACTED]

Submitter phone: Not provided.

Exhibited changes:**Summary of submitter issue/s raised:**

Submitter opposes the Amendment and raises the following concerns:

1. The Amendment and Wimmera CMA should abide by the State Government's *Guidelines for Development in Floodplain Areas*.
2. Council should not further extend the LSIO over residential areas.
3. Insurance premiums being drastically increased.
4. Undeveloped residential zoned land should have a FO and no development should be allowed in areas that have the LSIO as per the Horsham Planning Scheme.

Council response:

1. Council has prepared Amendment C81hors in accordance with State Government's Guidelines for *Development in Flood Affected Areas and Planning Practice Note 12 Applying the Flood Provisions in Planning Schemes*. As noted above, the flood overlays are not designed to prohibit all development in flood prone areas but to manage the flood risk. Modelling and works are undertaken for major developments to ensure no major impacts occur for flood levels and adjacent land.
2. The LSIO1 applies to riverine and coastal flooding and represents the area of land flooded by the 1% AEP flood. Flood depth of up to 500mm is the adopted approach that is used to determine LSIO1 within the Wimmera.

New development in the LSIO is subject to a planning permit and the advice of the Wimmera CMA and the following policy is applied:


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.

Where new development is permitted, it is on the basis on flood modelling and advice that there is no significant impact on surrounding properties.

3. Insurance companies will base their premiums on their assessment of risk. Insurance is not a direct relevant planning matter that Council or Planning Panels Victoria is able to take into account when deciding whether to apply a flood control.

At the submitter meeting held on 22 March 2023 the Wimmera CMA advised that they can provide written advice to enable discussions with insurance providers about insurance premiums. Written advice can be requested upon lodgement of an online flood advice form or by calling directly.

	<p>4. Land in undeveloped residential areas (Greenfield areas) must address potential flood impacts. It is possible to incorporate flood mitigation through storm water retention systems and local drainage schemes on underdeveloped land. The FO could be introduced via a future planning scheme amendment if a flood investigation identifies a high risk.</p> <p>Action taken:</p> <ul style="list-style-type: none"> On 22 March 2023 the submitter attended one on one submitter meeting at the Council offices. On 7 June 2023 a submission response letter was sent. <p>Proposed outcome / recommendation: Refer submission to Planning Panels Victoria.</p>
--	--

<p>Submission 38</p> <p>Submitter name: [REDACTED]</p> <p>Property address: 3 Olga Avenue, Horsham Parcel details: 1 TP184782 Parish: Horsham Submitter email: [REDACTED] Submitter phone: [REDACTED]</p> <p>Exhibited changes:</p>  <p>Application of Land Subject to Inundation Overlay Schedule 1 (LSIO1)</p>	<p>Summary of submitter issue/s raised:</p> <p>Submitter opposes the Amendment and raises the following concerns / issues:</p> <ol style="list-style-type: none"> 1. Development that has occurred in land covered by the LSIO has raised or impeded flows and restricted flow and water storage. 2. Incorrect flood modelling in number of locations. During the 2011 flood event water only water only covered one third of the nature strip for 3 Olga Avenue, Horsham. 3. The Amendment does not reduce the 1% flood levels. Council needs to investigate drainage and storm water improvement measures. 4. The Amendment does not align with the <i>Horsham Planning Scheme</i> and <i>Infrastructure Design Manual</i>. 5. Will see an increase to insurance premiums and the possibility of insurance being unobtainable for some land owners. <p>Council response:</p> <ol style="list-style-type: none"> 1. The purpose of the three main flood controls (LSIO1, FO1 and SBO) is to define what is considered an acceptable threshold for managing risk. Council has applied the different flood controls based on the threshold of managing risk identified in the Wimmera CMA flood investigation reports. <p>The LSIO1 applies to riverine and coastal flooding and represents the area of land flooded by the 1% AEP flood. Flood depth of up to 500mm is the adopted approach that is used to determine LSIO1 within the Wimmera. The FO1 is used for flooding above 500mm where the depth and velocity of water presents a risk to life and property.</p> <p>New development in the LSIO is subject to a planning permit and the advice of the Wimmera CMA and the following policy is applied:</p> <p><i>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.</i></p> <p>Where new development is permitted it is on the basis on flood modelling and advice that there is no significant impact on surrounding properties. Generally, in Greenfield development the Wimmera CMA require development outside floodplain unless it can show no impact on neighbours through detailed flood modelling.</p> <ol style="list-style-type: none"> 2. Modelling is consistent with historic flood levels across Horsham. The proposed flood controls are based on the best available information, best practice modelling and techniques, developed over many years by experts in this field. The use of computer modelling is acknowledged as the only practical
--	--

