



Flood Overlays Update

Planning Scheme Amendment C131

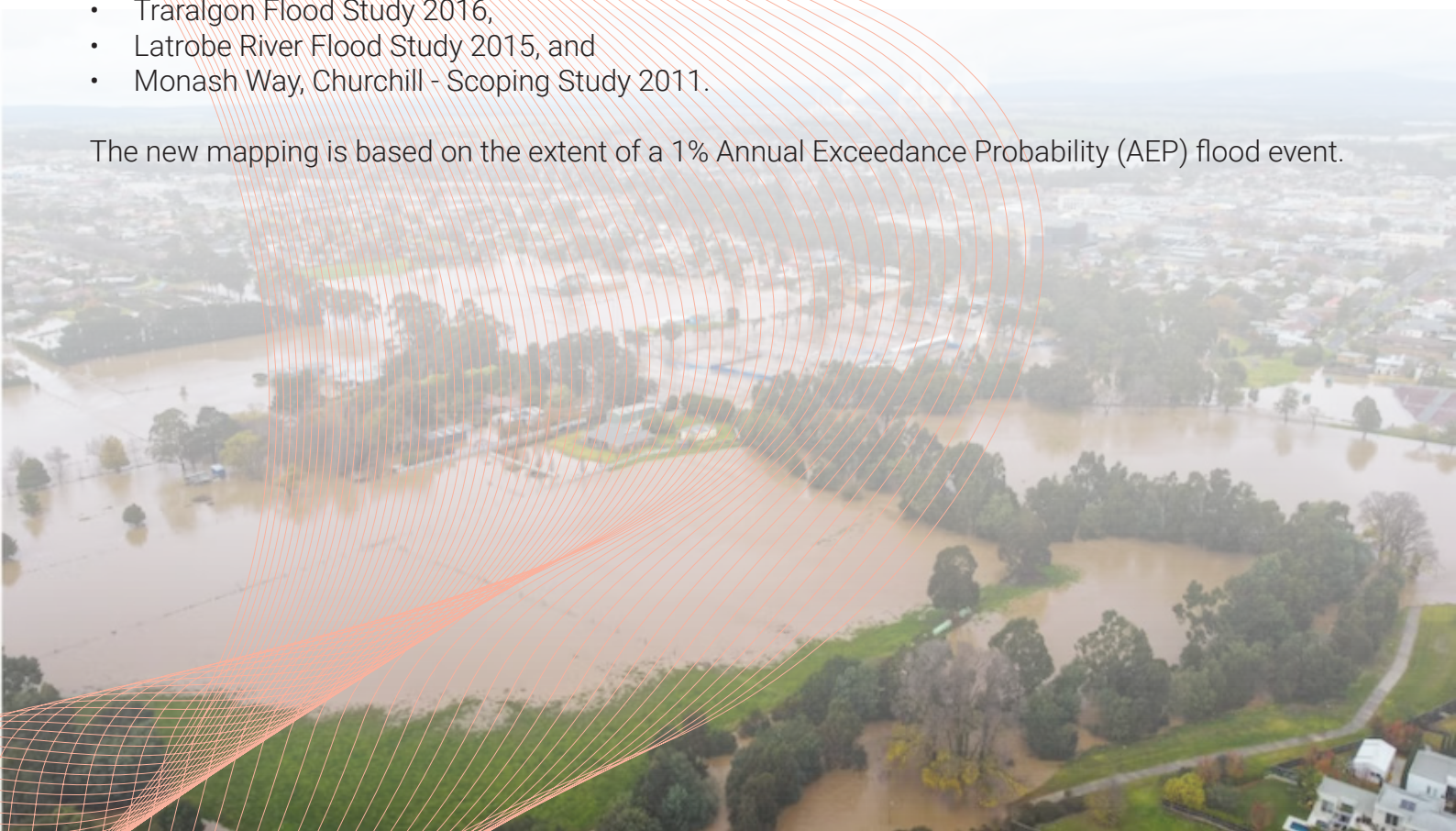
Latrobe City Council has a responsibility to map risk to life and property under Section 6(2)(e) of the *Planning and Environment Act 1987* to ensure flood risk and community safety in flood prone areas is appropriately managed.

It is a requirement of State Government Policy and the *Victorian Floodplain Management Strategy* to ensure that flood prone land is mapped in the Latrobe Planning Scheme. This is done by applying planning controls known as 'Overlays' to areas identified as being at risk of flooding so that the risk is properly considered, and only appropriate development takes place in these areas. It ensures that the community is aware of the best available flood information to make informed decisions about developing land prone to flooding.

