

AGENDA

ORDINARY MEETING OF COUNCIL

TUESDAY, 26 NOVEMBER 2019

7.00PM

COUNCIL CONFERENCE AND RECEPTION CENTRE
CITY HALL
LITTLE MALOP STREET, GEELONG

COUNCIL:

Cr S Asher (Bellarine Ward)

Mayor

Cr K Grzybek (Windermere Ward)

Deputy Mayor

Cr J Mason (Bellarine Ward)

Cr T Sullivan (Bellarine Ward)

Cr E Kontelj (Brownbill Ward)

Cr S Mansfield (Brownbill Ward)

Cr P Murrhy (Brownbill Ward)

Cr B Harwood (Kardinia Ward)

Cr P Murnane (Kardinia Ward)

Cr R Nelson (Kardinia Ward)

Cr A Aitken (Windermere Ward)

SECTION A - PROCEDURAL MATTERS

➤ **Acknowledgement**

Council acknowledges Wadawurrung Traditional Owners of this land and all Aboriginal and Torres Strait Islander People who are part of the Greater Geelong community today.

➤ **Apologies**

➤ **Leave of Absence**

That Leave of Absence be granted to Cr Mason from 26 – 27 November.

➤ **Confirmation of Minutes**

* Ordinary Meeting held 29 October 2019

➤ **Declarations of Conflicts of Interest**

➤ **Public Question and Submission Time**

➤ **Petitions**

SECTION B – REPORTS

1. Youth Council Fourth Report 2019	1-2
2. Amendment C394 Bellarine and Corio Bay Coastal Inundation Overlay – Consideration of Submissions	3-32
3. Our Heritage, Our Collection	33-36
4. Kaufland Stores in Victoria Advisory Committee – 140-156 Colac Road, Highton	37-62
5. Sale of Part of 137 Mercer Street, Geelong (Civic Accommodation Precinct)	63-66
6. Small Business Friendly Council – Charter Agreement	67-68
7. 2018/19 Tourism Greater Geelong and The Bellarine Annual Report and Tourism Performance	69-74
8. Contractual Matter (<i>Confidential</i>)	75
9. Contractual Matter (<i>Confidential</i>)	76
10. Contractual Matter (<i>Confidential</i>)	77

SECTION C – ASSEMBLY OF COUNCIL

SECTION D – PLANNING DELEGATIONS

SECTION E – CONFIDENTIAL

2. AMENDMENT C394 BELLARINE & CORIO BAY COASTAL INUNDATION OVERLAY– CONSIDERATION OF SUBMISSIONS

Source: Planning, Design & Development – Strategic Implementation
Director: Gareth Smith
Portfolio: Planning

Purpose

1. To consider submissions to Amendment C394 and refer them to an Independent Panel.

Background

2. Amendment C394 implements the *Bellarine Peninsula - Corio Bay Local Coastal Hazard Assessment December 2015* which mapped areas from Breamlea to Point Wilson that will be impacted by sea level rise inundation.
3. The Amendment includes planning scheme policy changes and applies a new Land Subject to Inundation Overlay (LSIO2) to properties identified as being subject to 0.8m sea level rise and a 1% AEP storm surge event as required by State Government policy.
4. The amendment applies the LSIO2 to 1600 properties around the City's coast including 1244 residential zoned properties of which 81 are vacant land.
5. In 14 May 2019 Council resolved to support the public exhibition of the amendment. It was exhibited from 11 July 2019 to 12 August 2019 with notice being sent to almost 2000 owners and occupiers of land affected by the proposed overlay.
6. A total of 43 submissions were received. Of these, 39 submissions objected and 4 submissions either supported, did not object or provided comments.

Key Matters

7. Key issues raised in submissions include: impact on property values; insurance costs; valuation of land and rates; need for coastal protection works; floor levels and buildings heights; government agency submissions; criticism of technical basis; timeline of sea level rise projections; and requests to remove properties from the overlay.
8. Under the *Planning and Environment Act 1987*, Council must now either: change the Amendment as requested by submitters; refer submissions to a Panel; or abandon the Amendment or part of the Amendment.
9. The City recommends referring submissions to a Panel and only recommend making two minor changes requested by the Department of Environment Land Water and Planning.

Recommendation

10. That Council having considered all submissions to Amendment C394 resolves to:
 - 10.1 Request the Minister for Planning to appoint an Independent Panel under Part 5 of the *Planning and Environment Act 1987* to consider all submissions;
 - 10.2 Refer all submissions to the Panel; and
 - 10.3 Submit to the Panel its response to the submissions generally as outlined in this report.

Attachment 1

Financial Implications

1. Application of the overlay will not have any significant financial implications to Council with the exception of the usual costs associated with the planning scheme amendment process including Panel hearing fees and the cost of engaging an expert witness.

Community Engagement

2. Community engagement occurred previously as part of “Our Coast” including community open house sessions and publishing of extensive information on the website. This includes the scientific reports, hazard assessments and inundation maps which form the basis of this amendment.
3. Further opportunity for community input has occurred as part of the public exhibition of the planning scheme amendment. In the event that Council resolves to refer the submissions to an independent Panel, the submitters will be able to further present their case at a panel hearing.

Social Equity Considerations

4. The amendment has positive economic and social benefits by identifying areas where planning permit assessment can reduce the risk of the harm from coastal erosion, flooding, sea level rise and storm surge.

Policy/Legal/Statutory Implications

5. The amendment is supported by the following State planning policies:
 - 5.1 Clause 13.01-2S Coastal inundation and erosion – the amendment achieves the policy objective “to plan for the potential coastal impacts of climate change”;
 - 5.2 Clause 13.03-1S Floodplain management – the amendment meets the relevant objective.
6. The amendment supports and implements the following Local planning policies:
 - 6.1 Clause 21.05-4 Coastal environments with the objective: To protect, maintain and enhance the coast, estuaries and marine environment and to respect and manage coastal processes;
 - 6.2 Clause 21.05-5 Climate change which has the objective: “To plan for and adapt to the impacts of climate change”; and
 - 6.3 Clause 21.05-7 Flooding – has relevant objectives - to protect floodplains and to minimise the potential for damage and risks to public safety and property from flooding.

Alignment to Council Plan

7. The proposed amendment aligns with the Council Plan strategic priorities of:
 - 7.1 Planned sustainable development – including the priority of improving the environmental performance of new developments, using planning controls; and
 - 7.2 Effective environmental management – including the Climate Change Adaptation Strategy and protection of coastal areas.

Conflict of Interest

8. No City officers involved in the preparation of the report have a direct or indirect interest in the issue to which this report relates.

Risk Assessment

9. There is a risk if Council, as the Planning Authority, does not act on the coastal inundation mapping it has available, that it may be liable if flooding occurs in the future and damages property. Council can reduce this risk by acting on the scientific based data it has available and applying the appropriate overlay.
10. The overlay will help reduce risk of property damage as a result of sea level rise and coastal storm events by requiring a planning permit for new dwellings and other buildings and works. This will enable both Council as the Responsible Authority and the Corangamite Catchment Management Authority as the Floodplain Management Authority to apply adaptation measures such as raising building floor levels or building designs that allows periodic inundation to occur.

Environmental Implications

11. The amendment will help manage the environmental hazard posed by future sea level rise.

Attachment 2

Background

Bellarine Peninsula - Corio Bay Local Coastal Hazard Assessment (Our Coast Project)

1. Victorian Government policy requires all councils to plan for a 0.8 metre sea level rise by the year 2100. To help guide our plan, the Bellarine Peninsula – Corio Bay Local Coastal Hazard Assessment – [Inundation Report](#) was prepared and released in December 2015.
2. The report was prepared as part of the [Our Coast](#) project. This project identified properties that will be subject to future flood events and sea level rise and is the basis for this amendment.
3. The Our Coast project is a Victorian Government funded initiative and covers the area from Breamlea to Point Wilson. It expands on two previous climate change coastal research projects undertaken by the CSIRO and the Victorian Government (Future Coasts). The Our Coast assessment is known as a “3rd pass” assessment.

