

Golden Plains Planning Scheme

Amendment C104GPLA

Explanatory Report

Overview

The amendment implements the *Teesdale Flood Risk Identification Study* (Water Technology Pty Ltd, 2023), the 'Study', by applying new flood mapping to land identified as flood prone in the township of Teesdale by inserting a new Schedule 2 to the Floodway Overlay (FO2) and Schedule 2 to the Land Subject to Inundation Overlay (LSIO2).

The amendment also corrects a past error by providing Schedule 2 for existing FO and LSIO land across the municipality, except for land in Inverleigh whose flood controls are already in Schedule 1; LSIO1 and FO1. Existing LSIO and FO mapped areas will be correctly identified as FO2 and LSIO2. The schedules for these areas were inadvertently removed from the Golden Plains Planning Scheme when Amendment C80gpla was gazetted on 5 September 2019.

Where you may inspect this amendment

The amendment can be inspected free of charge at the Golden Plains Shire Council website at <https://www.goldenplains.vic.gov.au/resident/planning/strategic-planning-projects>

And/or

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

Bannockburn Customer Service Centre

The Well

2 Pope Street

19 Heales Street

Bannockburn VIC 3331

Smythesdale VIC 3351

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.

Submissions

Any person may make a submission to the planning authority about the amendment. Submissions about the amendment must be received by 10 March 2025.

A submission must be sent to:

Golden Plains Shire Council

PO Box 111

BANNOCKBURN VIC 3331

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: 2 June 2025
- panel hearing: 30 June 2025

Details of the amendment

Who is the planning authority?

The amendment has been prepared by the Golden Plains Shire Council which is the planning authority for this amendment.

The amendment has been made at the request of the Council and the Corangamite Catchment Management Authority (CMA).

Land affected by the amendment

Teesdale

The amendment applies to land in the township of Teesdale, which is situated on the banks of the Native Hut Creek, as shown in figures 1-3.

The amendment applies to land in Teesdale projected to be affected by floodwater during a 1% Annual Exceedance Probability (AEP) flood event, incorporating 2100 climate change projections, as identified in the Study. These areas will be shown on LSIO-FO combined planning scheme maps as FO2 and LSIO2.

Other areas

The amendment also applies to all other areas in the municipality currently affected by the FO and LSIO maps but, which do not have an associated overlay schedule. These areas will be renamed to FO2 and LSIO2. The effect of this change will be that the extent, or coverage, of the existing FO and LSIO maps will not change and that the new schedules will provide planning permit exemptions which will be a benefit for landowners.

Areas of FO1 and LSIO1 that apply in Inverleigh are unaffected by this amendment.

A mapping reference table is found at the end of this document, at Attachment 1.



Figure 1: Teesdale amendment overlay areas showing the extents of the proposed FO2 and LSI02. Note the overlay extents that are outside the study area remain unchanged.