The Amendment proposes to update the maps for the existing overlay controls – the Floodway Overlay (FO) and Land Subject to Inundation Overlay (LSIO) - throughout the municipality. The revised maps will reflect new flood information prepared by the West Gippsland Catchment Management Authority (WGCMA) based on:

- Glengarry Eaglehawk Creek Report 2023,
- Morwell North West Drainage Report 2016,
- Morwell North West DCP 2017,
- Rintouls Creek Study 2015,
- Tyers River Floodplain Mapping 2015,
- Upper Traralgon Creek Report 2023,
- Traralgon Flood Study 2016,
- Latrobe River Flood Study 2015, and
- Monash Way, Churchill - Scoping Study 2011.

The new mapping is based on the extent of a 1% Annual Exceedance Probability (AEP) flood event.



What Has Occurred so Far?

STAGE ONE

- Research
- Data Collection
- Review and analysis of background documents

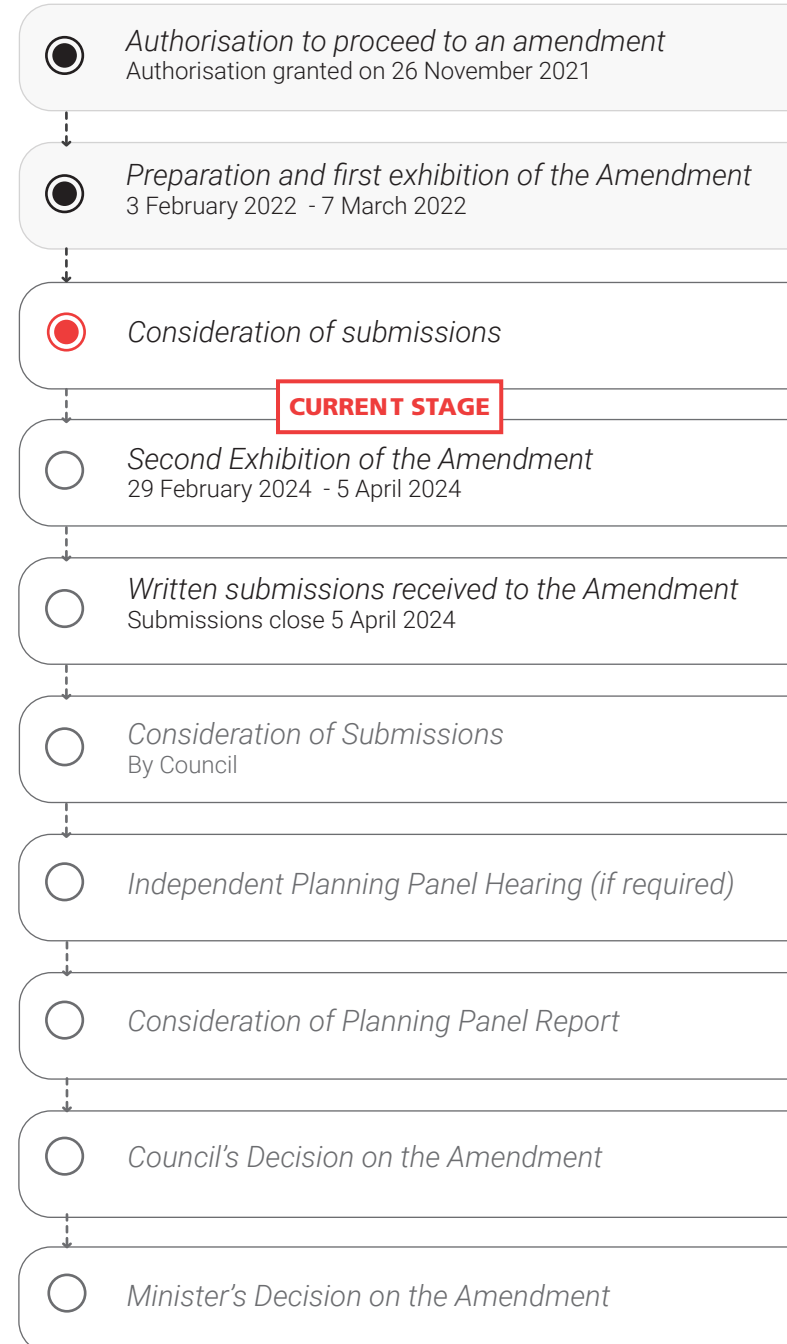
STAGE TWO

- Amendment C131 was placed on exhibition from 3 February 2022 to 7 March 2022.
- Consideration of submissions
- Further analysis of background reports
- A peer review of all the background and planning scheme amendment documents undertaken.