Amendment C394

4. Amendment C394 includes a new Land Subject to Inundation Overlay (LSIO2) and local policy changes. The overlay will require a planning permit for new buildings and works on certain properties - as shown in the Overview Map in **Attachment 3**.
5. The LSIO2 overlay will apply to 1600 coastal properties on the Bellarine Peninsula and Corio Bay including 1244 residential zoned properties of which 81 are vacant land. Localities affected include Avalon, Lara, Corio, Geelong, East Geelong, Newcomb, Moolap, Leopold, Bellarine, Portarlington, Indented Head, St Leonards, Swan Bay, Ocean Grove, Wallington, Barwon Heads, Connewarre and Breamlea.
6. The Point Lonsdale area was mapped as part of the Our Coast project but is not included in C394. The maps need to be revised to take into account new waterways under construction in The Point residential development. This area will be subject to a later planning scheme amendment.

Authorisation and Public Exhibition of Amendment C394

7. On 14 May 2019 Council resolved to support the public exhibition of the amendment.
8. The Minister’s delegate issued authorisation on 13 June 2019 subject to the following conditions:
 - 8.1 *Reconcile the extent of overlap of the proposed LSIO mapping with existing flood provisions, in particular the Floodway Overlay mapping at Barwon Heads, Lake Connewarre and Reedy Lake.*
 - 8.2 *Include changes to the Schedule to Clause 72.03 to update the list of maps included in the scheme.*
 - 8.3 *Correct the LSIO-FO amendment maps to show “LSIO2”*
9. As a result of the first condition of the authorisation the overlay maps were revised to remove properties where the Floodway Overlay coincided with the proposed LSIO2 (mainly the rural fringe to Lake Connewarre, Reedy Lake and the Barwon River estuary).
10. The amendment was exhibited from 11 July 2019 to 12 August 2019.
11. Information was published on the [C394 webpage](#) including the amendment and supporting documents, Frequently Asked Questions and an interactive google map showing the extent of the overlay.

12. Notices were sent to 1913 owners and occupiers of land affected, government authorities, coastal land managers and prescribed Ministers.
13. Notices were placed in the following newspapers: the Geelong Independent on Friday 5 July 2019, the Geelong Advertiser Saturday 6 July 2019 and The Bellarine Times on Thursday 11 July 2019. A Government Gazette notice was published on 11 July 2019.

Discussion

14. As a result of exhibition a total of 43 submissions were received. Of these 39 submissions objected and 4 submissions either supported, did not object or provided comments.
15. A full summary of all the submissions is in **Attachment 4**, individual submitter names and addresses have been omitted for privacy reasons.
16. The majority of submissions related to specific properties with the most submissions coming from St Leonards (11 submissions) followed by Portarlington (7), Indented Head (5) and Ocean Grove (4).
17. The key issues raised in submissions can be grouped under the following themes:
 - 17.1 Impact on property values
 - 17.2 Insurance costs
 - 17.3 Valuation of land and rates
 - 17.4 Need for coastal protection works
 - 17.5 Floor levels and building heights
 - 17.6 Government agency submissions
 - 17.7 Criticism of technical basis
 - 17.8 Timeline of sea level rise projections
 - 17.9 Requests to remove properties from overlay
18. A summary of the key themes and an officer response follows:

Impact on property values

19. Eighteen submissions were received regarding the potential reduction in property values because of the overlay. Another seven submissions were received noting the potential impact on the future value, usability and resale of the property. Submissions also outlined difficulty to obtain financing for future purchases as the LSIO will be within the Section 32 contract of sale and higher construction costs associated with the redevelopment of properties due to the requirements of the LSIO.

City Response:

20. As outlined in the "Frequently asked questions" documentation exhibited with this amendment: designation of an area as 'subject to inundation' does not cause or change the likelihood of flooding but recognises the existing condition of land and its potential to be inundated in storm tide events and when sea levels rise. The value of any property is determined by the complex interplay of many different factors such as location, streetscape and amenity, and it is difficult to assign what effect if any, the identification of land as liable to flooding may have on the value of a property.

21. Properties are not uniformly affected by flooding and this may depend upon the frequency or severity of flooding, any implications for development or redevelopment, historical flood events, etc.
22. As stated in [Flood Victoria 2018](#) “Most banks and lending institutions do not account for flood risks when assessing loan applications unless there is a very significant risk of flooding to the property”.
23. Whilst the overlay is likely to require floor levels of new buildings to be constructed at a higher level than dwellings outside of a LSIO, the construction costs associated with these requirements are unlikely to be of a significant amount to prohibit future development. It is noted that many properties in the proposed LSIO are currently situated within Flood Prone Areas under the Building Regulations which require dwellings to be constructed at a higher level than dwellings outside of Flood Prone Areas.

Insurance costs

24. Four submissions identified the potential increase in insurance premiums or difficulty to obtain insurance coverage because of properties now being within the LSIO.

City Response:

25. Insurance premiums are likely to be based upon the latest available flood studies rather than Planning Scheme controls. The insurance industry has its own National Flood database where this information is obtained from.

Valuation of land and rates

26. Six submissions linked a reduction in property values associated with the proposed amendment with impacts upon Council rates. The submitters propose that properties situated within the LSIO should be revalued with rate reductions in line with reduced property values.

City Response:

27. As stated above - the value of any property is determined by the complex interplay of many different factors such as location, streetscape and amenity, and it is difficult to assign what effect, if any, the identification of land liable to flooding may have on the value of a property.
28. In previous instances where an independent planning panel has been asked to consider and report on submissions opposing the application of a flooding overlay, the issue of property devaluation has been considered and rejected by the panel (Reference: [Stonnington, 2018 Amendment C221 FAQs](#))
29. Council rates are based upon the Capital Improved Value (CIV) of each property, with the valuation determined by the Valuer General of Victoria through contract valuers done in line with valuation best practice. Any changes in value are based upon market sales and any valuation changes are meant to reflect that.

Need for coastal protection works:

30. Council received submissions stating that the planning scheme alone will not result in changes to reduce the impact of possible inundation. A total of ten submissions have raised questions and concerns with what measures could or should be undertaken to ensure the potential impact of sea level rise is mitigated, with suggestions generally being for the construction of new or improved hard infrastructure such as sea walls.
31. Others believe that finances should be provided to construct defences to protect foreshore properties and public infrastructure from the rising threat of climate change.

32. One submitter believes there are more pressing projects such as surfacing of dirt roads in Portarlington which should be prioritised over an issue that may happen within the next 80 years.