	<p>method to reliably map the extent of changes to the flood shape across the municipality.</p> <p>It cannot be assumed that flooding will not occur simply because there are no recollections of previous flooding at 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.</p> <p>3. Council acknowledges that improvements can be made to the stormwater and drainage infrastructure in older urban flood prone areas. However, this is beyond the scope of the Amendment, which is implementing only one aspect being the land use planning aspect of the flood studies. Land use planning is 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).</p> <p>The matter of storm water and drainage is the responsibility of Horsham Rural City who have a program of maintenance and upgrades. It is noted that the <i>Horsham & Wartook Valley Flood Investigation 2019</i> includes urban flood modelling which will be used to develop a Drainage Strategy.</p> <p>4. Council has prepared the Amendment in accordance with the State Government's <i>Guidelines for Development in Flood Affected Areas</i> and <i>Planning Practice Note 12 Applying the Flood Provisions in Planning Schemes</i>. As noted above, the flood overlays are not designed to prohibit all development in flood prone areas but to manage the flood risk. Modelling and works are undertaken for major developments to ensure no major impacts occur for flood levels and adjacent land.</p> <p>5. Insurance companies will base their premiums on their assessment of risk. Insurance is not a direct relevant planning matter that Council or Planning Panels Victoria is able to take into account when deciding whether or not to apply a flood control. At the submitter meeting held on 22 March 2023 Wimmera CMA advised that they can provide written advice to confirm extent of mapping onsite and enable discussions with insurance providers about premiums. Written advice can be requested upon lodgement of an online flood advice form or being calling directly.</p>
--	--

	<p>It is noted that an addendum to the original submission with additional queries has been received and accepted by the Strategic Planning Team and will be referred to Planning Panels Victoria.</p> <p>Action taken:</p> <ul style="list-style-type: none"> • On 21 March 2023 the submitter attended the information session held at the Council offices. • On 22 March 2023 the submitter attended one on one submitter meeting at the Council offices. A letter was also submitted by the submitter during this meeting. • On 13 April 2023 a response was provided to submitter's letter dated 22 March 2023. • On 7 June 2023 a submission response letter was sent. • On 20 June 2023 a further letter was received by Council from the submitter. The submitted has requested that her submission is be referred to Planning Panels Victoria. <p>Proposed outcome / recommendation: Refer submission to Planning Panels Victoria.</p>
--	--

Submission 39

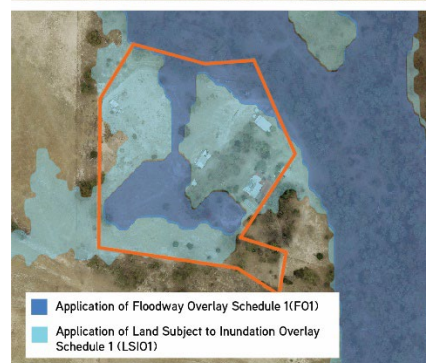
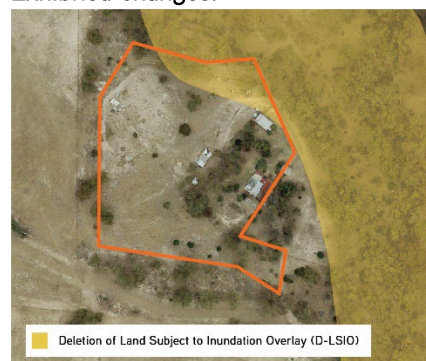
Submitter name: [REDACTED]

Property address: 503 Three Bridges Road, Haven

Parcel details: 247A, 247B, 247 PP2276 Parish: Bungalally

Submitter email: [REDACTED]