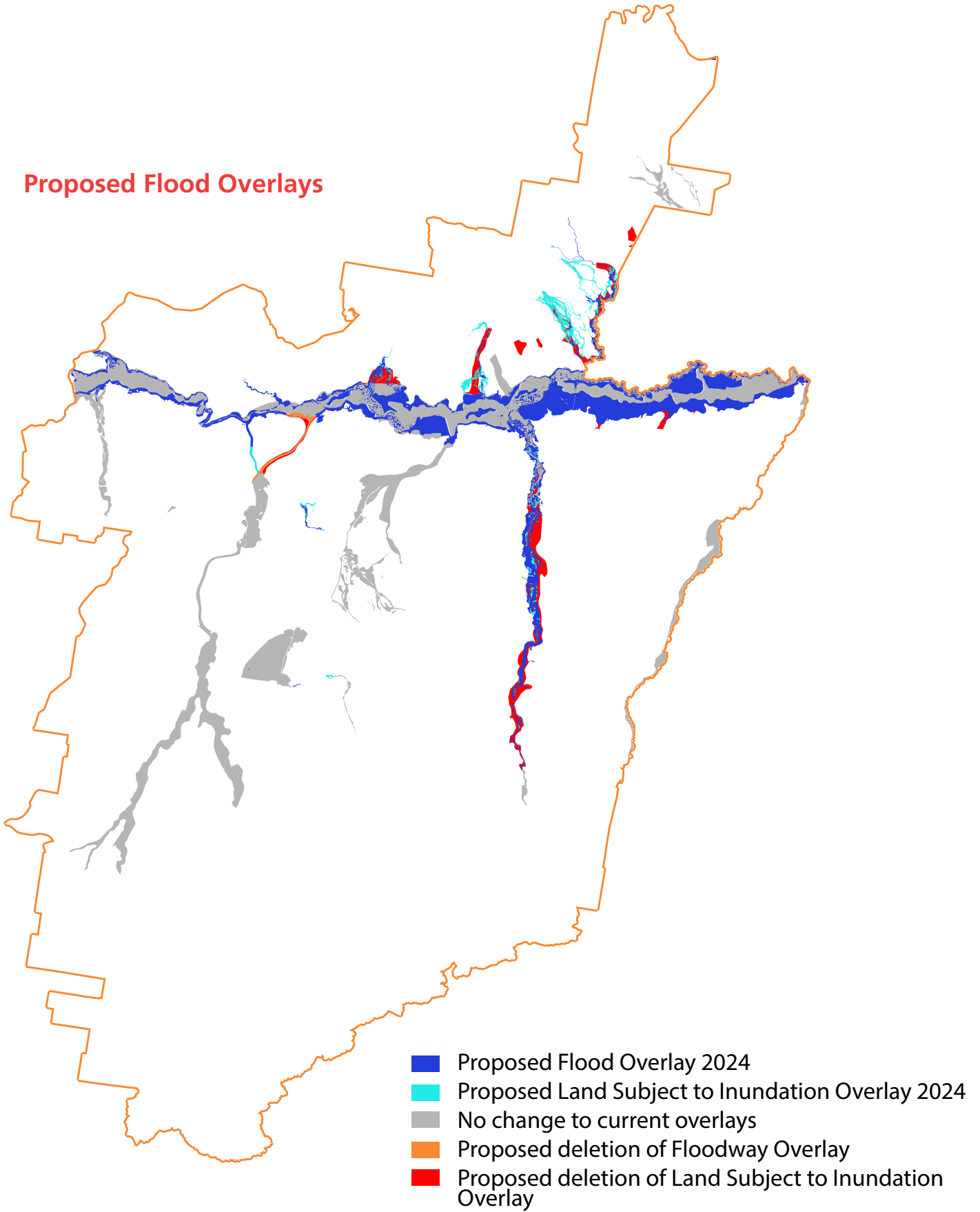
STAGE THREE (CURRENT)

- Council resolved to undertake further consultation with submitters on 6 November 2023
- Council resolved to re-exhibit the amendment on 5 February 2024
- Exhibition of the Amendment from 29 February 2024 - 5 April 2024

Planning Scheme Amendment Process



Proposed Flood Overlays



Amendment C131 does not create the flood risk but recognises an existing risk so landowners can make appropriate decisions about future development.

If your property has been identified as having a flood risk, it should be noted that the existing flood risks to your property have not changed.

