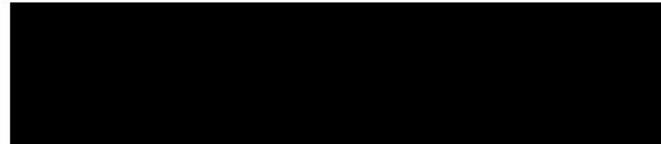




**Written submissions received  
Amendment C77hepb  
to the Hepburn Planning Scheme**



10 September 2020

Strategic Planning Officer,  
Hepburn Shire Council,  
email to - [ablacket@hepburn.vic.gov.au](mailto:ablacket@hepburn.vic.gov.au)

Dear Ms Blacket

This document and attachments comprises a Submission with respect to the flooding amendment proposed by Hepburn Shire, and currently on Exhibition.

It is understood the closing date for Submissions in response is 11 September, 2020.

This Submission is made by [REDACTED], on behalf of the landowners of the land affected, [REDACTED]  
[REDACTED]

On Exhibition is a proposal for a new public policy.

Our Submission is direct - any public policy which has the potential to prohibit development in vulnerable locations [REDACTED] takes away opportunity for a planned future use, allowable under other State laws..

The proposed amended policy is opposed to the extent that it may well affect our future use of the entire land area, not just the flood plain.

The position appears to be that the Planning Authority, in introducing this proposal, has entirely disregarded other State law responsible for this land, its special character, and the sub-surface.

This Submission asks –

1. that Council examine its own archive records. This is land that became part of Hepburn Shire due to State amalgamations of municipalities. The former Borough of Clunes acquired Station Flat Road where it crosses the area outlined in RED on attachment 1, by treaty -- details published in the Clunes Gazette. At that time, it elected to settle the entire bounds of that private land -- some passing to Council.  
It did so for very commercial reasons, as were published by those Councillors.
2. that this current Council examine previous built structures in Creswick's Creek that were effective flood controls -- known to exist through photo evidence - see attachment 2 (1903).
3. that Council today become aware that the whole of the flat lands west of Station Flat Road (the private land) is being held for a future purpose, including that of meeting EPA requirements regarding clean water discharges to streams.


To my knowledge, Hepburn Shire, prior to the Kennett era amalgamations, encompassed several goldfields, but none of the quality of that at Clunes.

Clunes goldfield has been under semi-continuous study and investigation since about year 1947. Intense investigation is on-going, although not perhaps apparent to Clunes residents. Commercial activities with a prolonged development stage are characteristics of a goldfield having a somewhat different form of sub-surface structural arrangement to that typical for most Victorian goldfields.

In the period up to 1893, or even more recently, the patterns of quartz veining as illustrated were taken to be similar to those of Bendigo. It can be shown that drilling in year 2015 demonstrated why this old concept is not applicable. Revision suggests the gold-bearing veins of Clunes were subjected to torsion. The revision of details available for this central part of the field led to recent recommendations for new drilling there.

This goldfield was productive in the years 1857 to 1893. The photo - attachment 3 - illustrates the environs of Station Flat Road in year 1861.

The same environs today are illustrated on the town plans - see attachments 4 and 5, showing various positions of Creswick's Creek.

 We can state that floodway space has always been naturally available, never inhibited by our actions as owners. In no way does the present condition impact adversely on the lives of local residents, or on the economy of Clunes.

We object to the notion that introducing this public policy will markedly improve the benefits of this land to its owners, or to the community.

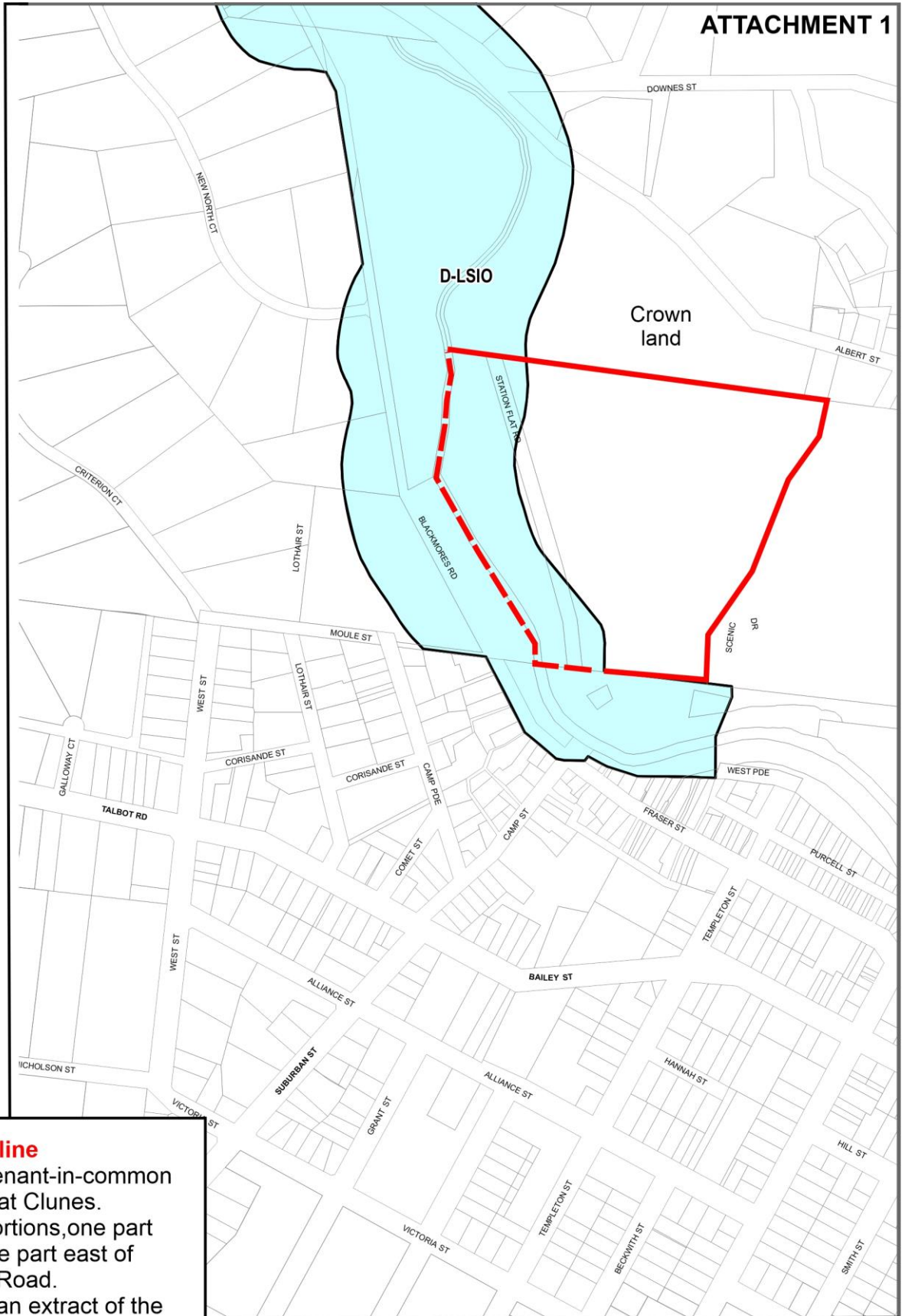
Submitted on behalf of landowners –



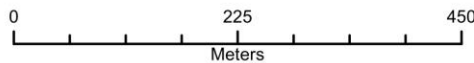




Attachments -



**The red outline**  
 This is the tenant-in-common land owned at Clunes. It has two portions, one part west and one part east of Station Flat Road. This plan is an extract of the plan on exhibition - see the Shire of Hepburn website. <https://www.hepburn.vic.gov.au/planning-building/flooding-amendment-exhibition/> Closing date for submissions - 11 September 2020

