

GREATER GEELONG PLANNING SCHEME

AMENDMENT C339ggeePt2ggee

EXPLANATORY REPORT

Overview

The amendment implements the *Flood Risk Management Study – Lower Barwon River and Lower Moorabool River* (March 2019) and part of the *Bellarine Peninsula - Corio Bay Local Coastal Hazard Assessment* (December 2015). It revises the mapping extent of the Floodway Overlay (FO) and Land Subject to Inundation Overlay (LSIO and LSIO2) in the areas of the respective studies, replaces the Schedules to the FO and LSIO with new FO1 and LSIO1 schedules, and rezones land near the Barwon River in Newtown from the Urban Floodway Zone (UFZ) to the Neighbourhood Residential Zone Schedule 8 (NRZ8) and Public Conservation and Resource Zone (PCRZ).

Where you may inspect this amendment

The amendment can be inspected free of charge at the City of Greater Geelong website at www.geelongaustralia.com.au/amendments

And/or

The amendment is available for public inspection, free of charge, during office hours at the following places:

City of Greater Geelong Customer Service Centre Wurriki Nyal

137-149 Mercer Street, Geelong

Monday to Friday 9am to 5pm (by appointment only).

The amendment can also be inspected free of charge at the Department of Transport and Planning website at <http://www.planning.vic.gov.au/public-inspection> or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

Details of the amendment

Who is the planning authority?

This amendment has been prepared by the City of Greater Geelong Council, which is the planning authority for this amendment.

Land affected by the amendment

The amendment applies to land across the municipality that is subject to existing flood overlays or has been identified for new flood overlays and zone controls in recent flood investigations. In particular, areas affected include the lower reaches of the Barwon and Moorabool rivers and land identified as subject to future sea level rise along the fringes of the Barwon River estuary, Lake Connnewarre and Reedy Lake.

What the amendment does

The amendment implements the *Flood Risk Management Study – Lower Barwon River and Lower Moorabool River* (March 2019) and part of the *Bellarine Peninsula – Corio Bay Local Coastal Hazard Assessment* (December 2015). It revises the mapping extent of the Floodway Overlay (FO) and Land

Subject to Inundation Overlay (LSIO and LSIO2) in the areas of the respective studies, replaces the Schedules to the FO and LSIO with new FO1 and LSIO1 schedules, and rezones land in Newtown from the Urban Floodway Zone (UFZ) to the Neighbourhood Residential Zone Schedule 8 (NRZ8) and Public Conservation and Resource Zone (PCRZ).

Specifically, the amendment:

- Amends the Schedule to Clause 44.03 Floodway Overlay (FO) to include floodway objectives, statement of risk, permit requirements, application requirements and decision guidelines, and renumber to Schedule 1.
- Amends the Schedule to Clause 44.04 Land Subject to Inundation Overlay (LSIO) to include inundation objectives, statement of risk, permit requirements, application requirements and decision guidelines, and renumber to Schedule 1.
- Amends the Schedule to Clause 72.03 to include new planning scheme maps in the Greater Geelong Planning Scheme.
- Amends Planning Scheme Zone Map 48 to rezone land at 9 – 25 (odd numbers only) Balcombe Road, Newtown from Urban Floodway Zone (UFZ) to Neighbourhood Residential Zone Schedule 8 (NRZ8) and 27 Balcombe Road, Newtown from UFZ to Public Conservation and Resource Zone (PCRZ).
- Inserts new Planning Scheme Maps 32LSIO-FO and 64LSIO-FO and amends Planning Scheme Maps 3LSIO-FO, 6LSIO-FO, 7LSIO-FO, 8LSIO-FO, 9LSIO-FO, 10LSIO-FO, 11LSIO-FO, 12LSIO-FO, 14LSIO-FO, 15LSIO-FO, 16LSIO-FO, 18LSIO-FO, 19LSIO-FO, 20LSIO-FO, 21LSIO-FO, 22LSIO-FO, 23LSIO-FO, 24LSIO-FO, 25LSIO-FO, 27LSIO-FO, 29LSIO-FO, 31LSIO-FO, 36LSIO-FO, 46LSIO-FO, 47LSIO-FO, 48LSIOFO, 49LSIO-FO, 50LSIO-FO, 52LSIO-FO, 53LSIO-FO, 54LSIO-FO, 55LSIO-FO, 56LSIO-FO, 65LSIO-FO, 66LSIO-FO, 67LSIO-FO, 68LSIO-FO, 69LSIO-FO, 70LSIO-FO, 77LSIO-FO, 78LSIO-FO, 79LSIO-FO, 80LSIO-FO, 81LSIO-FO, 82LSIO-FO, 83LSIO-FO, 86LSIO-FO and 88LSIO-FO to:
 - Delete the FO and LSIO from all land in the municipality.
 - Apply the FO1 and LSIO1 to properties identified in the *Flood Risk Management Study – Lower Barwon River and Lower Moorabool River* (2019) and all other properties currently in the FO and the LSIO.
 - Apply the LSIO) to properties identified in the *Bellarine Peninsula - Corio Bay Local Coastal Hazard Assessment* (December 2015).

