

# Moorabool Planning Scheme Amendment C91

## Introduction of Flood Overlays

### Find out more

More information is available on Council's website at: [www.moorabool.vic.gov.au](http://www.moorabool.vic.gov.au). Click on 'Have your say' and follow the links to Amendment C91.

The amendment documentation is also available:

- On the Department of Environment Land Water and Planning website at: [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection)
- At Council offices:
  - 15 Stead Street, Ballan
  - Lerderderg Library - Customer Service, 215 Main Street, Bacchus Marsh
  - Darley Civic and Community Hub, 182 Halletts Way, Darley

### Attend a consultation session

To learn more, you may wish to attend one of the consultation sessions scheduled for the following dates at the Lerderderg Library, 215 Main Street, Bacchus Marsh. These sessions will be attended by representatives of Council and Melbourne Water. Please note that these will be informal question and answer sessions and no presentation will be provided. It is essential that you book an appointment (15 minute allocations), either via Council's website at [www.moorabool.vic.gov.au](http://www.moorabool.vic.gov.au) (click on 'Have your say' and follow the links to Amendment C91) or by telephoning 03 5366 7100 and speaking to a Customer Service Officer.

- **Tues 17 March 2020** **10.00am to 12.30pm**
- **Saturday 28 March 2020** **10.00am – 12.30pm**
- **Thursday 23 April 2020** **5.30pm to 8.00pm**

### General enquiries

For general information about the amendment, please contact the Strategic Planning Team on (03) 5366 7100 or email ([info@moorabool.vic.gov.au](mailto:info@moorabool.vic.gov.au)).

### Technical enquiries

If you require technical information about the amendment (e.g. flood modelling, flood extent mapping, flood levels, etc), please contact Melbourne Water on (03) 9679 7517 or email [land.development@melbournewater.com.au](mailto:land.development@melbournewater.com.au).

### How can I make a submission to Amendment C91?

**You are welcome to make a written submission to Council, up until 8 May 2020.** A submission can be made as follows:

- Via Council's website at: [www.moorabool.vic.gov.au](http://www.moorabool.vic.gov.au). Click on 'Have your say' and follow the links to Amendment C91.
- Via email to [info@moorabool.vic.gov.au](mailto:info@moorabool.vic.gov.au)
- Via post to:
 

Moorabool Shire Council  
PO Box 18  
BALLAN VIC 3342  
Re: Submission to Amendment C91  
Attention: Strategic Planning

### What is being proposed and why?

Moorabool Shire Council has prepared Amendment C91 to the Moorabool Planning Scheme, at the request of Melbourne Water as the relevant floodplain management authority. Amendment C91 seeks to apply the Land Subject to Inundation Overlay (LSIO) and the Special Building Overlay (SBO) to land affected by a 1 in 100 year flood event, within the catchments of the Werribee, Lerderderg and Little Rivers, in the eastern half of Moorabool Shire.

The LSIO and SBO are based on detailed flood modelling and flood extent mapping undertaken by Melbourne Water.

The Victorian Floodplain Management Strategy (2016) highlights the importance of using planning controls to help avoid and minimise flood risks. State and local planning policies require flood prone land to be identified and managed.

**Amendment C91 is being publicly exhibited from 12 March to 8 May 2020.** Owners and occupiers of properties that will be subject to the proposed LSIO and SBO have been directly notified.



## What is a planning overlay?

All land in Victoria is zoned for a particular purpose and this is the primary planning control. Overlays only apply to some areas of land, for the purpose of applying special controls. If an overlay is shown on the planning scheme maps, the provisions of the overlay apply in addition to the zone provisions and any other relevant provisions of the planning scheme. Generally, overlays apply to a single issue (such as heritage or land subject to flooding). Where land is affected by more than one issue, multiple overlays may apply. Many overlays have schedules to specify local objectives and requirements.

## What is the Land Subject to Inundation Overlay (LSIO) and the Special Building Overlay (SBO)?

The LSIO and SBO are planning scheme provisions that identify land subject to flooding and trigger the need for a planning permit for proposed subdivisions, buildings and works. Some permit exemptions are available for minor buildings and works.

The LSIO applies to land affected by flooding associated with waterways and open drainage systems in both urban and rural areas. The SBO applies to land affected by flooding associated with overland flows from the urban stormwater drainage system.

These overlays will ensure that flood risk is considered at the beginning of the development process. The purpose is to ensure that new development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and will not cause any significant rise in flood level or flow velocity.

All planning permit applications under the LSIO or SBO will be referred to Melbourne Water as a determining referral authority. Melbourne Water will assess development proposals and provide a referral response (including appropriate permit conditions) to Council.

## How might my property be affected by the amendment?

The LSIO and SBO will only be applied to portions of properties that are affected by a 1 in 100 year flood event.

If you propose subdivision, buildings or works on land affected by the LSIO or SBO, you may need to obtain a planning permit. This will ensure any flood risk issues are addressed at the beginning of the development process and minimise the potential for flood damage to your development. Most importantly, properties affected by the LSIO or SBO can (in most cases) still be developed.

## If my property is only partially affected, would I need a permit for buildings or works outside the area covered by the overlay?

Generally, the requirements of the overlay only apply to development and works proposed within the area covered by the overlay. However, the flood extent provided within the planning scheme is indicative only and may be subject to change if new floodplain data becomes available. It is therefore recommended that any proposals for development or works be referred to Melbourne Water for initial comment and advice.

## How can my property be considered subject to flooding when it has never flooded?

It cannot be assumed that flooding will not occur just because there is no recollection of flooding in the past. The overlays are based on the extent of flooding that would result from a storm event of such intensity that (based upon historical rainfall data) it has a probability of occurring once in every one hundred years; or a 1% chance of occurring in any given year.



## Who is responsible for stormwater drainage and flood management in Moorabool Shire?

Melbourne Water is the drainage authority for the greater Melbourne area and the floodplain management authority by delegation from the Minister responsible for the *Water Act 1989*. Consequently, Melbourne Water is responsible for regional drainage, floodplain and waterway management, and for contributing to the protection and improvement of waterway health across greater Melbourne.

Moorabool Shire Council is responsible for the provision and maintenance of minor drains and the management of any stormwater overflows from its drainage system.

## Background

Council previously exhibited planning scheme Amendment C73, which similarly sought to apply the LSIO and SBO to flood affected land.

Council decided to abandon Amendment C73 and subsequently engaged an independent consultant to undertake a peer review of the flood modelling and mapping. The peer review involved a thorough examination of the modelling processes, a cross-check of the methodology used to create the flood extents, and an assessment of the results against community experience.

The peer review concluded that the flood modelling produced results that are suitable for inclusion in the Moorabool Planning Scheme. However, it recommended that the flood extent mapping in the lower Lerderderg study area be revised, using appropriate filtering techniques (to remove small areas and areas of very shallow flooding, etc.). The flood extent mapping has subsequently been revised accordingly.



Melbourne Water is owned by the Victorian Government. We manage Melbourne's water supply catchments, remove and treat most of Melbourne's sewage, and manage rivers and creeks and major drainage systems throughout the Port Phillip and Westernport region.



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