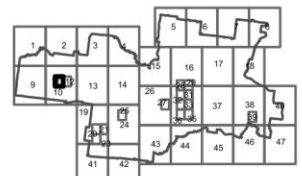


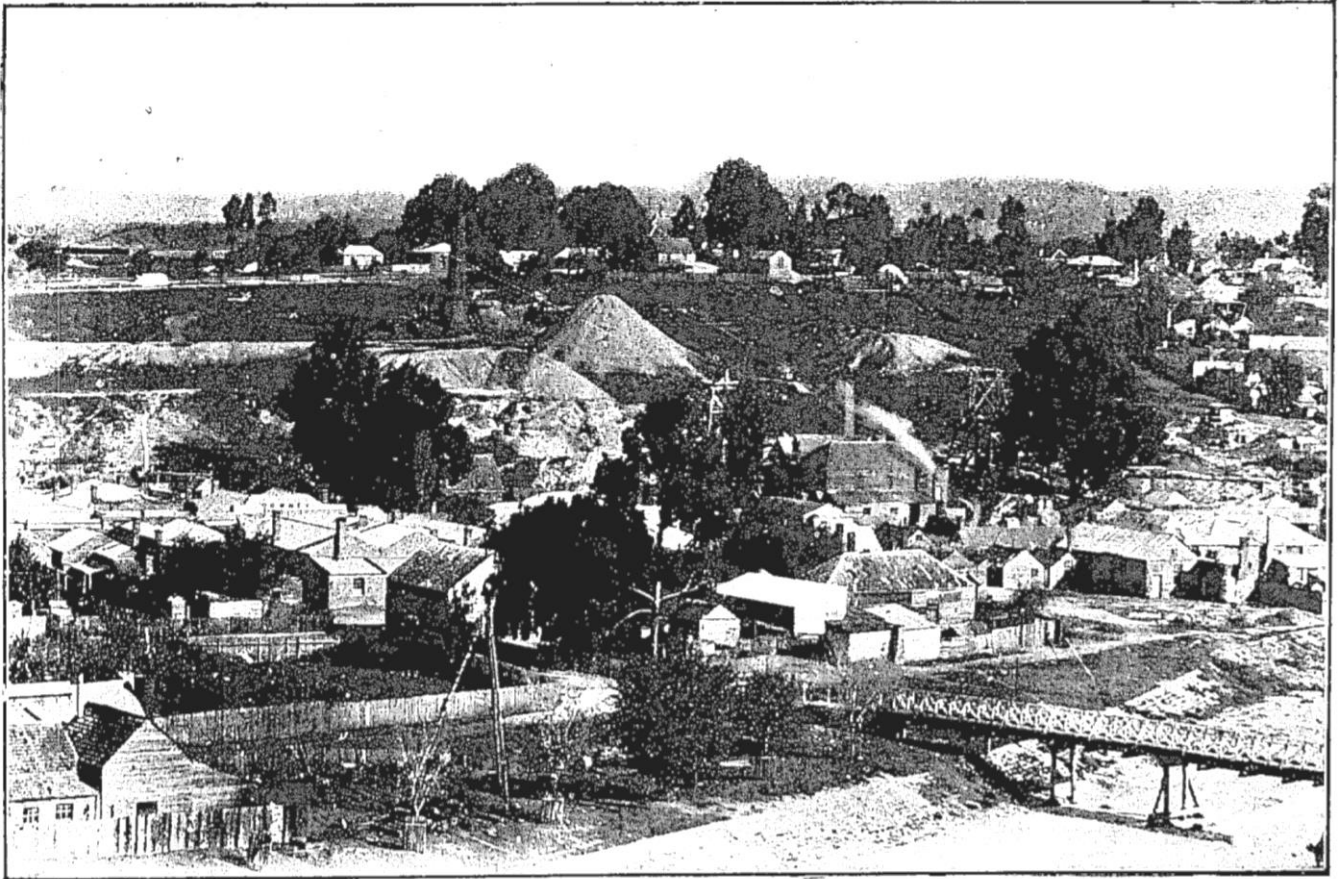
Planning Group  
 Printed: 3/08/2020  
 Amendment Version: 1