Submitter phone: [REDACTED]

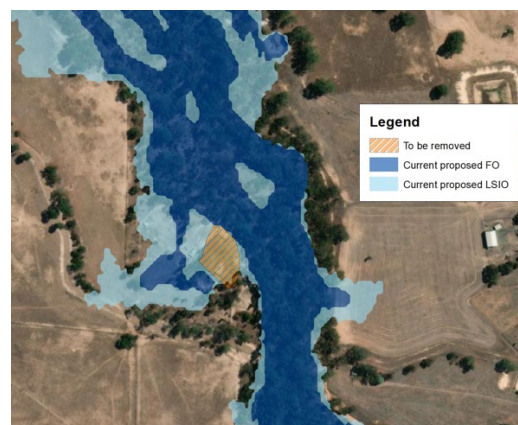
Exhibited changes:**Summary of submitter issue/s raised:**

Submitter has raised the following concerns with the Amendment:

1. Incorrect flood mapping data for the property.
2. Poor state of river including an abundance of wattle trees. There needs to be a clean-up by responsible the authority.
3. The importance of consultation with affected property owners.

Council response:

1. At the site inspection held on 13 April 2023 Water Technology reviewed the modelling and has agreed to amend the LSI01 and FO1 from inside the levy bank to include the dwelling. The site inspection showed a levee protecting the buildings which was not included in the modelling. The image below depicts the proposed mapping revision:



Since the meeting in April 2023, the submitter has requested further modifications to the mapping extent which is not supported by Water Technology. Those areas requested for exclusion are considerably lower than the areas previously agreed to be removed which contains the location of the existing dwelling. These areas are prone to flooding and should remain within the designated mapping areas.

2. The *Victorian Floodplain Management Strategy* sets the requirements for river vegetation management. If a land owner believes that vegetation is causing flooding they can commission a flood study to assess it. If it shows that it is causing flooding they can apply to the Wimmera CMA for a works on waterways permit to remove the vegetation. No study has been conducted showing any such impacts in the Wimmera.

	<p>3. Furthermore, consultation was undertaken during the preparation of the flood studies. The Wimmera CMA wrote to property owners who were affected and offered one on one meetings and drop in sessions. Council has undertaken extensive consultation during the exhibition period of the Amendment and with submitters post-Exhibition.</p> <p>Action taken:</p> <ul style="list-style-type: none"> • On 22 March 2023 a one on one submitter meeting was held at Council offices. • 13 April 2023 a site inspection was attended by Council, the Wimmera CMA and Water Technology where modelling was reviewed onsite. • On 7 June 2023 a submission response letter was sent. • On 26 June 2023 Council met with the submitter. The submitter requested for the modelling and mapping extent to be reviewed again. Awaiting further advice from Water Technology. • On 14 July 2023 submitter confirmed via phone that the submission is unresolved and to be referred to Planning Panels Victoria. <p>Proposed outcome / recommendation: Refer submission to Planning Panels Victoria.</p>
--	--

Submission 40

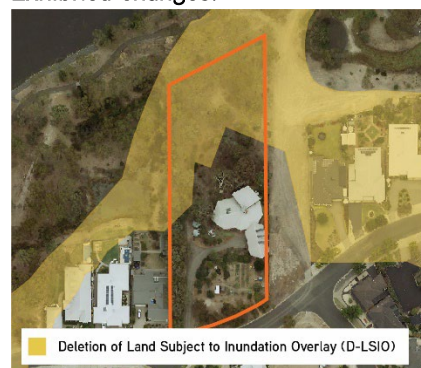
Submitter name: [REDACTED]

Property address: 58 Mardon Drive, Horsham

Parcel details: 1/PS536946 Parish: Horsham

Submitter email: [REDACTED]

Submitter phone: [REDACTED]

Exhibited changes:**Summary of submitter issue/s raised:**

Submitter raises the following concerns with the Amendment:

1. The LSI01 mapping extent proposed is incorrect. During 2011 flood event (1 in 100 event) the flood water did not inundate the property at all.
2. The LSI01 covering the northern boundary will adversely affect insurance costs and ability to maintain insurance for flood.
3. Will reduce the ability to develop or utilise the land in the future.