View the Details

The update to the flood overlays planning scheme amendment documentation can be viewed online at:

www.latrobe.vic.gov.au/c131 or www.planning.vic.gov.au/public-inspection

Hard copies can be viewed at our service centres during business hours at:

- 34-38 Kay Street, Traralgon
- 141 Commercial Road, Morwell
- 1/29 George Street, Moe
- 9-11 Phillip Parade, Churchill

You can view the extent of the proposed flood overlays at:

Council's Neighbourhood Navigator (GIS):

www.latrobe.vic.gov.au/City/The_Region/Moving_to_Latrobe_City

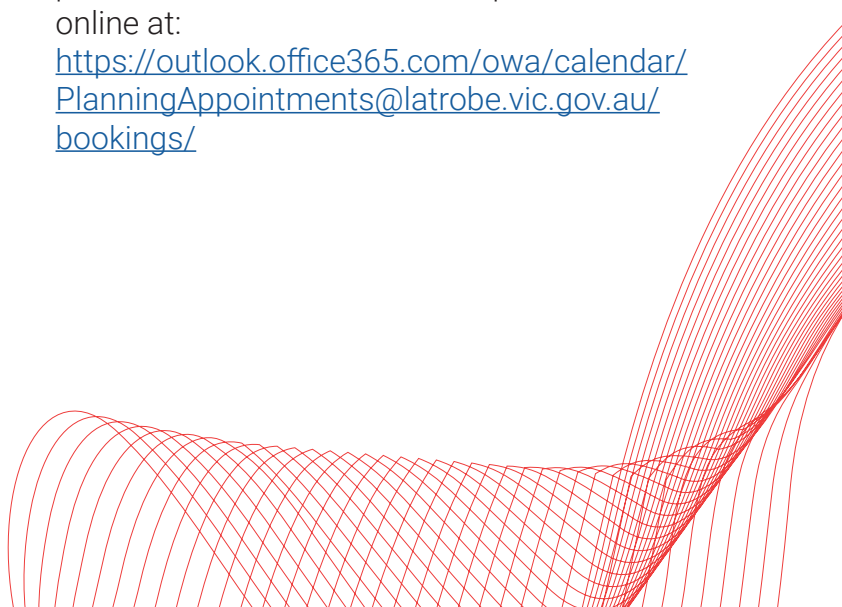
Come and See Us

You can drop-in at any time between the times specified below and speak to a council officer about the amendment.

<i>Location</i>	<i>Date</i>	<i>Time</i>
Gippsland Performing Arts Centre, <i>34 Kay Street, Traralgon</i>	6 March	10am - 2pm
Glengarry Mechanics Institute, <i>Railway Avenue, Glengarry</i>	7 March	10am - 7pm
Nambur Wariga Room, Morwell Headquarters, <i>141 Commercial Road, Morwell</i>	13 March	2pm - 7pm
Moe Service Centre, <i>1-29 George Street, Moe</i>	14 March	2pm - 7pm
Glengarry Mechanics Institute, <i>Railway Avenue, Glengarry</i>	19 March	10am - 7pm
Gippsland Performing Arts Centre, <i>34 Kay Street, Traralgon</i>	20 March	2pm - 7pm

If these times are not suitable for you, please phone us to discuss alternate options or book online at:

<https://outlook.office365.com/owa/calendar/PlanningAppointments@latrobe.vic.gov.au/bookings/>



Have Your Say

We're looking for your feedback on proposed Amendment C131, here's how you can have your say:

Post

Latrobe City Council
Attention: Strategic Planning Department
PO Box 264 Morwell VIC 3840

Email

latrobe@latrobe.vic.gov.au
Attention: Strategic Planning

Online

www.yoursay.latrobe.vic.gov.au

We appreciate and value your contribution and look forward to receiving your input.

Why does flood information need to be included in the Planning Scheme?

Latrobe City Council has a duty of care to ensure that current flood information is available to the community by way of the planning scheme. It is a statutory requirements of the *Building Regulations 2018 section 148* that councils map the flood hazard.

Including flood information into the planning scheme allows landowners and developers immediate access to the necessary information about flooding of land at the early stages of the development process. This information also appears on planning and property information certificates when property exchanges hands. The overlays will help ensure that new development is designed with the flood risk in mind.

Privacy Collection Notice

Please note that all submissions must include your name and address to be considered.

Please note that in accordance with the Planning and Environment Act 1987, Council must make available for inspection, a copy of any submissions made to Amendment C131.

Submissions close at **5pm Friday 5 April 2024**.