Environment,  
 Land, Water  
 and Planning

INDEX TO ADJOINING SCHEME MAPS

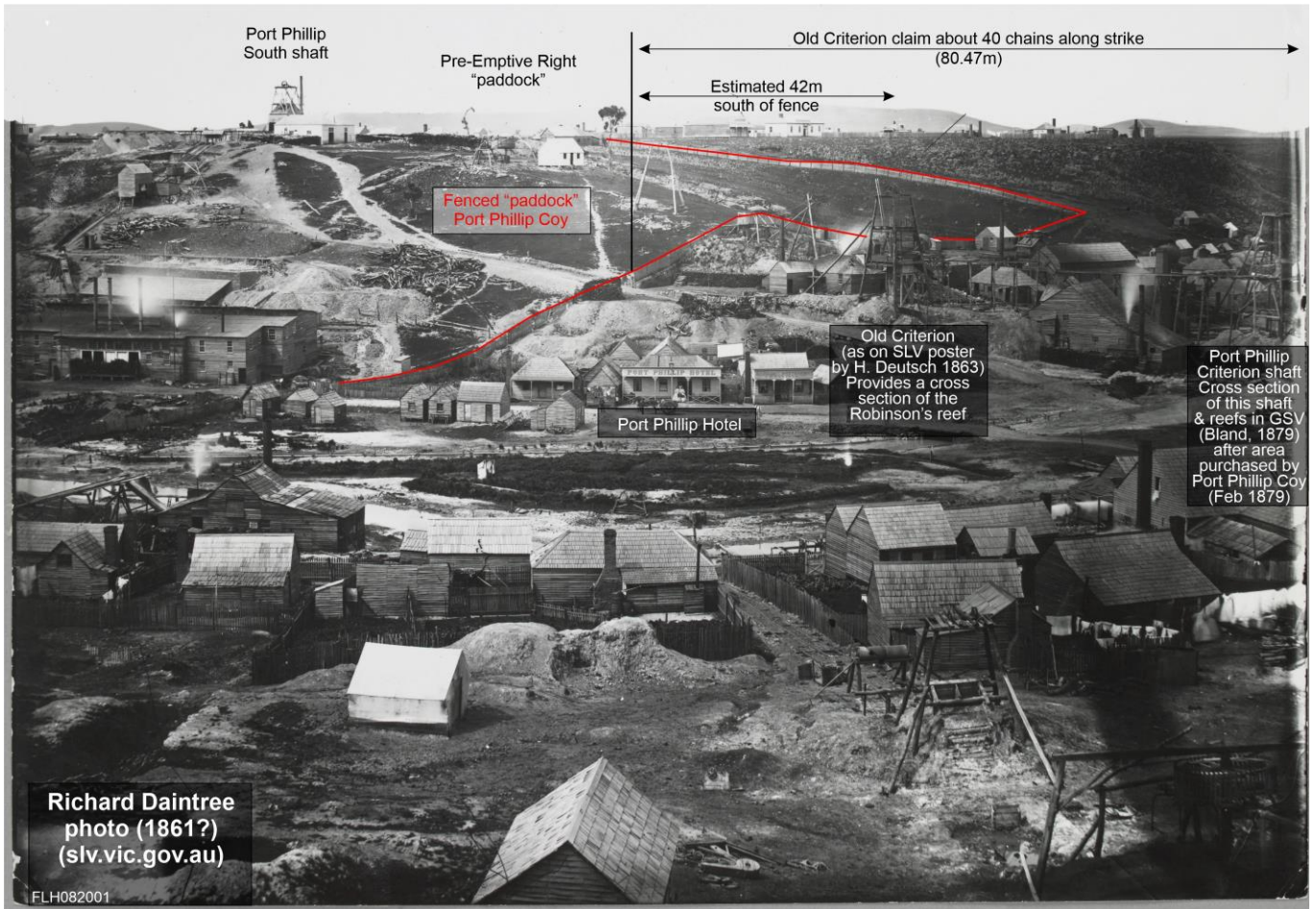


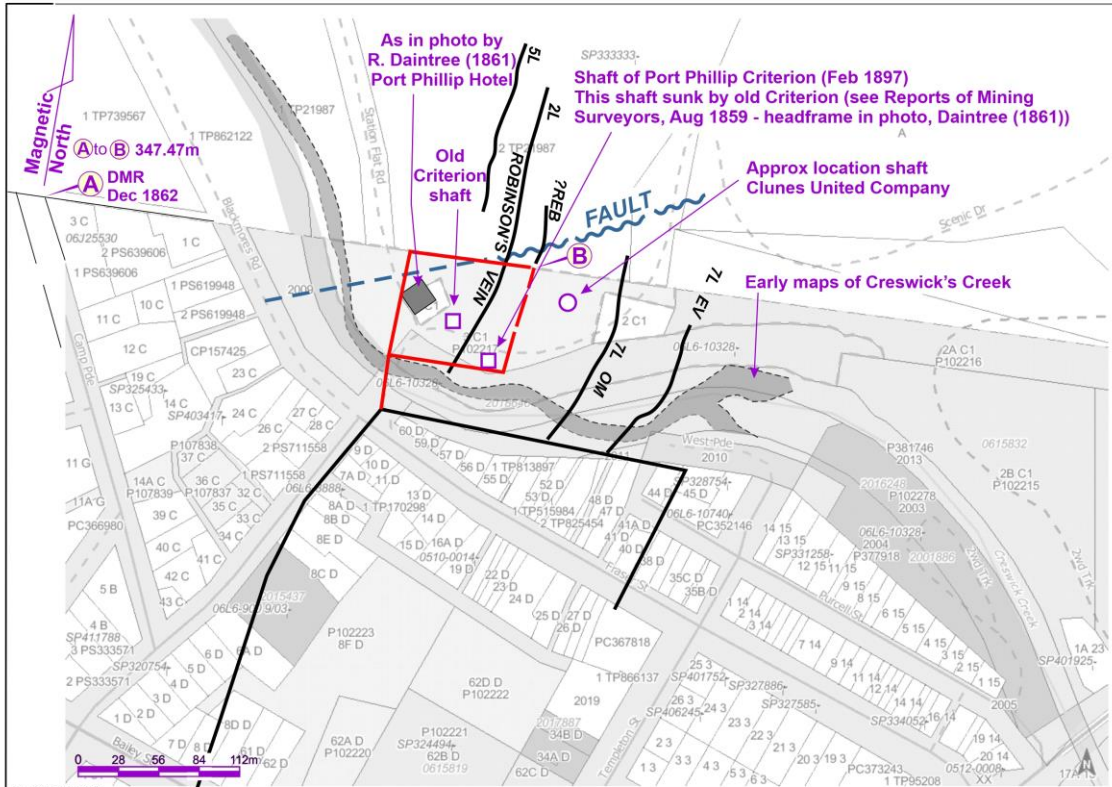


THE AREA SOUTH OF THE OLD PORT PHILLIP CO.'S MILL.

By W. Bradford

ATTACHMENT 3

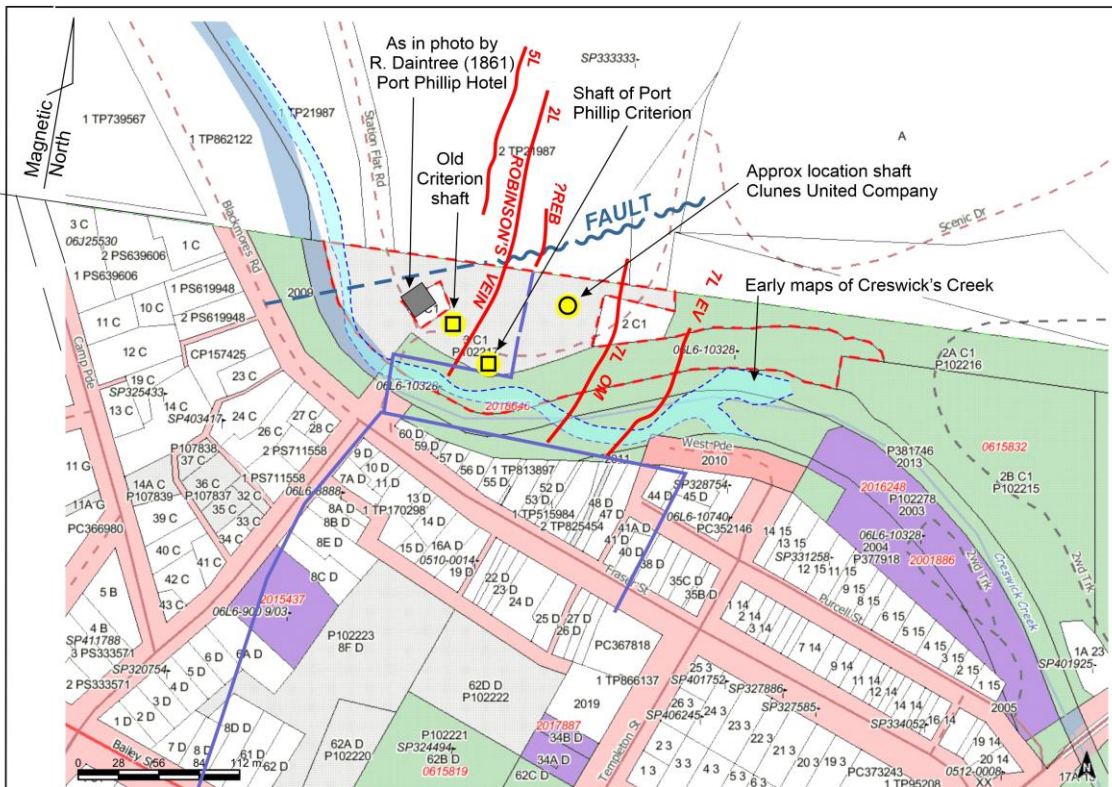




References-

1. Reports of Mining Surveyors, Victoria (1859-1863) at State Library Victoria
2. Dickers Mining record December 1862 (p.22)
3. Mines Dept archives Plan R14/C/1 (1"=50'0") Plan R14/C/2 (1"=100'0")
4. Daintree photo State Library Victoria collection.

Original claim Criterion QM coy as first taken up 244ft E-W 240ft N-S



References-

1. Dickers Mining record December 1862 (p.22)
2. Mines Dept archives Plan R14/C/1 (1"=50'0") Plan R14/C/2 (1"=100'0")
3. Daintree photo State Library Victoria collection

**From:** Strategic Planning  
**To:** [Alison Blacket](#)  
**Subject:** RE: Amendment C77 to the Hepburn Planning Scheme: Flooding  
**Date:** Wednesday, 9 September 2020 11:50:52 AM  
**Attachments:** [image009.jpg](#)  
[image010.gif](#)  
[image011.gif](#)  
[image012.jpg](#)  
[image001.png](#)  
[image002.gif](#)  
[image003.gif](#)  
[image004.png](#)

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Hi Alison,

Thank you for your correspondence in relation to Planning Scheme Amendment C77 of the Hepburn Planning Scheme.

The amendment proposes to implement the recommendations and flood mapping of the Creswick Flood Mitigations and Urban Drainage Plan and the Clunes Flood Mitigation and Urban Drainage Plan.

EPA has reviewed the proposal as outlined and referred by email. In its current form, the proposed amendment is unlikely to represent a risk to the environment, amenity or human health as a result of pollution or waste and therefore EPA will not be providing a formal response.

If our assessment is not aligned with your view of the environmental risk, or if the proposal is amended, please contact me.

Thank you.