Council response:

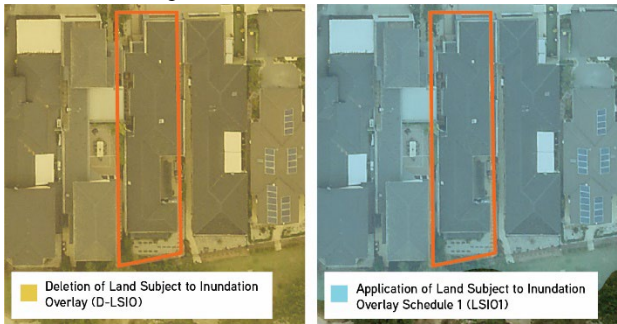
1. Modelling is consistent with historic flood levels across Horsham. The proposed flood controls are based on the best available information, best practice modelling and techniques, developed over many years by experts in this field. The use of computer modelling is acknowledged as the only practical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

It cannot be assumed that flooding will not occur simply because there are no recollections of previous flooding at 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.

The *Horsham and Wartook Valley Flood Investigation (2019)* determined the January 2011 event was between a 2% and 1% AEP flood event (between a 1 in 50 and 1 in 100 year flood event) based in more than 100 years of streamflow record at the Walmer streamflow gauge. The mapping shows a greater flood extent than observed in January 2011 because the 1% AEP event is larger than that occurred during January 2011.

2. Insurance companies will base their premiums on their assessment of risk. Insurance is not a direct relevant planning matter that Council or Planning Panels Victoria is able to take into account when deciding whether or not, to apply a flood control. During the submitter meeting held on 22 March 2023 the Wimmera CMA advised that they can provide written advice to enable discussions with insurance providers about insurance premiums. Written advice can be requested upon lodgment of an online flood advice form or by calling directly.

	<p>3. The introduction of the flood controls does not prohibit the development of land. However, future development does have to meet the requirements of the flood controls, such as building above the designated flood level. Approved permits are not subject to the proposed flood controls (accrued rights). Any future development should be designed so it does not adversely impact adjoining properties.</p> <p>At the submitter meeting held on 22 March 2023 it was confirmed that the Amendment is proposing to reduce the extent of the LSIO. Any future buildings and works outside of the area of the LSIO1 will not require statutory planning approval.</p> <p>Action taken:</p> <ul style="list-style-type: none"> On 21 March 2023 the submitter attended the information session held at the Council offices. On 22 March 2023 the submitter attended one on one submitter meeting at the Council offices. On 7 June 2023 a submission response letter was sent. On 14 June 2023 and email received from submitter advising submission has been withdrawn. <p>Proposed outcome / recommendation: Submission withdrawn.</p>
--	---

<p>Submission 41</p> <p>Submitter name: [REDACTED]</p> <p>Property address: 10 Market Lane, Horsham</p> <p>Parcel details: 34/PS510241 Parish: Horsham</p> <p>Submitter email: [REDACTED]</p> <p>Submitter phone: [REDACTED]</p> <p>Exhibited changes:</p> <div data-bbox="192 507 806 831">  </div>	<p>Summary of submitter issue/s raised:</p> <p>Submitter objects to the Amendment and raises the following issues:</p> <ol style="list-style-type: none"> 1. Will see an increase to insurance premiums and the possibility of insurance being unobtainable for some land owners. 2. The State Government's <i>Guidelines for Development in Flood Affected Areas</i> should be followed. For safety reasons, any further Greenfield development should be flood free. 3. Council must stop residential and industrial development which do not accord with <i>Infrastructure Design Manual</i>. <p>Council response:</p> <ol style="list-style-type: none"> 1. Insurance companies will base their premiums on their assessment of risk. Insurance is not a direct relevant planning matter that Council or Planning Panels Victoria is able to take into account when deciding whether or not to apply a flood control. At the submitter meeting held on 22 March 2023 Wimmera CMA advised that they can provide written advice to confirm extent of mapping onsite and enable discussions with insurance providers about premiums. Written advice can be requested upon lodgement of an online flood advice form or being calling directly. 2. Council has prepared the Amendment in accordance with State Government's <i>Guidelines for Development in Flood Affected Areas</i> and <i>Planning Practice Note 12 Applying the Flood Provisions in Planning Schemes</i>. As noted above, the flood overlays are not designed to prohibit all development in flood prone areas but to manage the flood risk. Modelling and works are undertaken for major developments to ensure no major impacts occur for flood levels and adjacent land. 3. The Wimmera CMA use the <i>Guidelines for Development in Flood Affected Areas</i> to condition development in the land subject to the LSIO. This is consistent with the <i>Victorian Floodplain Management Strategy</i>. These conditions are only a recommendation and provide guidance to Council when making decisions on planning permit applications for development. <p>Action taken:</p> <ul style="list-style-type: none"> • On 13 May 2023 a submission response letter was sent. <p>Proposed outcome / recommendation:</p> <p>Refer submission to Planning Panels Victoria.</p>
--	--