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to implement the findings of the *Flood Risk Management Study – Lower Barwon River and Lower Moorabool River* (2019) and part of the *Bellarine Peninsula - Corio Bay Local Coastal Hazard Assessment* (December 2015) by updating the flood overlay maps.

The amendment is also required to modify the FO and LSIO Schedules currently contained within the Greater Geelong Planning Scheme as they do not conform with the Ministerial Direction on the Form and Content of Planning Scheme.

How does the amendment implement the objectives of planning in Victoria?

The amendment implements the following objectives from section 4 of the *Planning and Environment Act 1987*:

- (a) To provide for fair, orderly, economic and sustainable use and development of land.
- (b) To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.
- (c) To secure a pleasant, efficient and safe working, living, and recreational environment for all Victorians and visitors to Victoria.

- (e) To protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community.
- (g) To balance the present and future interests of all Victorians.

Does the amendment address relevant bushfire risk?

The amendment has no impact on existing bushfire risk.

How does the amendment address any environmental, social and economic effects?

The amendment is considered to result in an overall net community benefit in terms of its environmental, social and economic effects. Specifically, the amendment will introduce and update planning scheme controls that trigger a planning permit for relevant buildings and works. This includes new dwellings, subdivision and earthworks that alter natural ground levels. The Responsible Authority and floodplain management authority will be able to assess planning applications in areas identified as potentially vulnerable from hazards such as flooding, inundation, and sea level rise.

The amendment is expected to have positive economic and social benefits, as flooding and inundation can result in significant costs for the community and the State. It can severely disrupt communities and in extreme cases, cause extensive damage to public and private property, agricultural losses, personal hardship and potential loss of life. The amendment has positive economic and social benefits by identifying areas where planning permit assessment can reduce these risks.

Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the *Planning and Environment Act 1987*. The amendment amends the FO and LSIO schedules and mapping to ensure consistency with this direction.

The amendment is affected by Ministerial Direction No. 11 - Strategic Assessment of Amendments under section 12 of the *Planning and Environment Act 1987* and complies with this direction.

The amendment is affected by Ministerial Direction No. 15 - The Planning Scheme Amendment Process and complies with this direction.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The amendment has been assessed against the objectives of the Planning Policy Framework and is consistent with the principles of State Policy, in particular:

Clause 11 Settlement – identifies that planning for settlements, must have regard to health and safety. The amendment supports this principle by documenting the extent of flooding and the degree of risk from its impacts by using the FO for areas that are at risk of faster flood flows and depths and the LSIO for overflow areas.

Clause 11.02-1S Supply of urban land – identifies that planning for urban growth should consider the limits of land capability and natural hazards and environmental quality. The amendment implements this clause by identifying land that is subject to the natural hazards of flooding and intense rainfall events.

Clause 11.03-2S Growth areas – requires planning to respond to climate change and increase environmental sustainability. The amendment implements this clause by introducing updated planning controls that will ensure new development, subdivision and works proceeds in a manner that is compatible with flood risk.