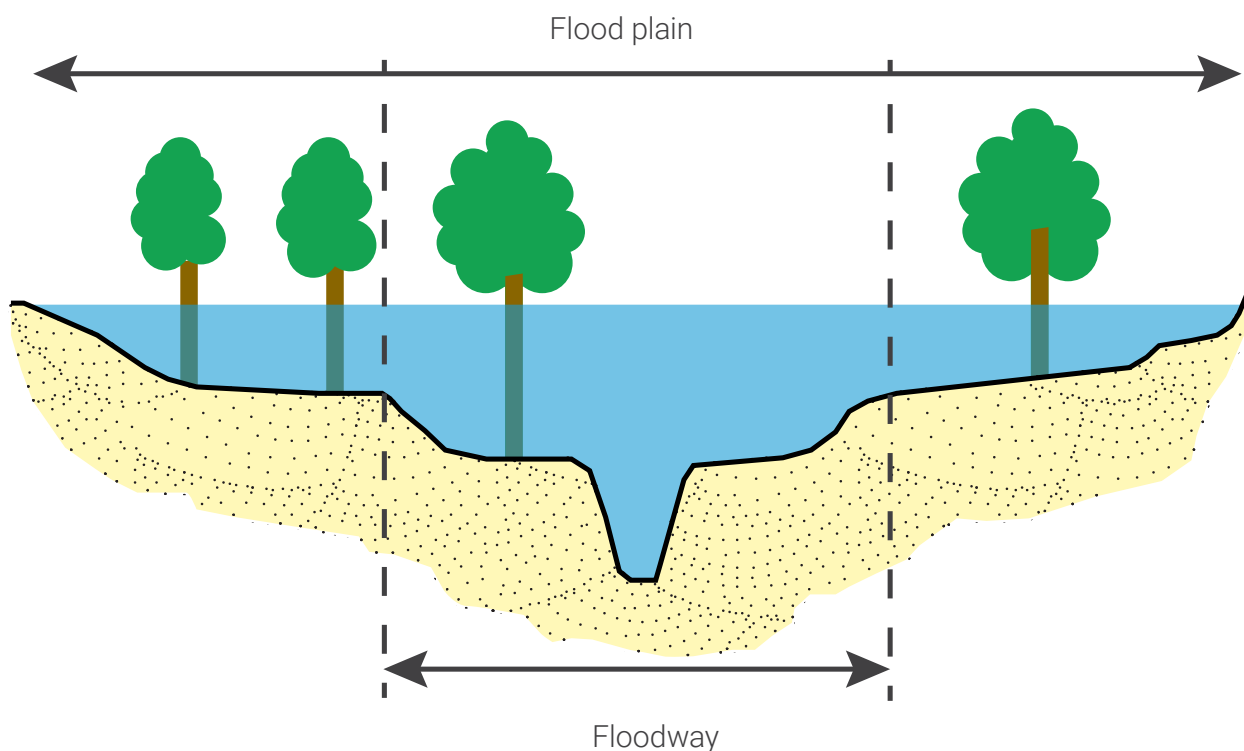
What is the difference between a Floodplain and a Floodway?

All water bodies have floodplains. The floodplain is the nearly flat area adjacent to rivers and streams that is naturally subject to flooding. Flooding can occur under many circumstances but generally the floodplain is classified as the area at risk to flooding from the 1% Annual Chance event or the 1:100 event. In the past, development has been allowed to occur in the floodplain encroaching into and reducing that natural area that would normally be subject to flooding. The floodway is the area that has to be kept free of any development in order to continue to pass that 1:100 year flood volume without raising water levels beyond the regulated limit.

What is the difference between the Floodway Overlay (FO) and Land Subject to Inundation Overlay (LSIO)?

The FO is applied to areas of mainstream flooding that convey active flood flows and/or store floodwater. These areas are referred to as a 'floodway', which may generally be defined as an active flow path that conveys the majority of flood waters and experiences higher velocities and depths compared with the rest of the floodplain. Floodway land incorporates hazardous areas where the potential for flood damage to people and/or property is high. Key considerations for land within the FO include whether the development will obstruct flood flows or increase flood risk.

The LSIO is applied to areas that generally have a lower flood risk than FO areas. These areas are referred to as 'land subject to inundation', which may generally be defined as the estimated area that would be inundated in a 1% Annual Exceedance Probability (AEP) flood event (often referred to as a '1 in 100 year event').