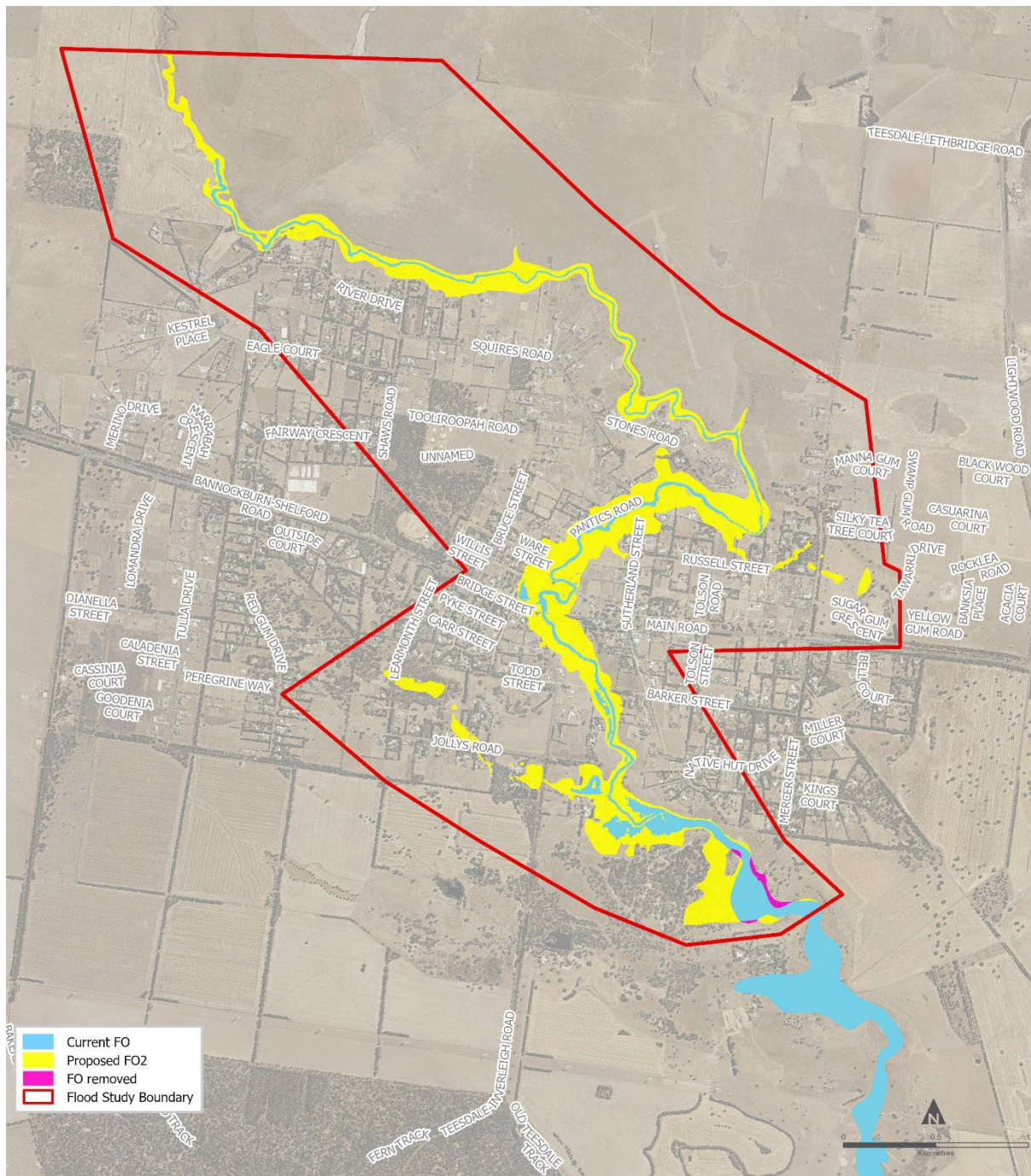


Figure 2: Teesdale amendment overlay areas showing the extent of the current FO compared to the proposed FO2. A small section of the FO is shown as removed from the south east extent of the flood study boundary. Note the overlay extents outside the study area remain unchanged.

