



GOLDEN PLAINS SHIRE

# **ATTACHMENTS**

**Under Separate Cover  
Ordinary Council Meeting**

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**6.00pm Tuesday 28 May 2019**



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## AMENDMENT C80

### ADDITIONAL BACKGROUND INFORMATION

In December 2016, Council obtained funding (\$85,000) from the Department of Environment Land Water and Planning (DELWP) to prepare a flood study for Inverleigh, which was completed by engineering consultants Water Technology in September, 2018. The study was adopted by Council at its meeting of 25 September, 2018.

The study mapped the locations that would be affected by flooding in Inverleigh during a minimum of a 1 in 100 year storm event (the most severe storm likely to occur in 100 years). The study also mapped flood depths and identified locations that would be most seriously and less seriously affected by flooding. The consultants who prepared the study utilised best practice flood modelling techniques and also considered historic flood data.

The flood study recommended new Floodway Overlay (FO) and Land Subject to Inundation Overlay (LSIO) mapping for Inverleigh within the Golden Plains Planning Scheme. The locations most seriously affected by flooding were recommended for inclusion under the FO whereas locations affected by flooding to a lesser degree were recommended for inclusion under the LSIO. Although the LSIO and FO already apply extensively in Inverleigh (based on much older flood studies) the recommended mapping under the current flood study generally represents an increase in the extent of the current mapping. Notably 85 properties proposed to be affected by LSIO or FO mapping were not previously affected. In some cases the amendment also proposes to replace existing LSIO mapping with FO mapping and vice versa. The extent of mapping over some properties already affected has also changed (either increased or decreased depending on the property).

Almost all types of development require a planning permit under the LSIO and FO and are referred to the Corangamite Catchment Management Authority (CCMA) as a key part of any planning permit application process. The FO applies to properties at relatively greater risk, and only applications under the FO also need to be accompanied by a flood risk report with particular requirements including an analysis of the potential risk to life, health and safety and the effect of the development on redirecting or obstructing flood water.

Clause 13.03-15 of the Golden Plains and all other Victorian Planning Schemes indicates that land potentially inundated by flooding including during the 1 in 100 year storm event, should be identified. The Victorian Planning Provisions provide tools to recognise different flood susceptibilities including the FO and LSIO, with the key goal of protecting life and property.

Notably the amendment also contains new FO1 and LSIO1 schedules for Inverleigh only, which was not initially conceived for the amendment and was not a recommendation of the flood study. These schedules were developed as a response to a DELWP condition of authorisation for the amendment. This condition required Council to:

“Include as part of the amendment revised schedules to the LSIO and FO. The revised schedules must be compliant with the *Ministerial Direction on the Form and Content of Planning Schemes*. Categories of buildings and works ‘scheduled out’ must make proper use of the Victoria Planning Provisions.”