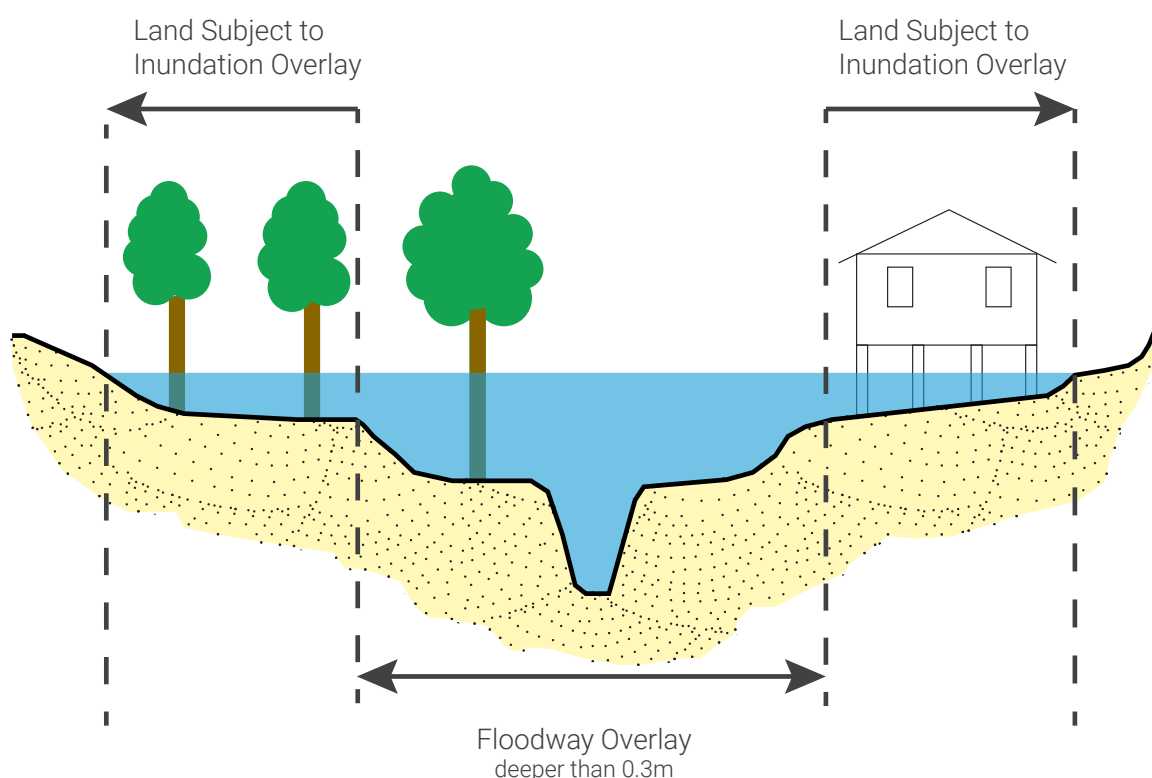
Land subject to inundation may provide some storage of flood waters and should be subject to planning controls, given that inappropriate buildings and works may be damaged by floods or may aggravate the impact of floods.

The LSIO maps flood depths between 0.05m and 0.3m. Whereas the FO maps flood water depths greater than 0.3m. 0.3 metres was chosen as the minimum FO depth as this is the depth of flooding that is unsafe for small vehicles.

How are significant storm events measured?

Flood events are referred to in measurements known as an Annual Exceedance Probability (AEP) which is a statistical measure of an event occurring in any given year. Flood mapping is based on a 1% AEP event which is a high-intensity storm that has only a 1% statistical chance of occurring in any one year.

This does not mean that, if an area has experienced a “one-in one- hundred-year flood” it won’t have another flood for the next 100 years. 1% AEP event is used to define the flood overlays in planning schemes and is the standard used for planning across Australia. The 1% AEP event is also used for declaring flood levels and flood areas under the *Water Act 1989*, and to set minimum building floor levels under the *Building Act 1993*. It is not possible to determine when an area affected by Amendment C131 will flood, however the most up to date information indicates that the Amendment C131 areas will be subject to flood in the future.



What are the responsibilities of Latrobe City Council and West Gippsland Catchment Management Authority (WGCMA)?

Latrobe City Council is responsible for assessing planning permit applications under the flood provisions of the planning scheme. Latrobe City Council may also include flood policies in the planning scheme that provide guidelines for making decisions about places that are included in flooding zones and overlays.

WGCMA, as a referral authority, are required to assess planning permit applications for subdivisions and other developments on land where the FO and LSIO are applied. This is to ensure that new developments near or on floodplains are appropriately planned to protect assets, the floodplain environment, buildings and most importantly the life, health and safety of the occupants.

Where did the revised mapping come from?

The West Gippsland Catchment Management Authority (WGCMA) is the floodplain authority for the areas where Amendment C131 proposes changes to flood mapping (see map for designated areas).

As a part of the consideration of submissions, it was determined that a peer review was required. The peer review recommended some changes to the mapping so Council has decided to re-exhibit the amendment with those changes.

The mapping is based on numerous flood and drainage studies undertaken throughout the municipality to inform the overlays.

What is the technical basis for the proposed changes?

The changes to the overlays are based on nine technical studies, these include:

- Glengarry Eaglehawk Creek Report 2023,
- Morwell North West Drainage Report 2016,
- Morwell North West DCP 2017,
- Rintouls Creek Study 2015,
- Tyers River Floodplain Mapping 2015,
- Upper Traralgon Creek Report 2023,
- Traralgon Flood Study 2016,
- Latrobe River Flood Study 2015, and
- Monash Way, Churchill - Scoping Study 2011.

The technical studies are based on Australian Rainfall and Runoff (ARR), a national guideline document, data and software suite that can be used for the estimation of design flood characteristics in Australia.

Will the overlays prohibit development on my property?

The FO and LSIO do not prohibit development, except for subdivision within the FO, which is only permitted under limited circumstances.