City Response:

33. The proposed introduction of the LSIO intends to reduce the impact of possible inundation by requiring planning permission for certain buildings and works on properties that are subject to inundation and reducing the potential risk associated with sea level rise by the year 2100.
34. The City has previously provided information in the form of a Frequently Asked Questions list which included information on the issue of undertaking protection works around the coast, as paraphrased below:
35. The Our Coast project website does include descriptions of potential adaptation measures that could protect parts of the Bellarine and Corio Bay from sea level rise with examples including:
- 35.1 Constructing a higher seawall at Ocean Grove
 - 35.2 Raising seaside roads at Portarlington
 - 35.3 Raising the railway line at Point Lonsdale
 - 35.4 Back flow valves on stormwater outlets at Barwon Heads.
36. It is recognised that hard infrastructure (seawalls, etc.) could significantly change the nature of the coast (including amenity and access) and would not occur without significant community consultation.
37. The aspect of Our Coast that is ready for implementation is the Local Coastal Hazard Assessment (LCHA) prepared by Cardno and the associated flood modelling and mapping of different sea level rise and storm event scenarios.
38. This is the aspect that Amendment C394 is seeking to implement. In some cases the overlay mapping does take into account potential adaptation measures.
39. For instance, the Our Coast hazard, mapping showed isolated pockets of land some distance from the coast at Barwon Heads (around Hitchcock Ave) as being inundated. This is due to sea water backing up the stormwater outlets under extreme tides and storm surge.
40. However, it is anticipated that backflow valves on the stormwater outlets can be installed in the future to address this issue and as a result the overlay is not being applied to these properties.
41. A number of sections within the Executive Summary of the "Our Coast Inundation Report" are considered to address questions raised by submitters in particular that the study identified and informed hazards in a wide context with the recommendation that the most at risk areas are investigated in terms of assets, both built and natural and determine and prioritise mitigation actions.
42. In identifying the risk and mitigation assessments within the report, Council and other parties are able to prioritise the implementation of management actions to ensure best use of existing coastal management budgets, and provide information to gain external funding where possible.

Floor levels and building heights

43. Some submissions were concerned that as a result of the proposed amendment requiring some buildings to be constructed at a higher floor level to accommodate potential inundation on a property, existing planning controls should be amended to accommodate any change.
44. The submissions infer that as dwellings may be required to consider an additional floor height of 0.8 metres the maximum permissible building height (roof) of any building under other overlays should increase by 0.8 metres to circumvent the requirement of a planning permit.

City response:

45. The proposed change would require an amendment to overlays such as the DDO14 and DDO19 to increase the maximum building height with which no planning permit would be required from 7.5 metres in height above natural ground level to 8.3 metres.
46. This change is not supported and is beyond the scope of the amendment C394.
47. However, while overlays such as DDO14 do not allow additional building height to be added to take into account increased floor levels, this issue is provided for in the residential zones. For instance the General Residential Zone has the following provision at clause 32.08-10:

“Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.”

Government agency submissions

48. Submitter 3 (Barwon Water) has recommended support of the proposed amendment subject to a number of requested changes:
 - 48.1 Addition of the following permit exclusion: Buildings and works undertaken by a public authority relating to watercourse management, environmental improvements or infrastructure services.
 - 48.2 That a standard permit require the overflow relief gully (ORG) be 150mm above the flood level.
 - 48.3 Consideration be given to how the flood risk will impact the servicing requirements. For example, the relationship between flood risk and the infrastructure servicing the development which may be located beyond the boundaries of the property.
49. Submitter 10 (Corangamite Catchment Management Authority) supports the Amendment and provides a six page submission providing background and relevant information (see **Attachment 5**). The CCMA states that it is supportive of Amendment C394 and will work closely with Council and other key stakeholders to ensure orderly planning outcomes are achieved.
50. Submitter 15 (Department of Environment, Land, Water and Planning (DELWP)) supports the amendment and suggests some minor wording improvements as follows:
 - 50.1 At Section 3.0 of the proposed LSIO2 Schedule relating to exemptions, DELWP suggests new wording: Works that have been granted consent under the Marine and Coastal Act 2018 or the Crown Land (Reserves) Act 1978 and are conducted

by a Public Land Manager or Committee of Management appointed under the Crown Land (Reserves) Act 1978.

50.2 The first point to Section 5 of the proposed LSIO2 Schedule relating to decision guidelines be amended to read as follows: *The views of the relevant Catchment Management Authority.*

City Response:

51. The proposed suggested amendments sought by Barwon Water have been considered and no changes are recommended as a result. There are already a wide range of exemption under the state LSIO clause (44.04) and the LSIO schedule. For instance the following permit exemptions already apply at Clause 44.04:

To the following works in accordance with plans prepared to the satisfaction of the responsible authority:

– The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.

– The erection of telephone or power lines provided they do not involve the construction of towers or poles.

52. Another relevant exemption is proposed in the LSIO2:

Works carried out by any water authority to maintain and replace infrastructure related to sewer and water supply.

53. There are also a wide range of General Exemptions for permits for Buildings and Works at Clause 62.02 of the planning scheme.

54. The proposed suggested amendments sought by DELWP are supported in full and a revised LSIO will be prepared showing the changes prior to a Panel hearing.

55. The supportive comments of DELWP and the CCMA are significant, particularly as the CCMA will be the main referral authority for permit applications triggered by the LSIO2. Council officers have worked closely with the CCMA and post exhibition conducted a joint site tour of areas on the Bellarine Peninsula affected by the overlay.

Criticism of technical basis

56. Nine submissions questioned the technical information contained within the Our Coast Report, the methods used and the accuracy of this information and the meaning of inundation.

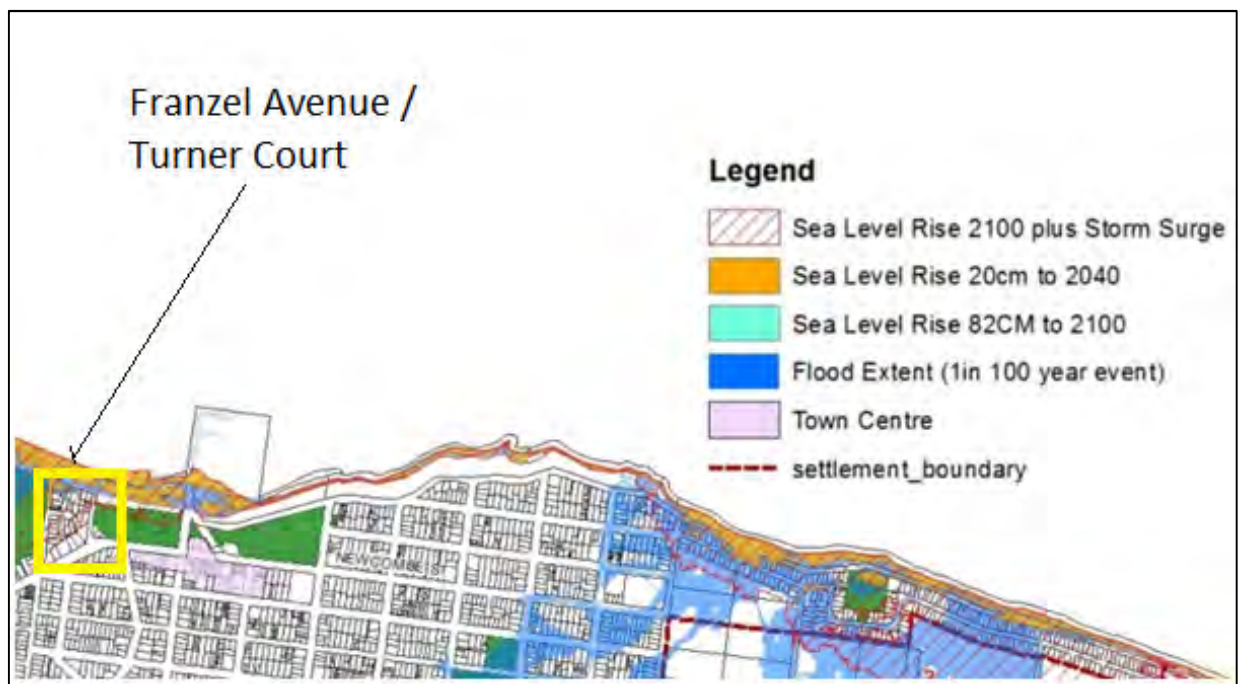
57. One submitter pointed out that the majority of the area from the south of Franzel Ave to the rear/south of Turner Court at Portarlington does not warrant inclusion in this proposed overlay. The submitters states the Portarlington Structure Plan (p,56) shows this area falls outside of any estimated future inundation risks.