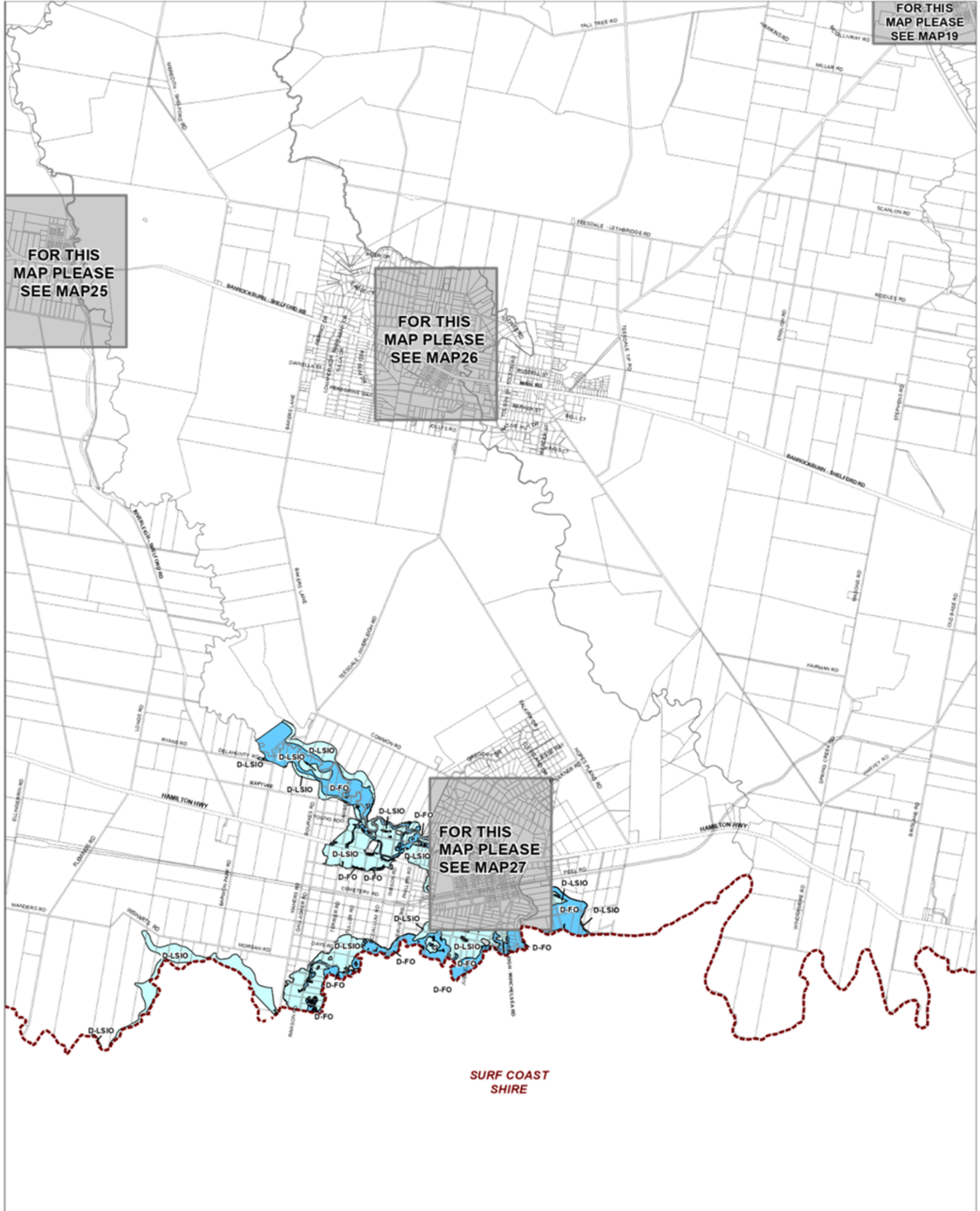
For background it is currently the case that all amendment documents are required to comply with a direction from the Minister for Planning called *“The Form and Content of Planning Schemes”*. This direction limits Council to the use of certain State standard headings when updating the written components of the Planning Scheme. In the case of the FO and LSIO schedules the State allows headings to include *“Permit Requirement”*, *“Decision Guidelines”* and more, however the headings listed under the Ministerial Direction change from time to time. In recent years DELWP have generally required that older schedules that do not comply with the latest version of the Direction be brought into compliance with the Direction at the time that relevant content from the Planning Scheme is proposed to be amended.

The existing Golden Plains LSIO and FO schedules do not conform to the latest version of *“The Form and Content of Planning Schemes”* as the headings under the schedules only contain a section for *“Permit Requirement”* and *“Works”* and not *“Decision Guidelines”* or other headings listed in the Ministers Direction. DELWP considered that updating the flood mapping warranted an update to the flood Schedules in Inverleigh to conform to the Ministerial Direction. Consequently, officers have developed a new LSIO1 and FO1 as a replacement of the existing FO and LSIO within Inverleigh only, as the amendment is Inverleigh specific. These schedules conform to the latest requirements of *“The Form and Content of Planning Schemes”*.

DELWP also identified that the existing FO and LSIO schedules contain some planning permit exemptions that are duplicated in the Overlay under which the schedules reside. Duplicate content was subsequently not included in the FO1 and LSIO1, helping to ensure no unnecessary content in the new schedules.



