

Planning and Environment Act 1987
GREATER GEELONG PLANNING SCHEME
DELEGATED AUTHORITY REPORT
AMENDMENT C335

To: Peter Smith – Coordinator Strategic Implementation
From: Ian McCartney – Strategic Planner
Subject: Amendment C355 Application of flood overlays - Highton Drainage/Flood Study
Project: Amendment C335 Reports Council & Other
Subject: Delegate Report 2015
File number: C335

Purpose

The purpose of this report is to seek Council support for Amendment C335 which proposes to apply the Special Building Overlay (SBO) to reflect findings of the Highton Drainage/Flood Study recently undertaken by Council.

Summary

- This Study identifies the nature and extent of flooding in the Kardinia Creek Catchment within the suburbs of Highton, Wandana Heights and Belmont.
- The use of the SBO to identify flood prone land will ensure that owners of affected properties are made aware of the nature and extent of any risk and that this is disclosed to prospective purchasers on planning certificates.
- The SBO currently applies to many properties across the municipality, this Amendment seeks to extend the coverage to additional areas that have been identified in the Highton Drainage/Flood Study.
- Amendment C335 is based on the Highton Drainage/Flood Study already adopted by Council on 12 May 2015 and is considered to be consistent with State and Local Planning Policies.
- It is recommended the amendment be exhibited in the normal manner subject to receipt of Ministerial authorisation.

Recommendation

That Council resolves to exhibit an amendment to the Greater Geelong Planning Scheme to apply the Special Building Overlay to the areas in Appendix 1 to this report, subject to the Minister for Planning providing authorisation for the preparation of the Amendment.

Background

The Highton Drainage/Flood Study which is the subject of this report has been adopted by Council on 12 May 2015 and the affected land has been designated as 'floodprone' by Council under the Building Act.

There is a need to ensure the relevant planning controls are applied to identify flood prone land, in order to avoid owners and prospective purchasers being exposed to a known risk without it being appropriately disclosed on planning certificates.

This amendment will ensure that the planning scheme maps are updated to reflect the extent of the identified flood risk.

The report considered by Council is Attachment 1. It outlines the details of the study undertaken by consultants engaged by Council, the extent of properties affected by the 1 in 100 year flood event and consideration of mitigation options.

The Council report also outlines the public exhibition process undertaken as part of the preparation of the Study and summarises the submissions received and responses to the issues raised as part of the consultation process.

Detailed information contained in the Council Report has generally not been repeated in this Delegated Authority Report.

Appendix 1 shows the identified extent of the application of the SBO, consistent with the adopted Highton Drainage/Flood Studies.

Discussion

The Special Building Overlay identifies the extent of the land that may be covered by water when heavy rains cause overflowing of the underground drainage system, or watercourses to flow beyond their banks in the rare conditions that are estimated to occur on average once in every 100 years.

The significant drainage related flooding problems within the catchment at Highton, Wandana Heights and Belmont are related to the size of the catchment and nature of the drainage systems. Generally the drainage systems within the catchment are substandard, having been designed using the much lower standards that were the accepted practice at the time of the most significant development, i.e. from 1950's to the 1970's.

Application of the SBO will ensure that flooding and drainage issues and the potential effects of new development are considered and addressed at an early stage in the development approvals process. The application of the SBO means that a planning permit is required for most new buildings and works (including some fences) in the area covered by the overlay. Circumstances where a planning permit is not required are also specified in the Overlay.

The application of the Overlay will also ensure that the flood risk is disclosed to potential purchasers of affected properties on any Planning Certificate issued by Council and through the provision of this information a part of the Section 32 Statement at the time of purchase.

Over the years Council has adopted a number of drainage studies which identify catchments, based on a 1% probability Annual Return Interval, the so-called 'once in one hundred years' flood event. This amendment will ensure that the findings of the Highton Drainage/Flood Study are also identified in the planning scheme.

Environmental Implications

The application of the SBO will have no environmental implications.

Financial Implications

The application of the SBO will have no financial implications for Council.

Policy/Legal/Statutory Implications

The application of flood mapping consistent with the adopted flood and drainage studies limits the potential for affected property owners to seek redress against Council, in the event that their property is adversely affected by flooding or inundation.

The application of the overlay will result in an increase in the number of planning permit applications. It is likely that most of the increase in application numbers will relate to construction of single dwellings where an existing dwelling has been demolished or additions to single dwellings. Such permits will primarily require the application of a minimum floor height relative to the identified flood risk, and an assessment of the potential for flooding to be displaced to surrounding properties.

In instances where a permit is already required, such as for multiple dwelling development, it will be necessary for the assessment to consider the above matters in addition to those which are already required to be considered.