58. One submitter stated that the proposed amendment does not mention the Moolap Coastal Planning Framework.

59. A submission raised whether the information obtained within the Our Coast Report utilised the contour intervals prior to the development of Swan View Estate or if the information was obtained from the finished floor levels from the survey company that subdivided the land within the estate.

City Response:

60. The data and accuracy of the information contained within the Bellarine Peninsula – Corio Bay Local Coastal Hazard Assessment – Inundation Report 2015 (the “Our Coast” report) is known as the third pass assessment with previous assessments undertaken by the CSIRO for the Commonwealth and State Governments starting in 2009.
61. The Our Coast Report is considered to provide suitable informed and well researched information about the extent of coastal hazards and the impacts on the coastal environments subsequent risk and mitigation assessments.
62. The information contained with the report has provided the City of Greater Geelong with sufficient information to provide the policy support required for the proposed implementation of the LSIO to affected properties.
63. The amendment is based on modelling prepared by expert consultants that reflects state policy requirements. The process of measurements used within the Our Coast Report and survey heights used to perform this study have been undertaken within a tolerance that is an acceptable best practice used within the engineering industry.
64. In relation to the Portarlington Structure Plan, at page 13 the Structure Plan states:
“Portarlington’s location on the Bellarine Peninsula makes it susceptible to climate change impacts, particularly those low-lying areas in the western and eastern parts of Portarlington. Council’s Climate Adaptation Strategy 2011 has led to the preparation of a 3rd Pass Local Coastal Hazard Assessment”.
“This project builds on the State Government’s Coastal Inundation Dataset (2nd Pass Assessment). The project has a purpose to provide data sets and spatial mapping of Geelong’s coastline and potential future inundation as a result of sea level rise, storm surge and estuarine flooding”.
65. The area of land within Turner Court and the land south of Franzel Avenue shown within Map No. 07 within the Portarlington Structure Plan is shown as land which is subject to Sea Level Rise in the year 2100 plus Storm Surge - see map below.



66. In relation to the Moolap Coastal Planning Framework Plan, this Plan was informed by the modelling used to generate the LSIO extent and it notes that *“these areas are significant but also vulnerable and predicted to be further impacted by climate change and sea level rise. Urban development in these sensitive areas is to be avoided and the environment will be prioritised”*.
67. In relation to the Swan View Estate, this is a multi-lot residential subdivision located at 189 Bluff Road St Leonards. Planning Permit 1071/2007 allowed the subdivision of the site and was issued on 23 December 2011. The proposed subdivision was for 102 residential allotments over 5 stages. The levels of land within the estate would be consistent with the levels associated with the third pass within the Our Coast Report.

Timing of sea level rise projections

68. Twelve submissions raised issues with the timeline of the projected impact of sea level rise and inundation. Many of the submissions had an issue with the timeframe of predicted inundation at 2100 with the view that the evidence to support these levels was inaccurate and suggestions were made that the report should be updated every 15 to 20 years.

City Response:

69. The Intergovernmental Panel on Climate Change Fourth Assessment Report 2007 (IPCC) projects sea-levels will rise by around 0.8 metres by the end of the century, and that larger rises cannot be ruled out. On the basis of the IPCC report, Victorian Government policy requires all councils to plan for a 0.8 metre sea level rise by the year 2100.
70. In addition to the above, the Our Coast Report recommended that *“this study is updated every 5-10 years to incorporate revised sea-level rise guidance and measured increases, monitoring findings to ensure better certainty in the inundation hazard assessments and review and consider coastal management changes where action has been taken and works carried out”*.
71. The primary role of the LSIO is to ensure buildings and works respond to existing and future inundation risks. Given a 50 year ‘Normal’ design life for new buildings (*Handbook: Durability in Buildings including Plumbing Installations, ABCB, 2015*) it is appropriate to consider the longer timeframe. Design responses can be varied depending on the scope of works proposed, e.g. lower floor levels for non-habitable/non-critical/temporary buildings.
72. Modelling of natural hazards is a dynamic process and better information typically becomes available as time goes on. This does not mean the modelling work to date is invalid and should be disregarded.

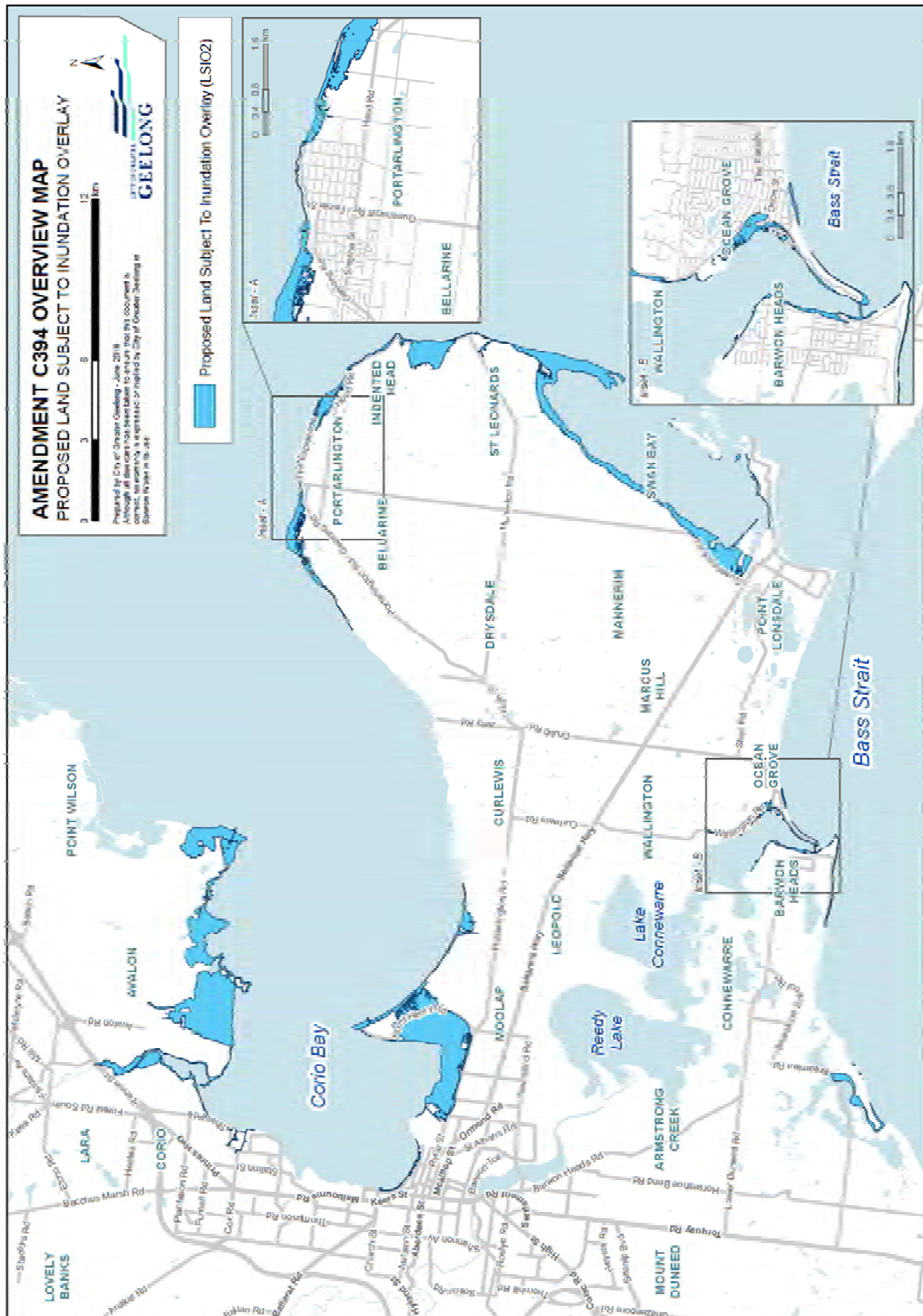
Requests to remove properties from overlay

73. The following properties/areas have made submissions requesting to be removed from the overlay:
 - 73.1 22 Ord Street St Leonards
 - 73.2 18 Ord Street St Leonards
 - 73.3 The area from the south of Franzel Ave to the rear / south of Turner Court
 - 73.4 475 The Esplanade St Leonards
 - 73.5 11 Manning Street St Leonards
 - 73.6 15 Sproat Street Portarlington.