Regards,

[Redacted signature]

[Redacted signature]

*We work flexibly at EPA. If I'm sending this message outside of normal business hours it's because it suits me. There is no expectation that you will respond outside your working hours.*

Follow us  

*A healthy environment that supports a liveable and prosperous Victoria, now and always.*

**From:** Alison Blacket <[ablacket@hepburn.vic.gov.au](mailto:ablacket@hepburn.vic.gov.au)>

**Sent:** Thursday, 20 August 2020 8:03 PM

**Subject:** Amendment C77 to the Hepburn Planning Scheme: Flooding



**Alison Blacket**  
Senior Planning Consultant

---

**Hepburn Shire Council**  
PO Box 21 Daylesford Victoria 3460  
**T:** 03 5321 6182 **M:** 0457 536 181

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[hepburn.vic.gov.au](http://hepburn.vic.gov.au)



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Doc code: 20/920

Your ref:

7<sup>th</sup> September 2020

Strategic Planning Officer  
Hepburn Shire Council  
PO Box 21  
Daylesford Vic 3460

Dear Sir/Madam,

**RE: Hepburn Shire Planning Scheme Amendment C77hepb (Flooding)**

Thank you for providing Central Highlands Water (CHW) with the opportunity to make a submission in relation to the above.

CHW is a government owned statutory water authority that provides water and sewerage services on a catchment to tap basis across a large region of Central Victoria, including for Creswick and Clunes within the Hepburn Shire.

Relevant to the consideration of this amendment, CHW owns and operates reticulated water and sewerage systems, including several sewerage pumping stations, in Creswick and Clunes.

CHW acknowledges the impacts of flooding on the community including the potential for flood waters to infiltrate sewerage networks potentially leading to sewage spills, interruptions to sewerage services and costly clean-up after flooding has subsided. With this in mind CHW undertakes a flood risk assessment, often in consultation with the relevant Catchment Management Authority, when new assets are being planned, with the view to ensuring assets are appropriately located and potential points of infiltration are installed above the level of a 1% Annual Exceedance Probability flood level.

CHW notes that Amendment C77hepb proposes to implement the findings of the Creswick Flood Mitigation and Urban Drainage Plan 2012 and the Clunes Flood Mitigation and Urban Drainage Plan 2013 by introducing new planning controls that seek to improve the performance of the Hepburn Planning Scheme (HPS) in responding to issues relevant to flooding. More specifically, the purposes of the Amendment include: identifying, through the application of the Land Subject to Inundation Overlay properties that experience flooding and, to require a performance-based approach to the assessment of planning applications for the affected properties.

It is noted that CHW has several assets in the Shire of Hepburn that fall under the definition of a 'Minor Utility Installation' including sewer and water reticulation mains and several sewerage pumping stations. A key requirement of the operation of these facilities is the ability for CHW to respond flexibly and efficiently to demand in the provision and maintenance of its assets and infrastructure. As a public authority, it is important that CHW retains the current exemptions from the requirement to obtain a planning permit for matters consistent with its water and sewerage function.

We note that the existing provisions at Clause 62.02-1 and Clauses 44.04-2 provide examples of where a permit is not required for buildings and works including as follows.

Clause 62.02-1 – Buildings and works not requiring a permit other than a requirement in the Public Conservation and Resource Zone:

- Emergency works undertaken by, or on behalf of, a municipality, public authority or utility service provider in the exercise of any power conferred on them under any Act;
- Maintenance works carried out by a municipality or public authority to prevent or alleviate flood damage;
- Building and works associated with a minor utility installation;
- Building and works associated with a dam if a licence is required to construct the dam or to take and use water from the dam under the Water Act 1989; and
- The construction, alteration, removal or demolition of an observational bore where a licence has been issued for those works under Part 5 of the Water Act 1989.

Clauses 44.04-2 'Land Subject to Inundation Overlay'

- The laying of underground sewerage, water and gas mains providing they do not alter the topography of the land and that the works are undertaken in accordance with plans prepared to the satisfaction of the responsible authority.

CHW is satisfied that these permit exemptions will provide it with the flexibility to undertake its day to day operations, whilst allowing an adequate consideration of flood risk to its assets.

On the basis of the information supplied to date CHW supports the Amendment in its current form.

Should you require further information about this response please contact me on ph: 5320 3123.

Yours faithfully,



1 September 2020

Hepburn Shire Council  
PO Box 21  
DAYLESFORD, VICTORIA 3460

ablacket@hepburn.vic.gov.au

Attention: Strategic Planning Officer

Dear Madam,

**SUBMISSION REGARDING  
HEPBURN PLANNING SCHEME AM.C77HEPB. IMPROVED FLOOD CONTROLS**

While I would have my thanks passed on to the Hepburn Shire Council, the North Central Catchment Management Authority (NCCMA) and Water Technology for their wonderful work in mapping the flood prone areas after the flooding of Dec 2010 and January 2011, I want to register my opposition to this amendment.

I do not oppose the Hepburn Shire Council maintaining maps of flood prone areas.

I do not oppose the Hepburn Shire Council advising interested parties through a section 229 Land Information Certificate or other means of flood risk.

I do not oppose the Hepburn Shire Council embarking on mitigation works in Clunes so long as these mitigation works can be accomplished within the Council's current budget and without increasing rates.

I do **strongly oppose** the notion that a flood risk should translate to a need for council controls to be implemented or for planning permit requirements to be necessary.

My opposition is given on these grounds:

1. The property at 67 Fraser Street, Clunes ("the Central Garage" or "the property") has not previously been subject to an LSIO. There is currently no flood overlay on the property.
2. My understanding after talking with the previous owner (the property has been in their family since 1955) and with the local Land Care is that 67 Fraser Street, Clunes has only been flooded once since 1955 at least and that was in January 2011.
3. At the end of 2010 a fifteen year drought broke. There were three high creek levels/flood events late 2010 and early 2011 in Clunes. Only one of those flooded the Central Garage (the one in January 2011). The waters at the property rose to 13 inches above ground level.
4. I am advised that the Maryborough Lands Department was clearing the Creswick Creek just prior to the floods. They got to the fjord just outside of Clunes and were prevented by an action group from completing the clearing through Clunes (and thus behind the Central Garage).
5. I am further advised that the footbridge over the Creswick Creek was much lower at the time of the January 2011 flood, that a large tree became entangled with the foot bridge and that this along with an improper overflow from St Georges Lake caused the flooding in Clunes to increase in severity.
6. I also understand that works at St Georges Lake have since rectified the problem there and the new footbridge in Clunes being much higher than the previous one means it would be unlikely for trees to become entangled, congesting water flow and increasing any flooding near the Central Garage.

7. I am also advised that the Creswick Creek in Clunes is much wider now than it was in 2010/2011 and this would also dramatically lessen the chance of flooding again at 67 Fraser Street, Clunes.
8. I understand that it is the responsibility of the Hepburn Shire Council to clear the Creswick Creek through Clunes and that if this responsibility is fulfilled that this would greatly aid in reducing the severity of flooding should there be rising water levels in the creek.
9. Consequently, I don't see the fact that the Central Garage is not covered by an LSIO as a problem. I don't think it logically follows that if the property was flooded in 2011 that it now needs to be encumbered with council controls and planning permit requirements. Many of the factors that led to the flooding in 2011 have been dealt with and if flooding was caused partly by uncleared waterways then the needful action is to clear the waterways not to create additional burdens on residents by way of council controls and planning permit requirements.
10. It would be especially grievous if the decision to implement council controls and planning permit requirements was made based on flood modelling. The earth system science research facility located in Oracle, Arizona and known as BioSphere 2 showed how notoriously difficult it is to predict how water will flow over terrain.
11. While the 2010/2011 flooding did cause significant property damage and hardship to residents, placing council controls and planning permit requirements on those affected by the flood *multiplies the hardship*, creating additional burdens for residents previously unencumbered by an LSIO. Any positive impact the updated LSIO might have would be overshadowed by the regulative burden it creates.
12. Residents need to be given freedom to manage their own developments without council controls or planning permit requirements.
13. The financial pressures of the 2008 Global Financial Crisis, the January 2020 retail recession and the 2020 lockdowns due to SARS CoV 2 mean that most retailers in Clunes and Creswick will be either already closed, currently facing bankruptcy or hanging on by the skin of their teeth. Where this amendment introduces controls and planning permit requirements to properties that previously did not have those encumbrances, this is placing additional burdens on businesses that already have much to bear.
14. While the extent of the depression in Australia is currently masked by government stimulus, economists are warning that the economy is in very bad shape. Small business has been bled dry. Optimism is waning. Rather than putting up additional barriers to entrepreneurialism, enterprising individuals need to be free to help rebuild our economy, not held back by red tape.
15. The addition of council controls and planning permit requirements will have a negative impact on the value of property. The Central Garage is already subject to other overlays and the cumulative affect of the overlays may devalue the property and turn prospective buyers away.