<p>Submission 42</p> <p>Submitter name: [REDACTED]</p> <p>Property address: N/A</p> <p>Parcel details: N/A</p> <p>Submitter email: [REDACTED]</p> <p>Submitter phone: [REDACTED]</p>	<p>Summary of submitter issue/s raised:</p> <p>Submitter is a local building designer and disagrees with the proposed requirement associated with the Amendment. The submitter raises examples of previous Planning Permit applications and floor levels requested by the Wimmera CMA.</p> <p>Council response:</p> <p>The Design and Development Overlay - Schedule 9 (DD09), which relates to storm water management, currently covers O'Callaghan's Parade. The current overlay is proposed to be removed, and will be replaced by the SBO. The SBO will only apply to areas that are at high risk of storm water flooding.</p> <p>Dimboola Road has been identified, as subject to storm water flooding and future development within this area will be subject to the requirements of the SBO. This ensures that future developments will allow the free passage of floodwaters, minimise flood damage, and are compatible with flood hazard and local drainage conditions. This may include properly prepared drainage plans and floor heights and that the issue has been resolved with the Wimmera CMA based on the minor flood depth and risk.</p> <p>Action taken:</p> <ul style="list-style-type: none"> On 13 May 2023 a submission response letter was sent. <p>Proposed outcome / recommendation:</p> <p>Refer submission to Planning Panels Victoria.</p>
---	---

Submission 43

Submitter name: [REDACTED]

Property address: 25 Selkirk Drive, Horsham & 3912 Henty Highway, McKenzie Creek

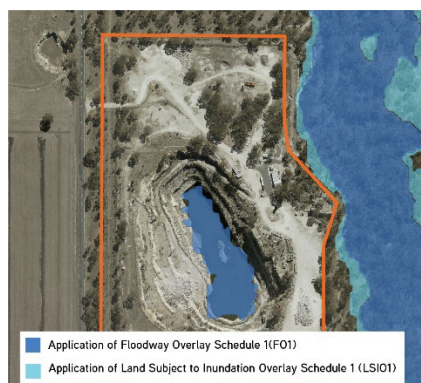
Parcel details: Lot 2 LP121910 Parish: Horsham, CA 2001
PP2276 Parish: McKenzie Creek

Submitter email: [REDACTED]

Submitter phone: [REDACTED]

Exhibited changes:

25 Selkirk Drive



3912 Henty Highway

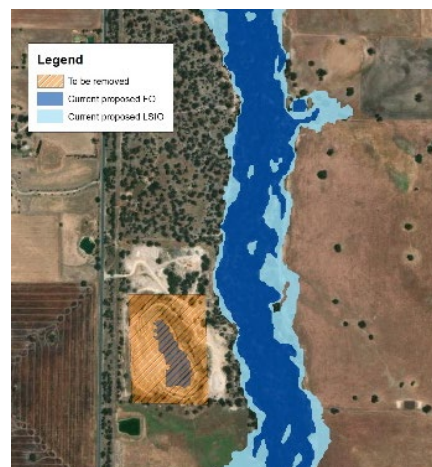
Summary of submitter issue/s raised:

Submitter expresses no concern with the designation of the small extent of LSI01 proposed at 25 Selkirk Drive.

The submitters believe there is an error with regards to the proposed application of the FO1 at 3912 Henty Highway as the area matches the quarry hole and is not a watercourse connected to the McKenzie Creek.