City Response:

74. Removal of properties from the overlay in the absence of alternative inundation modelling is not recommended.

Attachment 3 – Overview map of areas proposed for Land Subject to Inundation Overlay



Attachment 4 – Summary of Submissions

No.	Surname	First Name	Address	Suburb	Summary
1	Individual submitter			Highton	Objection <ul style="list-style-type: none"> • Owner of a property at Ord Street St Leonards and a request to remove the property from the overlay. • The time line date within the report is not sufficient, it is suggested it is reviewed in 20 years' time. • Question as to what inundation of the property means as the property may be inundated? • Possible reduction in property value as a result of the overlay.
2	Individual submitter			Breamlea	Support <ul style="list-style-type: none"> • The accuracy of projections can currently be seen in Breamlea with the river mouth blocked and the wetlands flooding onto the road with parts of Horwood Drive covered with water.
3	Barwon Water	C/- Julia Stanley	55 Ryrie Street	Geelong	Support (with changes) <ul style="list-style-type: none"> • Barwon Water supports C394 however requests the following changes: • Addition of the following permit exclusion: Buildings and works undertaken by a public authority relating to watercourse management, environmental improvements or infrastructure services. • That a standard permit require the overflow relief gully (ORG) be 150mm above the flood level. • Consideration be given to how the flood risk will impact the servicing requirements. For example, the relationship between flood risk and the infrastructure servicing the development which may be located beyond the boundaries of the property.
4	Individual submitter			Portarlinton	Objection <ul style="list-style-type: none"> • Addition actions should be planned and implemented to consider the increased vulnerability to extreme weather and flooding due to the impact of climate change. • Finances should be provided to construct defences to protect foreshore properties and public infrastructure from the risking threat of climate change.

No.	Surname	First Name	Address	Suburb	Summary
					<ul style="list-style-type: none"> • Immediate proactive remediation works to reduce the likelihood of damage to properties and roads that are relatively low lying in the area now and in the future. • Council has a responsibility as the legal custodian of these beaches to protect community members from the damaging effects of climate change in the planning processes as well as remedial and effective construction of a range of defences against potential inundation.
5	Individual submitter			Bundoora	Objection <ul style="list-style-type: none"> • Property owner at Whiting Avenue Indented Head. • Potential impact upon property values / rates.
6	Individual submitter			Footscray	Objection <ul style="list-style-type: none"> • Property owner at Ord Street St Leonards. • The surveyed 0.8 metre sea level risk high water mark is not anticipated to reach beyond the front fence line by 2100. • The projected inundation would not affect current buildings on our land for a considerable time after 2100. • The setback from the fence line to the existing dwelling on the subject site is 9 metres. • Based upon the above points the property should not be included within the proposed amendment. • Potential decrease in property valuation which could have impacts upon current and future values.
7	Individual submitter			Portarlinton	Objection <ul style="list-style-type: none"> • Other projects within Portarlinton such as the surfacing of dirt roads should be prioritised over and issue that may happen within the next 80 years.
8	Individual submitter			St Leonards	Objection <ul style="list-style-type: none"> • The proposed amendment is planned to far in advance being the year 2100. If the evidence is more succinct such as within 25 years it would be more beneficial than the current projected 2100. • Devaluation of properties as a result of the amendment for properties on the Lower Bluff of St Leonards.
9	Individual submitter			St Leonards	Objection

No.	Surname	First Name	Address	Suburb	Summary
					<ul style="list-style-type: none"> The amendment is based upon a theory not established facts. There is no way to predict whether in 80 years the oceans will rise or fall. Devaluation of properties as a result of the amendment for properties on the Bellarine Peninsula and the Lower Bluff of St Leonards.
10	Corangamite Catchment Management Authority	Dr Geoff Taylor	64 Dennis Street	Colac	Support (with changes) <ul style="list-style-type: none"> Corangamite CMA supports the implementation of Amendment C394 to the Greater Geelong Planning Scheme to: <ol style="list-style-type: none"> Amend Clause 21.05 to refer to the Bellarine Peninsula - Corio Bay Local Coastal Hazard Assessment and make minor policy changes; Introduce Schedule 2 to the Land Subject to Inundation Overlay titled “Coastal Inundation and Hazard” (LSIO2); and Apply the new LSIO2 to land identified as being inundated by the 1% AEP flood event plus 0.8 metre sea level rise.
11	Individual submitter			Portarlinton	Objection <ul style="list-style-type: none"> The majority of the area from the south of Franzel Ave to the rear / south of Turner Court does not warrant inclusion in this proposed overlay. The Portarlinton Structure Plan prepared by the City of Greater Geelong in March 2016 (page 56) shows this area falls outside of any estimated future inundation risks. Based on the Portarlinton Structure Plan and the inundation Report why is there a need to include Turner Court in the Inundation Overlay?
12	Individual submitter			Ocean Grove	Objection <ul style="list-style-type: none"> A higher levy wall or rock wall should be constructed along Peers Crescent Ocean Grove from the boat ramp along Peers Crescent to where the land rises to a hill. An overlay will not resolve issues, Council has a responsibility to create this levy bank / rock wall.
13	Individual submitter			Ocean Grove	Objection <ul style="list-style-type: none"> Request the Council install rock walls or similar to minimise the effects of rising flood levels. Concern of flooding Barwon Rive along Peers Crescent Ocean Grove. Extend existing rock walls towards the caravan park area.

No.	Surname	First Name	Address	Suburb	Summary
14	Individual submitter			Bulla	Objection <ul style="list-style-type: none"> Property values may be affected by the overlay.
15	Dept. of Environment, Land, Water and Planning	Samantha Culver	Level 4, 30-38 Malop Street	Geelong	Support (with changes) <ul style="list-style-type: none"> DELWP supports the proposed amendment, as it related to implementing recommendations of the Victorian Coastal Strategy and Clause 13.01-2S of the Planning Policy Framework and suggests some minor suggestions for improvement for Councils consideration. Section 3.0 of the proposed Schedule 2 to Clause 44.04 Land Subject to Inundation Overlay, DELWP suggest that COGG replace the words “Works carried out under the Marine and Coastal Act 2018 or the Crown Land (Reserves) Act 1978 that have had regard to the Bellarine Peninsula – Corio Bay Local Coastal Hazard Assessment and are conducted by a public land manager or a coastal committee under the Marine and Coastal Act 2018” with: Works that have been granted consent under the Marine and Coastal Act 2018 or the Crown Land (Reserves) Act 1978 and are conducted by a Public Land Manager or Committee of Management appointed under the Crown Land (Reserves) Act 1978. The first point to Section 5 of the proposed Schedule 2 to Clause 44.04 Land Subject to Inundation Overlay be amended to read as follows: The views of the relevant Catchment Management Authority.
16	Individual submitter			Indented Head	Objection <ul style="list-style-type: none"> No benefit based on the location of the property and the projected water overlays by 2100. With the projected sea level rise of 0.8 metres or more access to the property will not be possible as it will be completely surrounded and inundated by water therefore unusable. What is Council doing to ensure these properties can continue to be used beyond 2100.
17	Individual submitter			Rowsley	Objection <ul style="list-style-type: none"> Concern with the proposed impact on land at Second Avenue St Leonards. The objection is informed by The Victorian Coastal Strategy (VCS) 2008, the Marine and Coastal Act 2018 (The Act), Victoria’s Coast and Marine Environments under Projected Climate Change.