I would request that the following change be made:

That Amendment C77HEPB would not include the property at 67 Fraser Street, Clunes.

If not possible, I ask that:

The amendment would be limited to maps showing flood prone areas and not include any council controls or planning permit requirements for properties within those flood prone areas.

If not possible, I ask that:

- A.. 67 Fraser Street, Clunes be categorised as an LSIO1 property *only* as the flooding did not exceed 13 inches (33cm or 330mm); and,
- B. That the following changes be made to Section 3 of Schedule 1 to clause 44.04:
  - i. Regarding permit requirements for extensions: that the paragraph be amended to state that, "the gross floor area of the extension does not exceed **140** square metres." [Amended part in bold]; and,



[REDACTED]

Hepburn Shire Council  
Planning Department  
shire@hepburn.vic.gov.au

[REDACTED]  
[REDACTED]

7 October 2020

Dear Sir and/or Madam,

**Planning Scheme Amendment C77**

Thank you for your letter and information received 20 August 2020 giving Goulburn-Murray Water (GMW) the opportunity to consider this Planning Scheme Amendment.

GMW's areas of interest are surface water and groundwater quality, use and disposal. GMW requires that development proposals do not impact detrimentally on GMW's infrastructure and the flow and quality of surface water and groundwater. Applicants must ensure that any required water supplies are available from an approved source.

Based on the information provided, GMW has no objection to Planning Scheme Amendment C77.

If you require further information please e-mail [planning.referrals@gmwater.com.au](mailto:planning.referrals@gmwater.com.au) or contact 1800 013 357.

Yours sincerely

[REDACTED]

[REDACTED]

[REDACTED]

SUBMISSION

HEPBURN SHIRE COUNCIL

FLOODING AMENDMENT C77 hep6

\* ATTENTION:

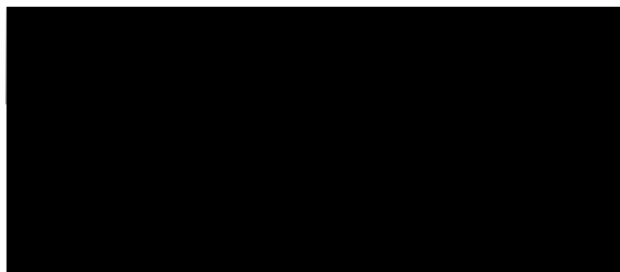
STRATEGIC PLANNING OFFICER

HEPBURN SHIRE COUNCIL

P.O. BOX 21

DRAHESFORD

3460



**HEPBURN SHIRE COUNCIL**

File No: .....

Rec'd Date: 16 SEP 2020

Rec'd By: Creswick - Kay

Action By: .....

Reg No: .....

WE WOULD LIKE TO MAKE SUBMISSION TO AMENDMENT C77 ON THE FOLLOWING GROUNDS.

- [REDACTED]
- [REDACTED]
- [REDACTED]
- 36 ANNE STREET IS AS MAP H.S.P.S TOP OF HILL OVERLOOKING OKEEFES DRADES HOLE, CRESWICK LANDFILL AND OLD CRESWICK SHIRE PINE PLANTATION - LAND UNDER REHABILITATION ORDER - OPEN MINES AND GROUND WATER INTERSECTION 85-95 MT.
- WE WOULD ASK THESE STREET NOS BE ADJUSTED TO REFLECT ONGROUND CONDITIONS.  
- THEY RESULTED FROM PRIOR STUDY BY HERBURNSHIRE COUNCIL "WATER AND DEVELOPMENT" WHICH WAS FOUND TO BE UNVIABLE AND WAS NOT ADOPTED BY COUNCIL.  
CREATING BLOCKS 22<sup>23</sup>, 24<sup>25</sup>, 26<sup>27</sup>, 28<sup>29</sup>, 30. → 36.  
OF WHICH NONE ARE VISIBLE FROM ANNE STREET.  
THE LAND IN QUESTION FALLS UNDER THE VARIOUS SECTIONS OF 484 ;  
TOWNSHIP OF CRESWICK ; PARISH OF TALBOT.

GIVEN THESE NUMBERS WERE INCLUDED AND REDUNDANT PREVIOUSLY I WOULD DRAW YOUR ATTENTION TO THE FOLLOWING AREAS.

- CRESWICK TRAMWAY STATION - CRESWICK CREEK AREA
  - MAP SHOWING AREAS OF INUNDATION AND FLOODING ; DOES NOT SUFFICIENTLY SHOW THE FULL EXTENT OF AREA AFFECTED ; OF APPROPRIATE DEPTH OF WATER THE SITE CONTAINS NO BUILDING OTHER THAN OLD LANDFILL
  - THE GROUND WATER ON NORTHERN CREEK BOUNDARY COMMONLY INTERSECTS AT 0.2 MT. LEAVING LITTLE FOR SOIL ABSORPTION
  - IN FLOOD COVERS THE MONITORING BOKE (WATER EPA/PAN)
  - INTERSECTS WITH LEACHATE POND .
  - THE SOIL IS ODONICUM GRAVELS ; SAND AND CLAY
  - SHOWS ONLY THE JOHN STREET SIDE OF CRESWICK CREEK AS FLOOD ZONE .

• OKEEFES DRADES HOLE.

- PREVIOUSLY SAW A CREEK RUN NORTH TO THE CRESWICK CREEK - FLOWS INTO AND UNDER THE STAGE 2 LANDFILL AND STILL FLOWS THROUGH THE GRAVELS / SAND AND CLAY.
- AS THIS AREA HAS NOT BEEN INCLUDED ON MAP WHILE STILL BEING WITHIN TOWN BOUNDARY I WILL ADDRESS THIS FURTHER ON . BUT SHOULD NOT BE IGNORED .
- THE FORD ACROSS CRESWICK CREEK IS MARKED WITH DEPTH GUAGE POLES THESE ARE THERE FOR A REASON AND DO REACH AND COVER SUCH . WITH DRAINAGE FROM JOHN, JOHN STREETS ETC
- THE RAILWAY BRIDGE X 2 . THE HISTORIC 1870 BRIDGE HAS PYLONS ALONG CREEK . UNDER FULL FLOOD THIS OBSOBS AND BANKS UP WATER CREATING A WATERFALL 2/3 - 3/4 THE WAY UP, THE STRUCTURE . SO THIS FLOOD AREA PRECEDING THIS POINT WITH THE INTERSECTIONS OF FRENCHMAN'S GULLY BRING WATER IN FROM RIGHT AND NORTH CRESWICK IS A LARGER AREA



THAN THAT DELIN DELINEATED ON MAP.

- THE HISTORIC RAILWAY BRIDGE IS REGISTERED AND PROTECTED BY THE NATIONAL TRUST. BUILT BY PHOENIX FOUNDARY BALLINAT AND CONSTRUCTED C1870
- \* FOR THIS AREA I ONCE AGAIN CITE THE IMPORTANCE OF CRESSWICK HYDROLOGICAL REPORTS 1 & 2.