Clause 12.02-1S Protection of the marine and coastal environment – includes the objective to protect and enhance the marine and coastal environment.

Clause 12.02-1L Protection of coastal areas – includes strategies to set use or development back from coastal areas, estuaries and coastal wetlands to provide a buffer that is adequate to accommodate coastal recession and the landward migration of coastal wetland vegetation communities such as mangroves and salt marshes.

Clause 12.03-1S River and riparian corridors, waterways, lakes, wetlands and billabongs – identifies the need to protect and enhance waterway systems including river and riparian corridors, waterways, lakes, wetlands and billabongs.

Clause 12.03-1R Rivers of the Barwon – identifies the need to maintain and enhance the natural landscape, biodiversity, cultural and social values, and the Traditional Owner living cultural heritage values of the Rivers of the Barwon, comprising of the Barwon (Parwan), Leigh (Waywatcurtan), Moorabool (Moorroobull) and Yarrowee (Yarrowee) Rivers, their tributaries and wetlands.

Clause 12.03-1L River corridors, waterways, lakes and wetlands – includes strategies to:

- Ensure that land use and development avoids isolating wetlands and provides for connective water flows and vegetative links.
- Ensure waterways and wetlands are not drained or adversely affected as a result of development.

Clause 13 Environmental Risks and Amenity – identifies that planning should aim to avoid or minimise natural and human-made environmental hazards. The amendment implements this clause by introducing new and updated planning controls that will ensure new development, subdivision and works proceed in a manner that minimises exposure to environmental risks associated with flooding.

Clause 13.01-1S Natural hazards and climate change – identifies the need for adaptation response strategies for existing settlements in risk areas to accommodate change over time. The amendment assists in implementing this by providing more accurate information to guide subdivision and development in responding to risks associated with flooding. The amendment implements the flood modelling scenario based on 0.8 metres sea level rise by 2100.

Clause 13.01-2S Coastal inundation and erosion – the amendment achieves the policy objective “to plan for the potential coastal impacts of climate change” and implements the following strategies:

- 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.
- Avoid development in identified coastal hazard areas susceptible to inundation.

Clause 13.03-1S Floodplain management – identifies that planning is 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.

Clause 13.03-1L Floodplain management – includes the strategy to:

- Discourage land use and development in floodplains where flood function may be impaired.

How does the amendment support or implement the Municipal Planning Strategy?

The amendment implements the following strategic directions of the MPS:

Clause 02.03-1 Settlement – locate and design urban areas to mitigate the potential impacts of climate change.

Clause 02.03-2 Environmental and landscape values – protect, maintain and enhance waterways, rivers, wetlands and groundwater.

Clause 02.03-3 Environmental risks and amenity (Flooding and coastal inundation) -

- Protect the function of floodplains.
- Minimise the potential for damage and risks to public safety and property from flooding.
- Avoid land use and development in areas at risk of coastal erosion or inundation from flooding, storm surge or rising sea levels.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victoria Planning Provisions in so far as:

- Amending, updating and applying the schedule to the Floodway Overlay, which is the accepted tool to identify and manage areas susceptible to flooding.
- Amending, updating and applying the schedule to the Land Subject to Inundation Overlay, which is the accepted tool to identify and manage areas susceptible to inundation.

How does the amendment address the views of any relevant agency?

The amendment has been prepared in consultation with the Corangamite Catchment Management Authority (CCMA). The extent of the overlays and the configuration of the mapping included in this amendment have been prepared in consultation with the CCMA.

Does the amendment address relevant requirements of the *Transport Integration Act 2010*?

The amendment does not have any significant impacts on the transport system.

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The amendment will trigger planning permit applications as a result of the new planning controls. However, the amendment will not pose unreasonable resource and administrative costs on Council in its normal capacity as the Responsible Authority. These increased demands will be offset by the improved performance of the planning scheme and the potential for reduced demands on Council's emergency management response and flood recovery resources.