No.	Surname	First Name	Address	Suburb	Summary
					<ul style="list-style-type: none"> • The potential negative impact on 1,614 properties such as: devaluation of property, impact on future property sales, impact on planning permits, impact on building and or structural changes to properties, increased insurance costs, increased premiums, restrictive conditions or the inability of some properties to obtain instance coverage. • Potential impact on economic development and tourism in the area. • Coastal climate change impacts should be well informed, well researched and provide conclusive evidence and rational for COGG to support a significant policy change. • The proposed amendment contains a lack of evidence informing the decision including the apparent risk. • The Act (Section 11) outlines evidence-based decision making as a guiding principle for making an informed decision on policy of this nature. • The Act (Section 13) also outlines that risk management and regulatory approaches should be appropriate to the risk involved. • The level of uncertainty and the lack of recent / available data presented in the report. • The need for further work before providing a conclusive assessment. • Lack of solid research behind the proposed overlay. • Question as to what the City of Greater Geelong is currently doing to prevent these issues which may not require the LSIO2 to be implemented on some properties in St Leonards Lake Reserve and Salt Lake. • A comparable report “Victoria’s Coast and Marine Environments under Projected Climate Change: Impacts, Research Gaps and Priorities 2018’ while there is much known about the general extent and likely impacts of climate change, there are major gaps in knowledge, especially relating to coastal regions. • Lack of community consultation in the form of hard copy information supplied to affected residents and ratepayers. • The report identifies limitations with the inundation assessments due to the nature of the differing coastal environments.
18	Individual submitter			Indented Head	<p>Objection</p> <ul style="list-style-type: none"> • Inaccuracy of the flood study to project 80 years into the future is not a true or precise report. • Survey heights used to perform this study have flaws as the tolerances for the heights taken are not accurate due to the process used to measure. • Decreased property values.

No.	Surname	First Name	Address	Suburb	Summary
					<ul style="list-style-type: none"> • Difficulty in obtain financing for future purchases as the LSIO will be within the Section 32 contract of sale. • Higher insurance premiums. • Council should have made adequate provisions to protect the foreshore from rising sea levels and 1 in 100 year flooding.
19	Individual submitter			Barwon Heads	Objection <ul style="list-style-type: none"> • Minimal possible impact on the northern boundary which does not affect existing buildings or possibly any new buildings. • The amendment is based on a possible sea level rise of 80cm over the next 80 years with insufficient evidence to support this claim. • Decreased property values. • Higher insurance premiums.
20	Individual submitter			Cremorne	Objection <ul style="list-style-type: none"> • Owner of property on Lelean Street, Ocean Grove. • Requesting the alignment of the overlay be adjusted to remove the Lelean Street property.
21	Individual submitter			Portarlinton	Objection <ul style="list-style-type: none"> • The amendment will render the property worthless. • Council should plan for the future with rock walls or plantings. • Changes to land rates. • The sea levels may not rise to the predicted levels and property owners will be left with the overlay.
22	Individual submitter			St Leonards	Objection <ul style="list-style-type: none"> • No objection to the proposed increase of 0.8 metres in floor levels of future buildings, however the maximum allowable building height (roof) of any building under the overlay be increase by 0.8 metres to circumvent the otherwise possible requirement of a planning permit over a building permit for double storey buildings thus removing a totally unnecessary procedure and expense to the building process.
23	Individual submitter			Gisborne	Objection

No.	Surname	First Name	Address	Suburb	Summary
					<ul style="list-style-type: none"> • Objection to the inclusion of the property at Lelean Street Ocean Grove within the LSIO2 Overlay. • The floor level set by the Corangamite Catchment Management Authority was a condition placed on the property when it was redeveloped in 2007/2008. • The allotment was filled to a height above the flood level at the time and therefore should be excluded from the plan “Proposed Land Subject to Inundation Overlay” LSIO2.
24	Individual submitter			Taylors Lakes	Objection <ul style="list-style-type: none"> • Property owners on The Esplanade St Leonards. • The property is right on the edge of the overlay at most approximately only 5-10% the site is impacted by potential future flooding, and thus the property should be removed from the overlay. • Impact on the land value of the property. • Potential to impact the ability of the property to be redeveloped and result in higher construction cost.
25	Individual submitter			Glenroy	Objection <ul style="list-style-type: none"> • Potential impact on the future value, usability and resale of the property. • The overlay appears to impact on quarter of the property at Manning Street St Leonards.
26	Individual submitter			Drysdale	Support <ul style="list-style-type: none"> • Support for adapting planning matters in light of future climate change and predicted sea water level rises. • Suggestion that COGG should sign up to the “Climate Emergency” movement. • COGG should also take steps to update and amend building regulations so that renovations and future builds, both commercial buildings and private homes are built to withstand stronger more frequent storms.
27	Individual submitter			Point Lonsdale	Objection <ul style="list-style-type: none"> • What are Council doing to protect the affected properties other than prepare reports about what is expected to happen?

No.	Surname	First Name	Address	Suburb	Summary
					<ul style="list-style-type: none"> Impact to the value of all affected properties. Properties should be revalued, and rates immediately adjusted in line with this reduced value.
28	Individual submitter			Cloisters Square PO	Objection <ul style="list-style-type: none"> As the proposal required minimum levels as an outcome of the LSIO, the LSIO should also incorporate provisions which specifically preclude rejection of development proposal which may result in a size and scale which is not consistent with development currently in a locality. Part of the review process should be the revisiting of previous management plan actions to determine which actions have and have not been undertaken and why, their effectiveness and any implementation issues experienced by local managers.
29	Individual submitter			St Leonards	Objection <ul style="list-style-type: none"> Concerns regarding how the information that form the report applicable to this particular subject site was ascertained? Was the information obtained from the contour intervals prior to the development of Swan View Estate or was this information obtained from the finished floor levels from the survey company that subdivided the land in question? Plan 74LSIO-FO suggests contours, which are usually + or – 25cm, shown prior to any fill placed during constructions which would make any assessment flawed. Potential impact on valuation of property. Potential for changes to insurance premiums for flood damage, even as a result of a storm.
30	Individual submitter			Moolap	Objection <ul style="list-style-type: none"> The inundation level line appears somewhat arbitrary on the neighbouring properties. Are there any inundation mitigating measures planned for the area and whether this can make an impact on the proposed amendment? The proposed amendment does not mention the Moolap Coastal Planning Framework.
31	Individual submitter			Indented Head	Objection <ul style="list-style-type: none"> There is a water outlet between 234 and 235 The Esplanade, Indented Head and the road at this location cambers away from the shoreline.

No.	Surname	First Name	Address	Suburb	Summary
					<ul style="list-style-type: none"> The road should be raised on the south side with recycled plastic stabilisers and removing gutters to produce a better flow pattern for any flood waters.
32	Individual submitter			Highton	Objection <ul style="list-style-type: none"> The amendment does not seek to protect property. Impact upon property valuation. Not plans of how COGG may mitigate the properties to be protected. Raising properties by 0.8 metres will result in difficulties with accessing and servicing sites. Question as to will rates money or other taxes be used to fund mitigation works?
33	Individual submitter			Alfredton	Objection <ul style="list-style-type: none"> Property owner on Point Richards Road, Portarlington. Potential property devaluation.
34	Individual submitter			Geelong	Objection <ul style="list-style-type: none"> Potential property devaluation / changes to property rates. The report should be updated evert 15 years as opposed to the forecasting currently proposed within the report.
35	Individual submitter			Tullamarine	Objection <ul style="list-style-type: none"> No evidence of sea levels rising by any margin of significance.
36	Individual submitter			Indented Head	Objection The amendment is totally unnecessary.
37	Individual submitter			Portarlington	Objection <ul style="list-style-type: none"> The level of sea water rise by the year 2100 is an assumption. COGG should protect the foreshore through the construction of sea walls in key areas.
38	Individual submitter			Ocean Grove	Objection <ul style="list-style-type: none"> Land at Peers Crescent which was filled up over 300mm above the depth provided by the Bellarine Council 30 years ago.