The amendment is considered to be consistent with State and Council planning policies.

Alignment to City Plan

This Amendment supports the Sustainable Built and Natural Environment Strategic direction of City Plan by recognising the environmental constraints on future built form. Drainage and flood management strategies are specifically referred to in City Plan as assisting in delivering Sustainable and Natural Environment priorities.

Officer Direct or Indirect Interest

No Council officers have a direct or indirect interest, in accordance with Section 80 (c) of the Local Government Act, to which this Amendment relates.

Risk Assessment

There are no risks to Council associated with the application of the SBO as proposed.

Until such time as the extent of the mapped flood areas are identified in the planning scheme there is a risk that the prospective purchasers of land may not be aware of the potential flood issues. The application of the SBO to affected land will significantly reduce this risk.

Social Considerations

The extension of the accurate identification of land affected by flooding through the application of the SBO will reduce community exposure to damage and loss of property due to flooding.

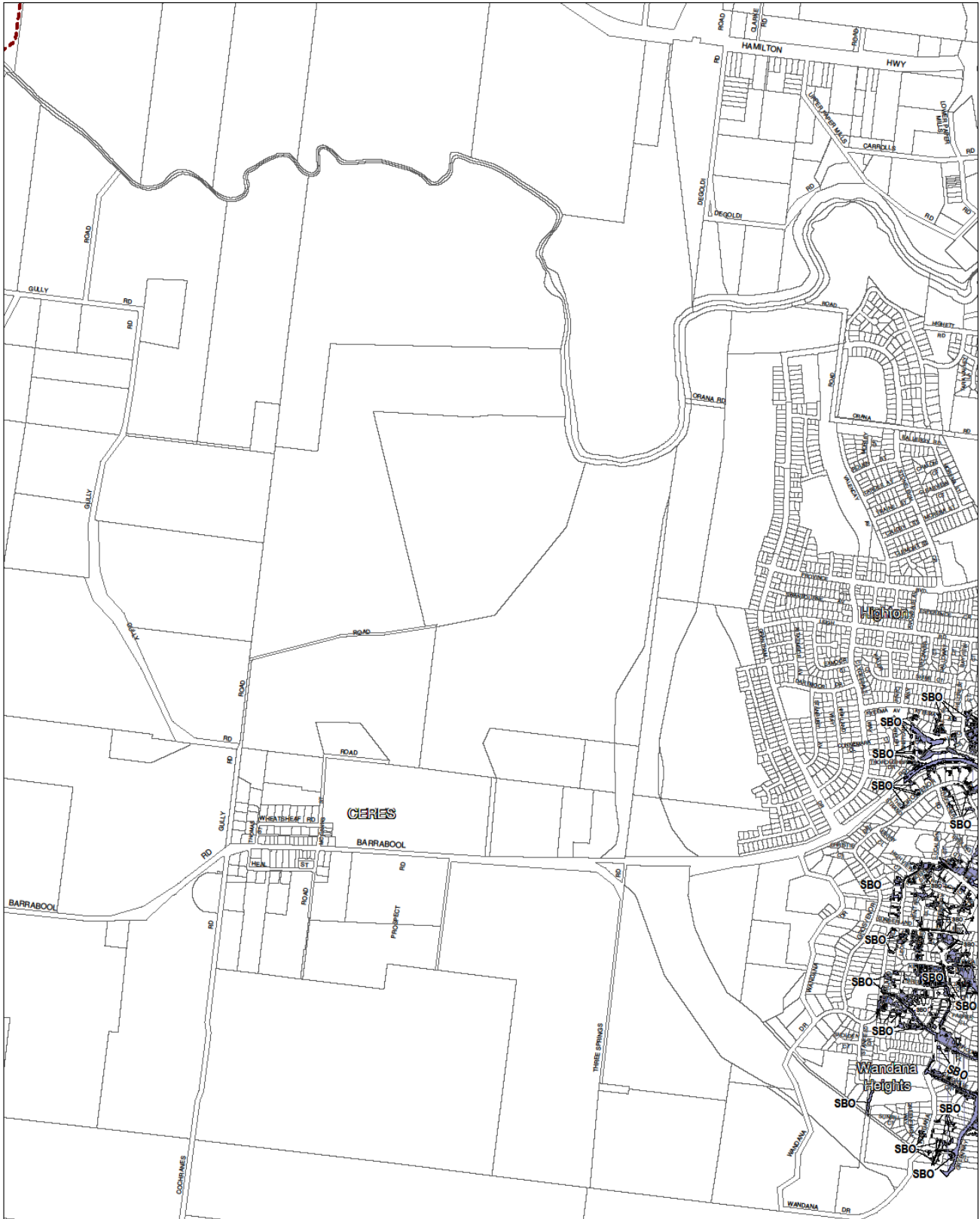
Consultation and Communication

It is recognised that the extensive consultation previously undertaken by Council in the preparation of the Highton Drainage/Flood Study is not a substitute for the formal consultation processes required pursuant to the Planning and Environment Act.