## ASSETS NOT INCLUDED ON MAP FOR CRESSWICK

- THE MAPPING FOR CRESSWICK IS NOT INCLUSIVE OF THE TOWN BOUNDARY AS OTHER MAPPING IN THE PLANNING SCHEMES.
- IT LEAVES OUT THE REMAINDER OF KING ROAD, LUTTET STREET / ASCOT ROAD, ELIZABETH STREET, CHARLES STREET AND PHILIP STREET.
- WHERE THERE ARE OTHER CREEKS / DRAINAGE LINES AND FLOOD PLAIN AREAS, SUBJECT TO FLOODING AND CRESSWICK CREEK.
- THE LAND AND RIDGE BEHIND LINDSAY PARK ON BALD HILLS ROAD IS A STREET CONFLUENCE AREA FOR DRY CREEK BEDS LEADING TO THE RECONSTRUCTED CREEK ALONGSIDE LINDSAY PARK AND AT REAR OF HOUSES IN ELIZABETH ST.
- THIS CREEK REGULARLY FLOODS - COPING WITH DRAINAGE FROM PROPERTIES / FLOW FROM DAMS, TANKS AND STREET DRAINAGE. INCLUDING NEW INTENSIVE INVALE AND SUBDIVISION ROAD SYSTEM. FROM ONE SIDE IT DRAINS ANNE STREET, ANDREW STREET AND LUTTET STREET, PLUS LINDSAY PARK. FROM THE OTHER SIDE ELIZABETH STREET, CHARLES STREET AND PHILIP STREET, WITH LUTTET ALSO. THE VOLUMES SO LARGE IT BACKFLOWS INTO ANNE STREET SYSTEM TO ANDREW STREET. AT THIS JUNCTION IT CROSSES LUTTET STREET VIA 3 LARGE BUT NOT LARGE ENOUGH CANTER PIPES; TO CARRY THE VOLUMES OF WATER AND PASSES ABOVE AND OVER LUTTET AT VOLUME AND VELOCITY. THESE FLOOD WATERS RISE AND LAP AT REAR OF PROPERTIES OF THOSE HOUSES IN ELIZABETH STREET (LINDSAY PARK SIDE) AND AT THE FENCE LINE BEHIND 37 LUTTET STREET AS IT CROSSES LUTTET STREET UNHINDERED; WITH INCREASED WIDTH AND BREADTH - CREATING A PHENOMENAL WATERSHED AS IT HEAPS TOWARD KING RD.
- COUNCIL ALSO ATTEMPTED TO REALIGN THIS CREEK TO INTERSECT WITH THE OKESSES DREDGE CHANNEL. THIS SECTION TREE LINED -
- BUT THIS CREEK ALSO HAS ITS ORIGINAL ALIGNMENT THAT CROSSES KING RD. ALSO.
- THERE ARE 2 SETS OF CANTERS THAT DIVERT FLOOD WATERS TO THE OTHER SIDE OF KING RD.
- THE ASSETS ON THIS SECTION OF LAND IS SEWERAGE LINE
- OTHER ASSETS ARE - OKESSES DREDGE MOLE - ORIGINAL ONLY AREA OF MOUNTAIN
  - TRANSFER STATION
    - SUBSURFACE DRAIN
    - MONITORING BORES
    - ROAD INFRASTRUCTURE
  - RAIL BRIDGES.
  - SEWERAGE PIPE ALONG BANK OF CRESSWICK CREEK.
  - GROWING GRASS FODD
  - STRIPED-LEAFED LIZARD
  - SNAILS
  - HABITAT
- LINDSAY PARK FOOTBALL GROUND ALSO HAS DRAINAGE PROBLEMS.
- THE ENTIRE AREA MINED, BURNED, SUNKED AND DISBURSED.

ACROSS CRESWICK WE HAVE NUMEROUS AREAS OF INSTABILITY INUNDATION; THIS USUALLY OCCURS WITH A RAINFALL EVENT OF 150mm OF RAINFALL OVER A 24 HOUR PERIOD; OR LONGER PROLONGED RAIN. WE HAD 3 SUCH EVENTS IN 2010/2011. AS RESULT BOTH CRESWICK AND CUNES HAS A FLOOD MITIGATION PLAN. CRESWICK HAS IMPLEMENTED AND ENGINEERED BOUNDING TO PROTECT RESOURCES; INFRASTRUCTURE AND SAFETY. WHILE WE HAVE NOT YET HAD EVENTS OF EQUAL CAPACITY THE FULL SCALE IMPLEMENTATION OF THESE STRATEGIES IS UNKNOWN.

WE REMAIN VULNERABLE ABOVE HIRAMIND PARK

- WITH SLATTY CREEK, ST GEORGES OVERFLOW & INTERSECTIONS CRESWICK CREEK.
- WITH NUGGETY CULLY FLOWING INTO OULSBE DRAINAGE SYSTEM INTERSECTING CRESWICK CREEK.
- WITH THE BRIDGE RAISED MORE WILL PASS
- WITH BOUNDING MORE WATER EXHAUSTED.
- WITH THE BUILDING & INDUS AT CARAVAN PARK THERE REMAINS VULNERABILITIES:

GOLF CLUB  
 - DAM AND DOWNSTREAM  
 OULSBE DAM  
 - OVERFLOW.

- PETROL STATIONS  
 - SURROUNDING MONARCHINE BARRS  
 - CALUMBEEN PARK  
 - WITH WATER AND DRAINAGE VIT FRENCHMAN'S GULLY FROM CRESWICK NORTH.  
 - AND ALL DRAINAGE FROM ROOF OF TOWNS.

HOW DO WE PROTECT THOSE AREAS? CONTAMINATED WATER. SOME SUGGEST THE DEEPENING OF THE CREEK BY REMOVAL OF GRAVEL BUT SUCH AN EVENT WILL BRIBE AND BRING MUCH MORE DOWNSTREAM. IS NOT A SOLUTION.

WE ARE FORTUNATE TO HAVE A FLOOD MITIGATION PLAN. THIS SHOULD BE AN INCORPORATED DOCUMENT OF THE PLANNING SCHEMES, BUT ALSO A LIVING DOCUMENT THAT CAN BE ADAPTED AND MODIFIED WITH CONCLUSION OF FUTURE EVENTS. THIS IS AS IS AN EXTENSIVE DOCUMENT BUT DOES NOT NOW COVER ALL WATER MOVEMENTS.

NOTING THAT THIS AMENDMENT HAS BEEN REQUESTED BY NCCA. AS THE CURRENT L510 WAS NOT SUFFICIENT; AND HAD NO CONTROLS TO MANAGE DEVELOPMENTS IN FLOOD PRONE RURAL AND URBAN SETTINGS.

RURAL AREAS FOR CRESWICK HAS NOT BEEN COVERED.

WITH PENDING RURAL RESIDENTIAL SUBDIVISION DOWNSTREAM REMOVED: RECOMMENDATIONS MUST ALSO EXIST.

WE HAVE SEEN PARTIAL CRESWICK CREEK CLEARDED AND FENCED ACROSS CREEK. ONE WOULD EXPECT A PERMIT WOULD BE NEEDED FOR THIS DEVELOPMENT TO OCCUR. WE BELIEVE GIVEN THE IMPORTANCE OF CRESWICK CREEK SUCH EARTHWORKS, CONSTRUCTION WOULD BE ILLEGAL. ALSO IGNORING THE CREEK ENVIRON AND STANDARD 30 MT CREEK BANK EXCLUSION.

ALSO DANNINGHAM IS REMAINING SENSITIVE ZONE - SUBJECT TO FLOODING AND ON FLOOD PLAIN MUST BE IDENTIFIED, AS WITH THE OTHER SIDE OF RING RD.

- THE L510 SHOULD NOT BE EXEMPT FROM THIRD PARTY NOTIFICATION - GIVEN PUBLIC OWNERSHIP OF CREEKS AND NATIVE TITLE CLAIM, AND POTENTIAL TO PROTECT

- THE L5103 DOES NOT INCLUDE RURAL CRESWICK.