No.	Surname	First Name	Address	Suburb	Summary
					<ul style="list-style-type: none"> No mention of preventative infrastructure such as one way flood gates or drains or possible sea walls to protect residents and Council.
39	Individual submitter			Harkness	<p>Objection</p> <ul style="list-style-type: none"> Owners of property on Sean Parade St Leonards. Query as to why the property listed as part of further inundation when Council resources show the property is not affected by the flooding of the inundation overlay and is not mentioned within detailed reports? Land subject to inundation will be listed within the Section 32 and could impact future building permits on the land. Possible impact upon property values / the ability to sell the property in the future.
40	Individual submitter			Portarlinton	<p>Objection</p> <ul style="list-style-type: none"> Removal of the property from the overlay as the boundary of the overlay only includes a small part of the land. Sand / shell grit as a result of dredging activities for the ferry has resulted in greater damage then from tides (erosion) and blocked stormwater drains.
41	Individual submitter			St Leonards	<p>Objection</p> <ul style="list-style-type: none"> A more exact nature of the issue could be achieved. The arbitrary nature of selection of properties in my street whereby approximately half a metre of my property to be included in the amendment whilst others are excluded. Devaluation of property. 80 years is to long can the information be reviewed every 20 years. Request that the property is excluded from the amendment given that neighbouring properties which are located the exact same distance from the sea are excluded.
42	Individual submitter			St Leonards	<p>Objection</p> <ul style="list-style-type: none"> Changing the planning scheme alone will not result in changes to reducing the impact of possible inundation. The methodology used is vague rather than based on validated scientific evidence. The amendment is an easier way for Council to avoid responsibility for not placing priority on ensuring coastal areas are protected from rising sea levels and other factions that contribute to climate change have not been addressed.

No.	Surname	First Name	Address	Suburb	Summary
					<ul style="list-style-type: none">• Council will benefit from the amendment by increased revenue for planning permit applications with no obligation to do anything else towards protecting the coastline.• Impact upon property prices.• A rate reduction should be charged by the council to compensate for the reduction in the value of the land and the buildings for the properties identified in the report.
43	Individual submitter			Essendon	Objection <ul style="list-style-type: none">• Disagreement with the contents of the report regarding the prediction of a 0.8 metre sea level rise in 80 years

Attachment 5 – Corangamite CMA Submission in support of Amendment C394



CMA Reference No: CCMA-F-2019-00693
Document No: 1
Council No: C394
File No.: STP/02-0002
Date: 21 August 2019

Mr Peter Smith
Coordinator Strategic Implementation
City Development
City of Greater Geelong
Po Box 104,
Geelong Vic 3220

strategicplanning@geelongcity.vic.gov.au

Dear Peter,

CMA Reference Number: CCMA-F-2019-00693

RE: Amendment C394 – Land Subject to Inundation Overlay for Bellarine Peninsula and Corio Bay

Thank you for the opportunity to provide comment on Amendment C394 – Land Subject to Inundation Overlay for Bellarine Peninsula and Corio Bay. Below is the Corangamite CMA's understanding of what the amendment proposes to achieve:

- To implement the Inundation Report for the Bellarine Peninsula - Corio Bay Local Coastal Hazard Assessment December 2015.
- To include policy changes to the Municipal Strategic Statement, introduces a new Land Subject to Inundation Overlay (LSIO) schedule and applies the LSIO to properties identified as being subject to future flood events and sea level rise.
- Amend Clause 21.05 Natural Environment to refer to the Bellarine Peninsula - Corio Bay Local Coastal Hazard Assessment December 2015 and include a new objective and strategy at Clause 21.05-5 Climate Change relating to coastal impacts of climate change.
- Introduce a new Schedule 2 to Clause 44.04 Land Subject to Inundation Overlay titled "Coastal Inundation and Hazard" (LSIO2).
- Apply the Land Subject to Inundation Overlay Schedule 2 (LSIO2) to land identified in the Bellarine Peninsula - Corio Bay Local Coastal Hazard Assessment December 2015 as being inundated by the combined effects of the 1% Annual Exceedance Probability (AEP) storm surge flood event plus 0.8 metre sea level rise.
- Amend the Schedule to Clause 72.03 to update the list of maps forming part of the scheme.





Rationale for Inundation Mapping

The Greater Geelong City Council, in conjunction with its partner agencies, have completed the Inundation Report for the Bellarine Peninsula - Corio Bay Local Coastal Hazard Assessment. Outputs from this project were designed to provide councils and land managers with data sets that considered future coastal related hazards and climate-change related challenges, and to inform strategic planning and decision making. Currently, there are no formal flood mapping overlays currently within the Greater Geelong City Councils planning scheme that address coastal inundation. This Amendment C394 will address this matter with the introduction of a Land Subject to Inundation Overlay 2 (LSIO2).

Corangamite CMA is supportive of Amendment C394 and will work closely with Council and other key stakeholders to ensure orderly planning outcomes are achieved. As part of this process, best practice floodplain management principles must be upheld when assessments are made that consider future coastal inundation. Corangamite CMA is firmly of the view that, when applying the LSIO2 inundation overlay to coastal areas, the guidelines and the provisions of the planning scheme (outlined below) require us to plan for '... at least 0.8 m sea level rise by 2100' in all coastal areas.

The LSIO2 study area has identified 1614 coastal properties that the LSIO2 overlay will apply to. These properties are spread out on the Bellarine Peninsula and Corio Bay and include Avalon, Lara, Corio, Geelong, East Geelong, Newcomb, Moolap, Leopold, Bellarine, Portarlington, Indented Head, St Leonards, Swan Bay, Ocean Grove, Wallington, Barwon Heads, Connewarre and Breamlea.

Of the 1614 coastal properties that the LSIO2 overlay will apply to, there are 1269 Properties in *urban zones* affected by LSIO2 (Residential, Commercial, Mixed Use, Rural Living zones) with approximately 79 of those properties being vacant.

The State Government policy identifies the requirement for councils to plan for a 0.8 metre sea level rise by the year 2100. The LSIO2 proposed to address this State Government policy in the Greater Geelong City Council's region.

By means of background the Greater Geelong City Councils objectives of the proposed Land Subject to Inundation Overlay 2 include to:

- protect land vulnerable to coastal inundation from inappropriate development.
- plan for projected sea level rises to ensure that the community and assets are not exposed to an unacceptable level of risk associated with the coastal impacts of climate change.
- ensure that any new development is suitably designed to ensure that it is compatible with the identified flood hazard and local drainage characteristics.

This project identified properties that will be subject to future flood events and sea level rise and is the basis for this planning scheme amendment.

Corangamite CMA understands that the LSIO2 will trigger a requirement for a planning permit for new buildings and works on properties covered by the LSIO2 in the study area. Importantly, the schedule to the LSIO2 also identifies when a permit is *not* required to construct a building or carry out works.

CMA's Role

Corangamite CMA also recognises its role as a recommending planning referral authority in accordance with the provisions of *Section 55 of the Planning and Environment Act 1987*.

The Corangamite Catchment Management Authority (CMA) also has waterway and floodplain management functions under the Water Act 1989. The Minister for Water has formally designated the CMA as the 'floodplain management authority' for all the Greater Geelong City Councils catchments within the CMA's waterway management district.