Council response:

During the submitter meeting held on 22 March 2023 Water Technology conducted a review of the modelling. It was agreed, that the FO1 layer would be removed from the area of land where the quarry hole is located. The overlays are not intended to control the quarry's operation and the area shown as inundated is an error in post processing of the model results intended to connect low areas to the riverine inundation and should be removed. The image below indicates the proposed changes:

**Action taken:**

- On 22 March 2023 the submitter attended one on one submitter meeting at the Council offices.
- On 7 June 2023 a submission response letter was sent.
- On 15 June 2023 and email was received from submitter advising submission has been withdrawn.

Proposed outcome / recommendation:

Submission withdrawn.

<p>Submission 44</p> <p>Submitter name: [REDACTED] [REDACTED]</p> <p>Property address: N/A Parcel details: N/A Submitter email: [REDACTED] Submitter phone: [REDACTED]</p>	<p>Summary of submitter issue/s raised: Submission in support of the Amendment.</p> <p>Council response:</p> <ul style="list-style-type: none"> • No response required. <p>Action taken:</p> <ul style="list-style-type: none"> • No action required. <p>Proposed outcome / recommendation: Refer submission to Planning Panels Victoria.</p>
---	---

<p>Submission 45</p> <p>Submitter name: [REDACTED]</p> <p>Property address: N/A</p> <p>Parcel details: N/A</p> <p>Submitter email: [REDACTED]</p> <p>Submitter phone: [REDACTED]</p>	<p>Summary of submitter issue/s raised: Submission in support of the Amendment.</p> <p>Council response:</p> <ul style="list-style-type: none"> • No response required. <p>Action taken:</p> <ul style="list-style-type: none"> • No action required. <p>Proposed outcome / recommendation: Refer submission to Planning Panels Victoria.</p>
---	---

Submission 46

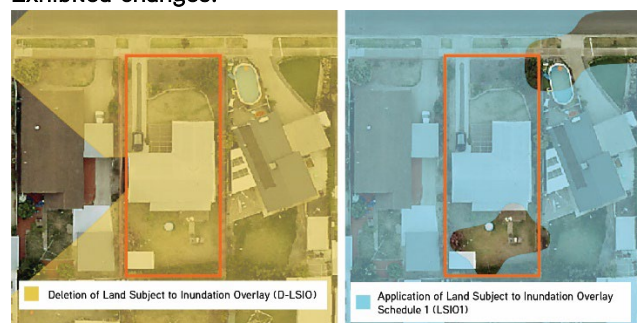
Submitter name: [REDACTED]

Property address: 55 Baillie Street, Horsham

Parcel details: Lot 9/LP34835 Parish: Horsham

Submitter email: [REDACTED]

Submitter phone: [REDACTED]

Exhibited changes:**Summary of submitter issue/s raised:**

Submitter acknowledges that the property is already covered the existing LSIO but requests that the proposed FO1 is removed and replaced with the LSIO1.

Council response:

Following a discussion between the submitter, Council and Water Technology during the Horsham drop in session on 6 December 2022, the submitters request has since been consider and a review of the modelling was undertaken. Water Technology supports the removal of the FO1 from the backyard. The FO1 is generally used to control development in areas of conveyance, rather than water pooling, which is the case at the site. The depth of water in this area is marginally over the 0.5m threshold for FO1. Given the context of the site, FO1 would be overly restrictive and alternatively LSIO1 would provide sufficient development control. The image below depicts the mapping revision:

**Action taken:**

- On 6 December 2022 the submitter attended the Exhibition drop in session at the Council offices.
- On 6 December 2022 the submitter attempted to lodge a submissions however it was not received by Council.
- On 1 June 2023 an email was received from the submitter following up on their submission. A follow up phone call was made to submitter advising that Water Technology would review the modelling and remove FO1 layer from the property. The submitter advised that he would withdraw his submission on receipt of this advice.

	<ul style="list-style-type: none">On 7 June 2023 a submission response letter was sent. <p>Proposed outcome / recommendation: The submitter has not provided Council with a formal withdrawal of his submission. Refer submission to Planning Panels Victoria.</p>
--	---