# GOLDEN PLAINS PLANNING SCHEME - LOCAL PROVISION AMENDMENT C80



**LEGEND**

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

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0 1,750 3,500  
Meters  
NORTH  
Planning Group  
Printed: 14/09/2018

Australian Map Grid Zone 54  
**VICTORIA** State Government  
Environment, Land, Water and Planning

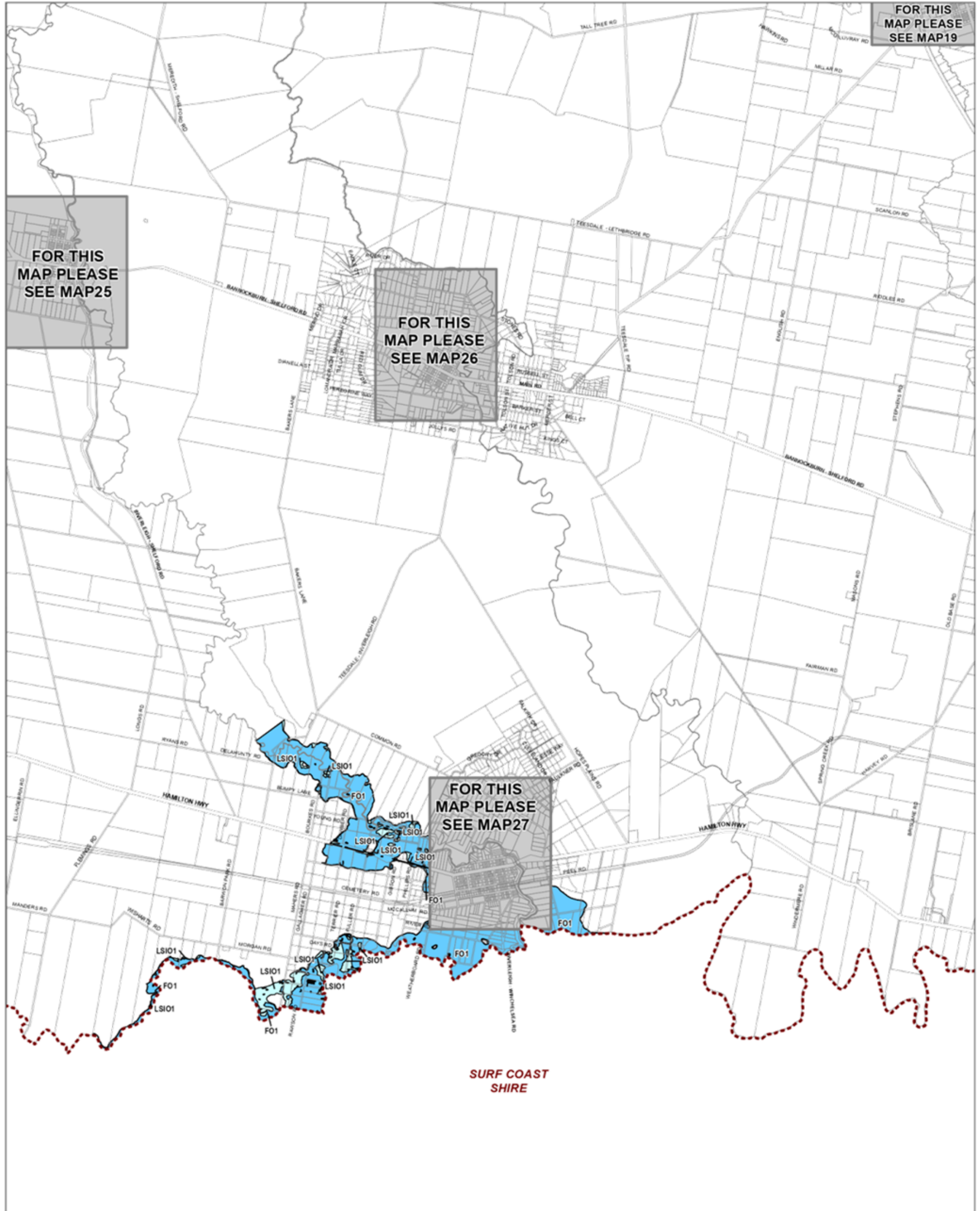
**INDEX TO ADJOINING SCHEME MAPS**


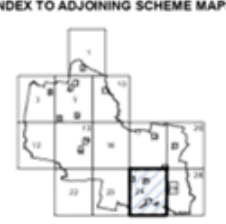
**AREA TO BE DELETED FROM A LAND SUBJECT TO INUNDATION OVERLAY** **MAP No 24LSIO**