As part of our floodplain management role, Corangamite CMA is required to assess and provide advice on inundation from any source; whether that be riverine or coastal inundation. In this instance, Amendment C394 relates specifically to flooding arising from coastal inundation. The flooding characteristics of coastal inundation differs from that of Riverine and Urban flooding and thus the assessment process needs to consider the characteristics specific to coastal inundation. The assessment process is an evolving space in coastal inundation, with more emphasis on assessments which take into consideration future sea level rise up to year 2100.



Precedents in other parts of the state where the related LSIO has been successfully applied are as follows:

- South Gippsland Shire Council Amendment C81.
- Bass Coast Amendment C82.
- Mornington Peninsula Amendment C216.
- Moyne Planning Scheme Amendment C60.

Like any other State Government Agency, Corangamite CMA is guided by and obliged to implement the policies of the Victorian State Government. Policy statements relevant to amendment C394 are outlined below.

Policy Basis

This section presents a selection of what we see as the most relevant policy statements relating to the CMA's involvement in Amendment C394.

1. Greater Geelong City Council Planning Scheme – State Planning Policy Framework Clause 13. Environmental Risks and Amenities

13.01 Climate Change Impacts

13.01-2S Coastal inundation and erosion

Objective – To plan for and manage the potential coastal impacts of climate change.

Strategy - Plan for sea level rise of not less than 0.8 metres by 2100 and allow for the combined effects of tides, storm surges, coastal processes and local conditions such as topography and geology when assessing risks and coastal impacts associated with climate change.

Ensure that land subject to coastal hazards is identified and appropriately managed to ensure that future development is not at risk.

Consider the risks associated with climate change in planning and management decision making processes.

Ensure that land subject to coastal hazards are identified and appropriately managed to ensure that future development is not at risk.

Avoid development in identified coastal hazard areas susceptible to inundation (both river and coastal), erosion, landslip/landslide, acid sulfate soils, bushfire and geotechnical risk

Based on the above policy statements, Corangamite CMA is required by Government policy to 'Plan for sea level rise of 0.8 metres by 2100, and allow for the combined effects of tides, storm surges, coastal processes and local conditions'. This is an obligation imposed on the CMA to implement the policies of the Victorian State Government.

2. 13.03 Floodplains

13.03-1S Floodplain Management

Objective - To assist the protection of:

- Life, property and community infrastructure from flood hazard.
- The natural flood carrying capacity of rivers, streams and floodways.
- The flood storage function of floodplains and waterways.
- Floodplain areas of environmental significance or of importance to river health.

Strategy – Identify land affected by flooding, including floodway areas, as verified by the relevant floodplain management authority, in planning scheme maps. Land affected by flooding is land inundated by the 1 in 100 year flood event or as determined by the floodplain management authority.

Avoid intensifying the impact of flooding through inappropriately located use and development.

3. Local Planning Policy Framework



21.05 Natural Environment

21.05-1 Key Issues and Influences

The extensive coastline is an important natural feature of the municipality, which is vulnerable to the impacts of urban development, climate change and natural processes.

A number of areas in the municipality are susceptible to flooding, via the flooding of waterways, stormwater runoff and coastal inundation, which have the potential to result in significant adverse economic, social and environmental impacts.

21.05-4 Coastal Environments

Objectives

- To protect, maintain and enhance the coast, estuaries and marine environment.
- To respect and manage coastal processes.

Strategies

- Setback future land use and development from coastal areas, estuaries and coastal wetlands to provide a buffer which is adequate to accommodate coastal recession and the landward migration of coastal wetland vegetation communities such as mangroves and salt marshes.
- Focus urban coastal development within existing urban settlements.
- Avoid the loss of, and wherever possible increase, public access to the foreshore environment.
- Restrict development on primary dunes.

21.05-5 Climate Change

Objective – To plan for and adapt to the impacts of climate change.

Strategy – Avoid land use and development within areas considered at risk of coastal erosion or inundation from flooding, storm surge or rising sea levels.

21.05-7 Flooding

Objectives

- To protect floodplains.
- To minimise the potential for damage and risks to public safety and property from flooding.

Strategies

- Ensure that land use and development is compatible with flood prone land.

4. 40 Overlays

44.04 Land Subject to Inundation Overlay

- The planning scheme details the Land Subject to Inundation Overlay, which can be used as a tool to implement all of those State-wide and local policies, including the State Planning Policy Framework and the Local Planning Policy Framework, comprising the Municipal Strategic Statement and local planning policies.

Key Purposes

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.
- To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.
- To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

5. Ministerial Direction No. 13: Managing coastal hazards & the impacts of climate change



Whilst this Direction is not directly relevant for C394 as it relates primarily to rezoning's, it has some relevance in that it further helps to establish the CMA's role in assessing the current and future risks of sea level rise and storm surge.

This direction applies to planning scheme amendments related to rezonings for urban uses and requires:

- the current and future risks of sea level rise and storm surge to be addressed;
- that new development be located, designed and protected from potential coastal hazards and management arrangements put in place to ensure ongoing risk minimization; and
- considers the view of the relevant floodplain manager.

Further, to have a say in proposed rezoning's of land for urban uses, which is the subject of the Ministerial Direction, it is necessary to have a trigger to indicate that coastal inundation may be an issue for a particular parcel of land. In this instance, the trigger is the proposed LSIO2 overlay.

Guidelines for Coastal Catchment Management Authorities: Assessing development in relation to sea level rise

These Guidelines were approved by the Minister for Water in 2012 and further establish the CMA's role in assessing coastal inundation. The guidelines specifically apply the policies set out in Clause 13.01-25 (Coastal inundation and Erosion) of the State Planning Policy Framework relating to coastal inundation.

The **objectives** require:

- planning for sea level rise and storm surge to the Year 2100;
- that land subject to coastal inundation is identified and appropriately managed to ensure that future development is not at risk; and
- that the precautionary principle is applied when considering the risks associated with climate change.

The guidelines do allow for the assessment of planning permit applications in established urban areas to a lesser standard of +0.2 m sea level rise; however, it is Corangamite CMA's view that this lesser requirement applies only to the assessment stage and not to strategic planning and the application of overlays such as the LSIO2.

Corangamite CMA is firmly of the view that, when applying the LSIO2 inundation overlay to coastal areas, the guidelines and the provisions of the planning scheme require us to plan for '... at least 0.8 m sea level rise by 2100' in all coastal areas.

6. Victorian Flood Management Strategy

This strategy has identified under **Policy 15e** the following:

- Planning scheme controls must be applied to all priority coastal areas, identified through Regional Floodplain Management Strategies, expected to be at risk of inundation by the 1% AEP flood level, taking into account a rise in mean sea level of at least 0.8 metres.

The LSIO2 in urban areas of this amendment C394 are to be based on a minimum 0.8m sea level rise, making it consistent with how it is applied to rural areas where the intention is to transform land use from rural to urban use.



Summary

With the above response in mind, Corangamite CMA **supports the implementation of Amendment C394** to the Greater Geelong Planning Scheme to:

- i. Amend Clause 21.05 to refer to the Bellarine Peninsula - Corio Bay Local Coastal Hazard Assessment and make minor policy changes;
- ii. Introduce Schedule 2 to the Land Subject to Inundation Overlay titled "Coastal Inundation and Hazard" (LSIO2); and
- iii. Apply the new LSIO2 to land identified as being inundated by the 1% AEP flood event plus 0.8 metre sea level rise.

Should you have any queries, please do not hesitate to contact our office on (03) 5232 9100 or floodinfo@ccma.vic.gov.au. To assist the CMA in handling any enquiries please quote **CCMA-F-2019-00693** in your correspondence with us.

Yours sincerely,

A handwritten signature in black ink, appearing to read "G. Taylor", is written over a faint, larger version of the same signature.

Dr Geoff Taylor
Floodplain Statutory Manager