It is intended that all owners directly affected by the proposed SBO will receive written notification of this amendment.

Appendix 1 – Maps showing proposed extent of SBO

GREATER GEELONG PLANNING SCHEME - LOCAL PROVISION



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Overlays

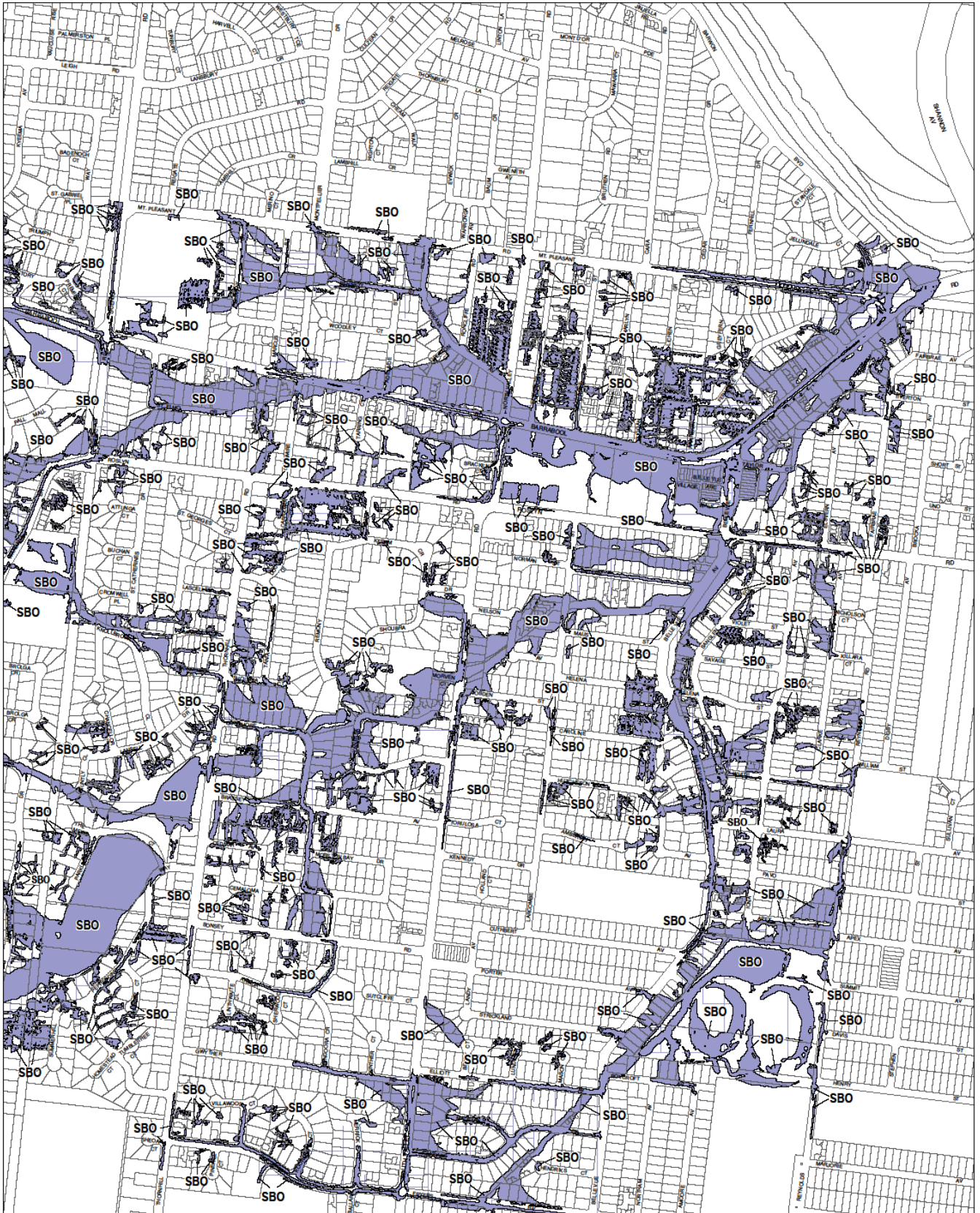
- Special Building Overlay

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Planref: 256/2015

INDEX TO ADJOINING METRIC SERIES MAP

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Overlay:
 Special Building Overlay

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Product: 28/02/15

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Overlays

- Special Building Overlay

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