- THE OBJECTIVES OF THE VICTORIAN PLANNING PROVISIONS CAN ONLY BE ACHIEVED IF THEY ARE IDENTIFIED, AND CAN ONLY THEN BE PAIR, ORDERLY AND ECONOMIC, SUSTAINABLE LAND USE.

- PROVIDES PROTECTION

- SECURE SAFE WORKING AND LIVING; RECREATIONAL FOR ALL VICTORIANS.

- PROTECT PUBLIC UTILITIES AND OTHER ASSETS BY ENSURING DEVELOPMENT DOES NOT EXACERBATE FLOOD RISK TO ASSETS

- FACILITATING DEVELOPMENT BY ENSURING CLARER PROVISIONS THAT ALLOW FOR DIFFERENT SOLUTIONS TO ADDRESS FLOODING.

TO DATE OUR SCHEME HAS BEEN INSUFFICIENT AND IGNORED PERMITS

- PERMITS MUST BE UPHELD

- WE ALSO UNDERSTAND IMPLEMENTATION TO DATE HAS BEEN COMPLETED ON GOOD SCIENCE HOWEVER ANY DOMINO EFFECT REMAINS UNKNOWN.

- ALSO OBJECT TO RETROSPECT PERMIT THAT IGNORES FACTS THAT SHOW INFRASTRUCTURE WAS NOT LEGAL TO BEGIN WITH AND NOTIFIED.

### ENVIRONMENTAL SOCIAL AND ECONOMIC EFFECTS.

- REFINE AND DEFINE ENVIRONMENTAL EFFECTS ON PROPOSED DEVELOPMENTS. WITHOUT EXODING, DESTROYING NATURAL HABITATS OR ISOLATING FLOOD PLAINS - THESE DEVELOPMENTS MAY NOT BE ON OR ADJACENT TO IMPACT ENVIRONMENTALLY.

- SOCIALLY WE AS A COMMUNITY DO NOT ENDEAVOR TO COMPLICATE, PROHIBIT OR CREATE UNOBTAINABLE OBSTACLES. BUT COMMONSENSE MUST PREVAIL - ALONG WITH SCIENCE. THE EFFECT OF LOSING EVERYTHING AND FEELING UNSAFE IS ALSO NOT AN APPROPRIATE OUTCOME. CAUSING PROLONGED PSYCHOLOGICAL HEALTH CONSEQUENCES DOES NOT SUSTAIN A HEALTHY COMMUNITY

- ECONOMICALLY IGNORING THE GUIDELINES CAN MAKE DEVELOPMENT UNUSABLE EXPENSIVE; WITHOUT ESCAPING CONSEQUENCE OF SPENDING. ZONING MUST ALSO NOT BE SELECTIVE TO ACCOMMODATE DEVELOPMENT.

### BUSHFIRE.

THE AMENDMENT DOES NOT ADDRESS THE BUSHFIRE RISK - WITH CREEK PLANTINGS, UNCONTROLLED NOXIOUS WEEDS AND UNDERGROWTH - ONE CREEK SERVES AS A FIRE FUNNEL INTO THE CENTRE OF TOWN AND BEYOND. GRASS CONTROL IS ESSENTIAL, FLOODING FLEW MINDER PROMOTES GROWTH OF VEGETATION AND GRASSES.

### STATE PLANNING POLICY

IS ACHIEVED BY CLAUSE 11.02-15 + CLAUSE 13.03 IS IF AMENDMENT IS APPROPRIATELY IMPLEMENTED.

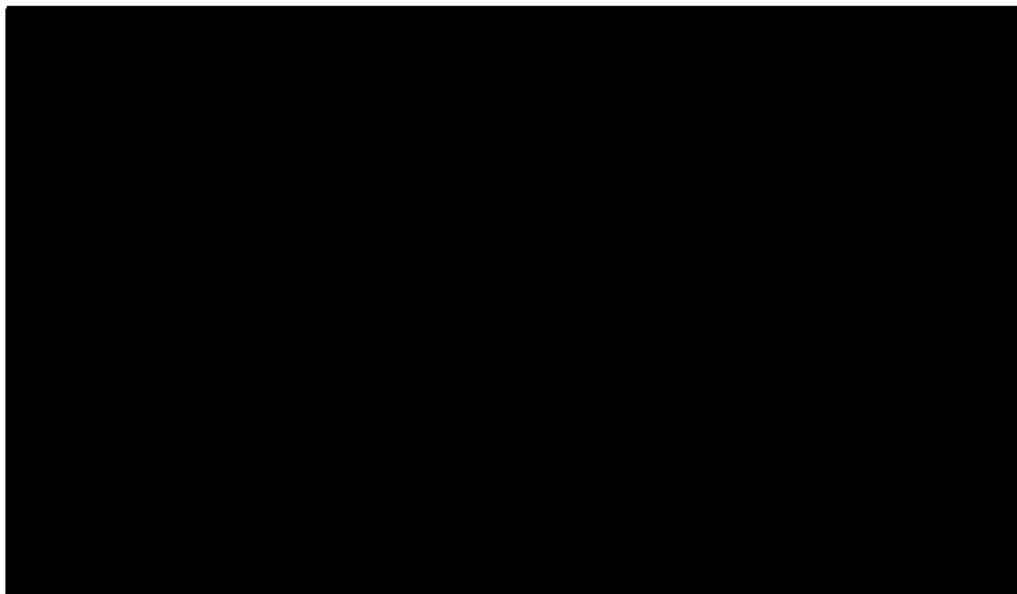
- AND MOST IMPORTANTLY CLASS 1402 - IS THAT SAYS REFERRAL TO CATCHMENT AUTHORITIES.
- PROPER USE OF NICKERSON PLANNING PROVISIONS
  - CAN ONLY OCCUR WITH PROPER INFORMATION AND AS STATED TRANSPARENCY AND CONSULTATIONS.
  - TO IDENTIFY ALL THAT IS.

- LOCAL PLANNING POLICY FRAMEWORK AND MUNICIPAL STRATEGIC STATEMENT.
  - CLAUSE 21.03 & 21.05
  - THIS SHOULD BE COMPATIBLE AS SUSTAINABLE WITH THE AMENDMENT AT HAND.

- CLAUSE 21.07
  - INTRODUCING UPDATES TO THE CURRENT KEY ISSUES, GOALS AND STRATEGIES TO ADDRESS FLOOD RISK AND FLOODPLAIN MANAGEMENT BY INCLUDING CRESSWICK FLOOD MITIGATION AND URBAN DRAINAGE PLAN. I ASK THAT THIS BECOME A LIVING DOCUMENT TO REFLECT CHANGING CIRCUMSTANCES KNOWLEDGE, CLIMATE CHANGE TO TRULY REFLECT THE SPP, LPPF AND STRATEGIC STATEMENT.
  - TO ALSO ACKNOWLEDGE AND INCLUDE CRESSWICK HYDROGEOLOGICAL REPORTS 1 + 2 - SPECIFIC TO LANDFILL SITE.

- CLAUSE 22.01
  - TO ENSURE USE AND DEVELOPMENT IS CONSISTANT AND REFERRED TO DWELP + NCCA.

- ECONOMIC COST.
  - WE DO NOT BELIEVE THAT LSTO - AS A FLOOD IDENTIFICATION TOOL SHOULD GIVE RISE TO THE REVISION OF EXEMPTION FROM ANY PERMIT AFTER EXAMINING THE RISK ASSESSMENT FOR IMPLEMENTATION. THE COST OF PERMIT AND ASSESSMENT BY COUNCIL IS MINIMAL TO THE ENVIRONMENTAL COST, COMMUNITY COST THAT COULD BE CAUSED ON IMPORTANT CATCHMENT RESOURCES AND HABITAT OF THE GROWING GRASS FIRE.
  - WE OBJECT TO EXEMPTION OF PERMIT.