The provisions of the LSIO and FO require that particular buildings and works be considered through a planning permit application process and referred to WGCMA (relevant floodplain management authority). This ensures that new development is protected from flooding and does not cause any significant rise in flood levels or flow velocities, which may adversely affect other properties.

The WGCMA *'Flood Guidelines - Guidelines for development in flood prone areas'* (2020) state that where flood depth during a 1% AEP flood event is likely to exceed 0.3 metres over the development site or 0.3 metres over the vehicle

route from the property, a proposal that seeks to intensify development through the creation of additional lots or dwellings is not supported as it would increase the amount of people and property exposed to the flood hazard.

If a 1% AEP flood event is likely to exceed 1.2 metres, development is not supported by WGCMA.

A planning permit under the LSIO and FO is only triggered where the overlay has been mapped. If the development is proposed on higher ground that is free from flooding a permit may not be required.

Amendment C131 only affects the LSIO and FO mapping and does not change the Planning Scheme policy which controls the planning permit requirements on LSIO and FO affected land.

What happens to existing development?

Landowners are not required to undertake changes to any existing buildings. However, any new development will be subject to the requirements of the proposed planning controls.

How will this affect my rates and property values?

Councils use property values as the basis of its rate collection. Planning Overlays are only one of many factors considered when valuing a property. Property values are determined by many factors including:

- Planning considerations such as zoning and overlay requirements;
- Property inspections;
- Building and planning permits;
- Recent sales and leasing in an area;
- Lot sizes;

- Types of surrounding properties;
- The level of infrastructure, amenities and services in the surrounding area;
- Tenancy opportunities;
- Prevailing trends in the 'market cycle';
- The social profile of areas; and
- The quality and maintenance of individual buildings.

<https://www.land.vic.gov.au/valuations/valuations-for-rate-and-land-tax/the-valuation-processes>

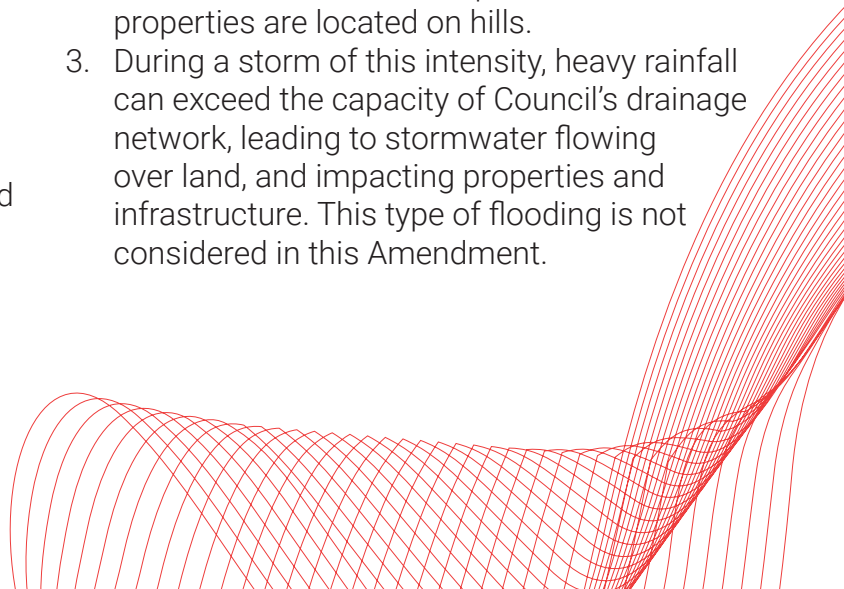
Previous Planning Panels appointed by the Minister for Planning have found that the application of Overlays does not have any significant or lasting effect on land values or insurance premiums.

It is noted that rates, insurance premiums and property values are not a planning consideration.

Can properties flood if they are not near a creek or a river, or live on a hill?

Yes, this can happen in three ways:

1. When creeks and rivers burst their banks the water can spread several hundred metres (even kilometres).
2. When water is running down the hill to the creek or river it will find the easiest path to follow. When pipes or kerb and guttering cannot handle all the water in a severe storm the water will find its own path, even when properties are located on hills.
3. During a storm of this intensity, heavy rainfall can exceed the capacity of Council's drainage network, leading to stormwater flowing over land, and impacting properties and infrastructure. This type of flooding is not considered in this Amendment.



Will the flood mapping impact my insurance premiums?

Insurance premiums are based on the most up-to-date available flood studies rather than planning scheme controls. The insurance industry has its own National Flood database where this information is kept.

In many cases insurance premiums will go down due to the availability of more reliable and accurate information. However, in some cases where deep flooding is identified, premiums may go up.

Council is unable to provide advice on insurance and recommends that you contact your insurance provider directly or for further information go to the Insurance Council of Australia at <https://insurancecouncil.com.au/resource/flood-insurance-explained/>

My property has never flooded, why is it considered at risk of flooding now?