**GOLDEN PLAINS PLANNING SCHEME - LOCAL PROVISION  
AMENDMENT C80**



<p><b>LEGEND</b></p> <p>FO - Floodway Overlay</p> <p>LSIO - Land Subject to Inundation Overlay</p>	<p>--- Municipal Boundary</p>	<p><small>Disclaimer</small> This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.</p> <p><small>© The State of Victoria Department of Environment, Land, Water and Planning 2018</small></p>	<p>0 1,750 3,500 Meters</p> <p>Australian Map Grd Zone 54</p> <p><b>NORTH</b></p> <p>Planning Group</p> <p>Printed: 10/01/2019</p>  <p>Environment, Land, Water and Planning</p>	<p><b>INDEX TO ADJOINING SCHEME MAPS</b></p> 
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**LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY** **MAP No 24LSIO-FO**



## GOLDEN PLAINS PLANNING SCHEME

--/20--  
Proposed C80

**SCHEDULE 1 TO CLAUSE 44.03 FLOODWAY OVERLAY**

Shown on the planning scheme map as **FO1**.

**INVERLEIGH****1.0 Floodway objectives to be achieved**

--/20--  
Proposed C80

None specified.

**2.0 Statement of risk**

--/20--  
Proposed C80

None specified.

**3.0 Permit requirement**

--/20--  
Proposed C80

A permit is not required to construct or carry out the following:

- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Repairs and routine maintenance that do not affect the height, length or location of a levee or embankment.
- A rainwater tank with the capacity of not more than 50,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- Sports grounds with no grandstands or raised viewing areas,
- Playgrounds, picnic shelters and barbeques.
- Bicycle pathways and trails where there is no increase in the natural ground level.
- An upper storey extension to an existing building within the existing building footprint provided that the extension does not require a new or altered on site waste water treatment system.

**4.0 Application requirements**

--/20--  
Proposed C80

A Flood Risk Report in accordance with Clause 44.03.

**5.0 Decision guidelines**

--/20--  
Proposed C80

None specified.

GOLDEN PLAINS PLANNING SCHEME

--/20--  
Proposed C80

**SCHEDULE 1 TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY**

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

**INVERLEIGH**

**1.0 Land subject to inundation objectives to be achieved**

--/20--  
Proposed C80

None specified.

**2.0 Statement of risk**

--/20--  
Proposed C80

None specified.

**3.0 Permit requirement**

--/20--  
Proposed C80

A permit is not required to construct or carry out the following:

- A non-habitable building with a floor area of less than 50m<sup>2</sup>.
- An extension to a non-habitable building, provided that the total ground floor areas of the building is less than 50m<sup>2</sup>.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- A telecommunications facility.
- An upper storey extension to an existing building within the existing building footprint provided that the extension does not require a new or altered on site waste water treatment system.
- A rainwater tank with a capacity of not more than 50,000 litres.
- An agricultural shed with open sides.
- Earthworks that do not raise ground level topography by more than 200 millimetres and does not include the removal, destruction or lopping of trees and the removal of vegetation or topsoil.
- Repairs and routine maintenance that do not affect the height, length or location of a levee, embankment or road.
- Open sports ground with no grandstands or raised viewing areas.
- Playgrounds, picnic shelters and barbeques.
- A protective wall or levee bank around an existing dwelling and its curtilage, providing it protects an area (including the foot print of the protective wall and levee bank) less than 200m<sup>2</sup>.
- Works to any access way or path (public or private) that do not change the finished level of the surface.
- Bicycle Pathways or Trails where there is no increase in the natural ground level.