ATTACHMENT <sup>6</sup>

PLEASE FIND ENCLOSED FOLLOWING PHOTOS

1. 22 AVINGS

2. 36 AVINGS

A - DEBRIS (LOGS)

B - SUROUNDS

3. RESTRICTED CREEK ELIZABETH RD

4. ELIZABETH ST CULVERTS BOTH SIDES

A + B - INLETS

5. CREEK

A - EROSION

6. CREEK TRAVELING TOWARD RING RD

7. RING RD CULVERTS

8. TRANSFER STATION FLOOD PLAINS

9. FLOOD FLOOD MARKERS

10. OTHER SIDE RING RD. FLOOD PLAINS

11. LESWICK CREEK WORKS (ILLEGAL)

12. LESWICK SEWERAGE POND FLOOD PLAINS



2 36 ANNE STREET CROSSING ?

AREA DELINEATED ON MAP





29 O'NEEFES PROPOSALS HAVE

ADJACENT TO SL ABOVE STREET  
CROSSING

PREVIOUSLY ONLY AREA OF INFILTRATION IS  
~~RESTRICTED~~ IN REMAINING SECTION

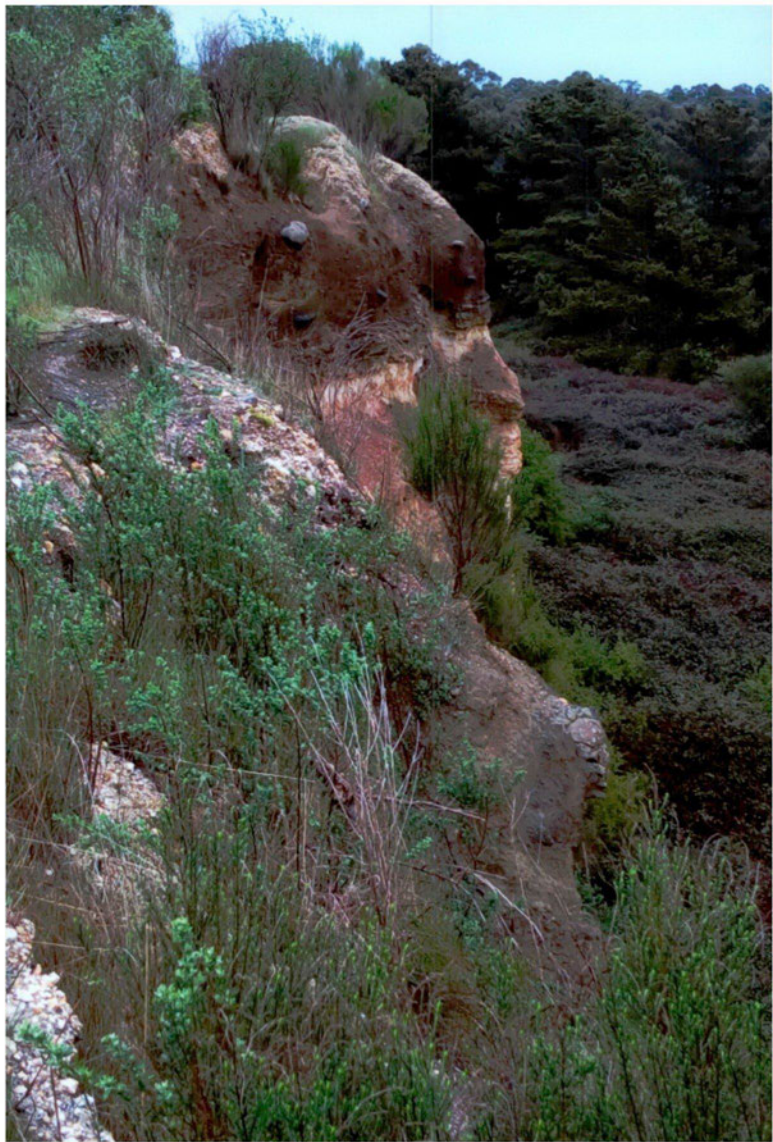


2A

OKEEES DLEDGE HAD

Asy Acost PD 36 THREE SEVEN

17 SEVEN?



2A

CUT ON EDGE OF BRIDGE AND  
36 AMES STREET



2A/B VIEW DOWNHILL TO TRANSFORMATION TRACK

36 HUND ST





2A/C

CLIFF SHOWING EROSION - DRAINAGE  
LINES  
+ O'ROCKS DEPOS

36 CROSSING RD



29/3

CHANNEL FROM O'LEAFES DREDGES  
LOOKING OVER WATER UP TO  
36 ~~APPROX~~ EST CREEK



289

CHANNEL FROM O'LEFF'S DREDGE  
HEADLINE TO RING ROAD  
CROSSING



4 / ENGLISH ST CHARLES CROSSING AND  
SIDE LUTHER STREET

STRADE 37 LUTHER ST FENCE





4A  
INLET PIPE (DRAINAGE)

ELIZABETH RD SIDE OF CAULDRON  
FROM CURTIS / ANNE / RONDEW ST'S ..  
KIND 1A ANN ST.



4B

CAUGHT FROM OUR PROPERTY

UNDER WATSON ST

SHOWING CATCH

NEXT TO 37 WATSON  
ST.

5C

ALSO SHOWS PROBLEMS

Creek

REALIGNED  
CREEK



6/ CREEK TRAVERSING TO RING ROAD  
SHOWING CREEK DRAINAGE LINE

AND ✓ - REALIGNMENT TO  
O'GROVE'S CHANNEL BEHIND UNDER  
TREES



6/ REARRANGEMENT OF CROSSLINK TO C'ROSSLINK COMPOUND





6/

check to RING KD FROM

BUYER SR



6/

LONG GRASS IDENTIFIERS CREEK

AT REAR OF CUTLET ST

PLUSES - TRAVELING

ACROSS TO

RING RD



7 1st CALORIMETER INDICATOR  
REVERSE PD



2

Fast line RD ALBERT

(PASSING UNDER)





7

FROM 1<sup>st</sup> CAMOUFLAGE

OTHER SIDE OF

RING ROAD





7A / 2ND CALVERT PASSING UNDER  
RING RD



6/

TRANSFER STATION

FLOOD PLAINS







9A

FLOOD MARKET ON FORD



FLOODWAY

98

12000

MARKERS

36720E









11A DEPARTING LEADING FROM TRANSFER  
STATION TO CHECK

163502





11 B

OTHER SIDE OF ORIAN LEADING  
THROUGH TO CREEK  
VIA CAUSEWAY FROM  
TRANSFER STATION

ILLEGAL



12

CROSSWICK SEWERAGE LINE

FLOWING ALONG CREEK BANK

TO OLD SEWERAGE POND

(NOW DIVERTED TO BUCKRAH)

- STILL ON CREEK BANK  
OPERATIONAL



13

BOTH NEW AND HISTORIC RAIL BRIDGES IN CROSSICK  
CREEK LOOKING TOWARD PEACHTHAMS GULLY AND  
CITLERSSEN.

- NOTE WATER MARKS



13 A

ONE AGAIN KRIC SUPPORTS IN CROCK

→ SHOWS DISTANCES ACROSS THAT FILLS W WATER  
AND WATER MARKS  $\frac{3}{4}$  WAY UP PYCOWS.





138

SEVERAL MTS FROM RAIC BRIDGE  
TREE STUMS FOUND DEEPER FROM  
RECENT RAIN

THANK YOU

PHOTO'S 33

PART OF SUBMISSION

FROM M. POTTER AND G. PHILLIPS  
20 ANNE ST  
~~CREWICK~~

3363.

FLOODING  
AMENDMENT C77 kept  
HEPBURN SHIRE COUNCIL



1/22 ANNIS STREET CRESWELL?

END OF ROAD

OVER GREAT Paddock