We have less than 200 years of flood records in Australia. While there may be no memory or record of your property flooding it does not mean that the land has not flooded in the past, or that it won't flood in coming years.

Floods bigger than those we have experienced previously may occur. Using the rainfall records that are available, catchment topographic data and sophisticated computer models we can predict the possible extent of flooding for the full range of rainfall intensities that lead to possible flood events.

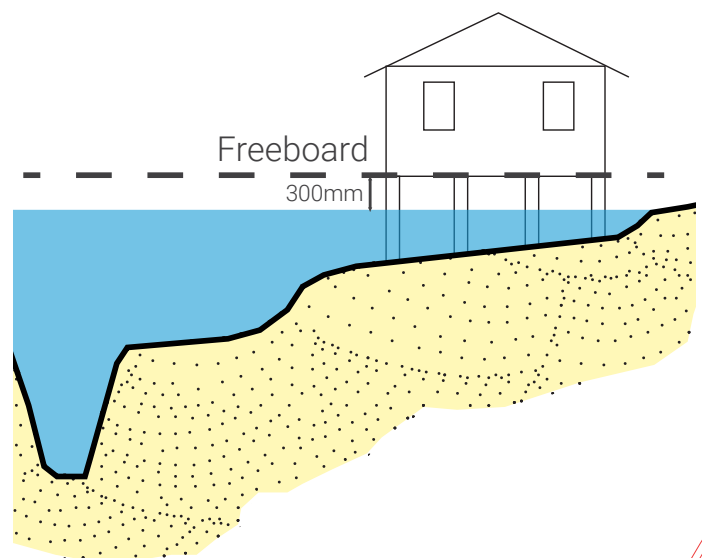
The data identifies areas in Latrobe that are at risk of flooding. Flooding occurs across Latrobe and we want to mitigate this risk as best we can to minimise the impact to your property or land and enable you to prepare for potential flood events. It also means that if you want to redevelop or build on your land you will be able

to do so in a way that is appropriate to the flood risk, ensuring that your investment is better protected from potential future damage. In addition, it ensures that buildings do not make flooding worse for neighbours.

Are properties that are above the flood level safe?

Floods can go higher than we plan for. In Victoria, the minimum floor level for buildings that are at risk of flooding is set at least 300 millimetres above the 100-year flood level. The 300mm is commonly referred to as 'freeboard'. Floods can go higher than the 100-year flood level, and flood mitigation measures should not be considered a failsafe.

To find out more about setting floor levels in known floodplain areas consult West Gippsland Catchment Management Authority.



Why can't all floods be prevented?

It is not possible to completely eliminate flooding, particularly due to extreme weather events. These events are unpredictable and can exceed scientific expectations and adopted engineering and town planning standards.

Council is planning for and implementing upgrades of drainage infrastructure for areas with extreme flood risk, however we cannot upgrade all of Latrobe's infrastructure due to:

- High cost of major drainage upgrade works. While Council plans for these drainage upgrade works, Council's Annual Capital Budgets are allocated to a wide range of infrastructure projects across its extensive asset base. The cost of constructing these drainage upgrades can often extend into the millions of dollars and Council must consider how it allocates in capital funding to provide the most cost-effective outcome and service level for its community;
- Service clashes with other underground utilities. Clashes with other existing underground services that physically impact the installation of larger underground drainage infrastructure can limit the ability to provide effective flood protection. These clashes may limit the extent of flood mitigation that can be provided and, in some cases, make drainage works to minimise

flood unfeasible;

- Insufficient capacity of the downstream drainage and creek network to accept and takeaway increased stormwater from larger infrastructure;
- Availability of land to manage drainage infrastructure works. The availability of land particularly in relation to the installation above ground storage options such as retarding basins and availability of drainage easements through private land can limited flood mitigation options; and
- Social impacts. Undertaking major drainage upgrade works may disturb people, their homes, traffic and access to key services.

Although we can't prevent all floods, we're continually working to reduce their severity and impacts and educate the community on the management of flooding.

Is compensation available if the value of my property is affected?

The information provided in Amendment C131 has not altered the likelihood of a flood occurring or the path that a flood will take, so there is no justification for payment of compensation.

People who have lived on a property for many years may already know much of the information provided by Amendment C131.





Latrobe City Council

Phone 1300 367 700

Post PO Box 264, Morwell, 3840

Email latrobe@latrobe.vic.gov.au

Website www.latrobe.vic.gov.au

For more information

Tegan McKenzie

Principal Strategic Planner

(03) 5128 5469

Tegan.McKenzie@latrobe.vic.gov.au



To obtain this information in languages other than English, or in other formats, please contact latrobe City council on 1300 367 700.