**4.0 Application requirements**

--/20--  
Proposed C80

None specified.

GOLDEN PLAINS PLANNING SCHEME

**5.0 Decision guidelines**

--/20--  
Proposed C80

None specified.

## GOLDEN PLAINS PLANNING SCHEME

**22.11 FLOODPLAIN MANAGEMENT**21/12/2017  
C76

This policy applies to all land affected by the Floodway Overlay (FO) or the Land Subject to Inundation Overlay (LSIO).

**21.11-1 Policy Basis**21/12/2017  
C76  
Proposed C80

The catchments of the various rivers and streams within Golden Plains Shire include areas of flood prone land where flooding has historically caused substantial damage to the natural and built environment. The town of Inverleigh is most affected by flooding due to the confluence of the Leigh and Barwon Rivers. The Woody Yaloak River is another key floodplain affecting the north of the Shire. Floods are naturally occurring events and the inherent functions of the floodplains to convey and store floodwater should be recognised and preserved to minimise the long term flood risk to floodplain production assets and communities. Natural flooding, long term productivity of flood prone land, river and wetland health are all closely linked. Inappropriate development on the floodplain can lead to the deterioration of environmental values and reduced agricultural production.

It is evident that the impact of floods is increasing due to land use and vegetation changes. In particular:

- Urban expansion has occurred in many of the Shire's towns, increasing the speed and quantity of flood runoff while at the same time reducing natural flood storage and obstructing flood flows leading to an increase in the risk to life, health and safety of occupants of the floodplain.
- Raised earthworks (including but not limited to roadworks, levees and farm channels) have reduced natural flood storage, obstructed and/or redistributed flood flows, and increased flow velocities and levels.
- Clearing of land for rural and urban development.

Sound floodplain management in the municipality is the critical means by which the economic, social and environmental risks associated with floodplain use and development can be minimised.

This policy:

- Applies the floodplain management State Planning Policy Framework objective in clause ~~15.02-13.03~~ to local circumstances;
- Builds on the Municipal Strategic Statement objectives and strategies in clause 21.04-02 and 21.03 relating to managing residential growth and the natural and built environment; and
- Implements the objectives of the *Corangamite Catchment Management Authority Regional Catchment Strategy* and the *Corangamite Waterway Strategy*.

**Objectives**

- To minimise flood risk and promote sustainable use and development of the floodplain.
- To ensure land use and development on the floodplain is compatible with flood risk.
- To ensure that where permitted, development in the floodplain:
  - Maintains the free passage and temporary storage of floodwaters
  - Minimises flood damage
  - Will not cause any significant rise in flood level or flow velocity
  - Will not cause any impact on adjacent property.
- To discourage the intensification of land use and development in floodplains.
- To recognise the natural flood carrying capacity of rivers, streams and wetlands and the flood storage function of floodplains.

## GOLDEN PLAINS PLANNING SCHEME

- To protect surface and ground water quality, and preserve important wetlands and areas of environmental significance.
- To minimise risk associated with overland flow of storm water.

**Policy**

It is policy to:

- Discourage any new buildings and works, including land filling, in the Floodway Overlay and the Land Subject to Inundation Overlay areas.
- Discourage any new subdivision on land affected by the Floodway Overlay and the Land Subject to Inundation Overlay.
- Discourage earthworks that obstruct natural flow paths or drainage lines.
- Align out buildings so that their longitudinal axis is parallel to the predicted direction of the flood flow.
- Encourage new buildings and extensions to be designed so that flooding will cause minimal damage to the structure and its contents, including raising floor levels, using water resistant materials and raising electrical fittings and wiring above the nominal flood protection level.
- Encourage replacement fences to be of an open type such as post and wire.

**Reference Documents**

- Corangamite Catchment Management Authority Regional Catchment Strategy
- Corangamite Waterway Strategy
- [Flood Risk Management Study Barwon Rivers at Inverleigh \(Water Technology Pty Ltd, 2018\)](#)