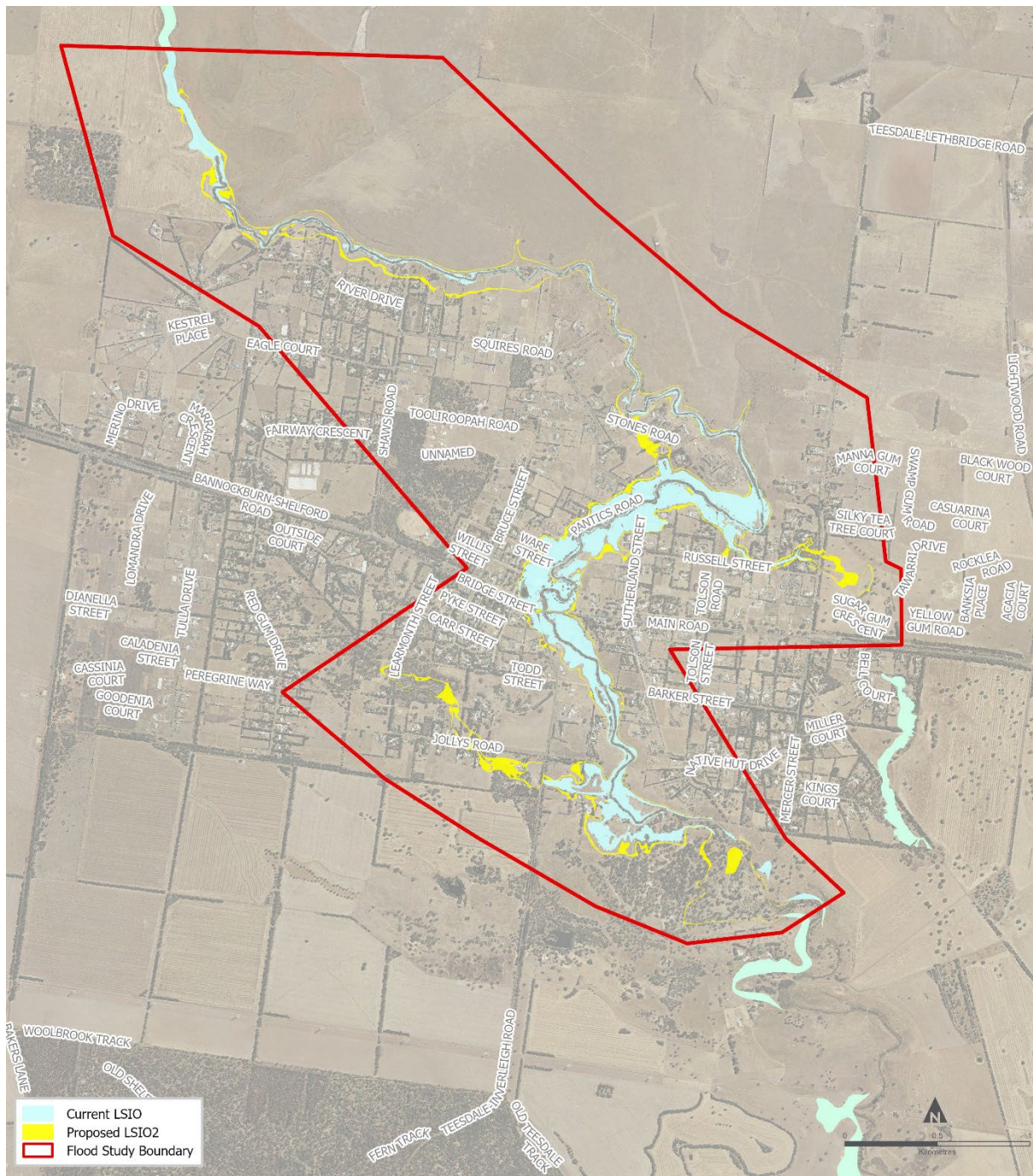


Figure 3: Teesdale amendment overlay areas showing the extent of the current LSIO compared to the proposed LSIO2. Note that the missing gap between them indicates the new extent of the proposed FO2 not shown on this map. Note the overlay extents outside the study area remain unchanged.

What the amendment does

The amendment implements the findings of the Study which was adopted by the Council at its ordinary meeting on 24 October 2023. It is also correcting an error by updating LSIO-FO maps across the Shire to LSIO2 and FO2.

Specifically, the amendment seeks to:

Overlays maps

- Amend maps 24 LSIO-FO and 26 LSIO-FO to apply new flood mapping in Teesdale, as shown in figure 1 and in the attached planning scheme maps.
- Amend maps throughout Golden Plains Shire 01 LSIO-FO, 02 LSIO-FO, 03 LSIO-FO, 04 LSIO-FO, 05 LSIO-FO, 06 LSIO-FO, 07 LSIO-FO, 08 LSIO-FO, 10 LSIO-FO, 11 LSIO-FO, 12 LSIO-FO, 13 LSIO-FO, 15 LSIO-FO, 16 LSIO-FO, 17 LSIO-FO, 18 LSIO-FO, 19 LSIO-FO, 20 LSIO-FO, 21 LSIO-FO, 22 LSIO-FO, 23 LSIO-FO, 24 LSIO-FO, 25 LSIO-FO, 26 LSIO-FO, 28 LSIO-FO, and 29 LSIO-FO to update the reference number in the maps from FO to FO2 and LSIO to LSIO2 as shown in the attached maps.

Planning scheme ordinance

- Insert a new Schedule 2 to Clause 44.03 Flood Overlay as shown in the attached document.
- Insert a new Schedule 2 to Clause 44.04 Land Subject to Inundation as shown in the attached document.
- Replacing the Schedule to Clause 72.08 (Background Documents) with a new Schedule to include the Teesdale Flood Risk Identification Study (Water Technology 2023).

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to implement the findings of the Study to update riverine flood mapping for Teesdale, and to insert new schedules FO2 and LSIO2 that include planning permit exemptions for minor developments and works to reduce permit burdens on landowners. The new FO2 and LSIO2 schedules at Clauses 44.03 and 44.04 will also be used for existing FO and LSIO to reintroduce and update flood overlay local schedules that were inadvertently removed upon the gazettal of Amendment C80gla in 2019.

Teesdale

In response to significant flood events across Victoria, the Council, with the support of the Corangamite CMA, commissioned a flood investigation to understand, and respond to, flood risk throughout the township of Teesdale. The Study was undertaken by Water Technology on behalf of the Council.

The Study provides the most recent information on flooding in Teesdale. The inclusion of the updated mapping into the Golden Plains Planning Scheme will ensure the scheme is current and contains the most accurate information available.

The amendment identifies land that is likely to be within the 1% Annual Exceedance Probability flood extent with a climate change projected rainfall intensity increase of 18.4%, to 2100. The flood lines used for the overlays are based on a flood event that has a 1 percent chance of occurring in any given year. The time horizon of 2100 has been chosen because typically most built form such as housing will still be in use by

that time period. A high emission scenario has been chosen to allow for climate change uncertainty. This is the standard practice when planning for flood events with respect to climate change.

The Study provides recommendations for making changes to the existing planning scheme in areas identified as being at risk of flooding. A key implementation task from the Study is to update flood controls and mapping in the Golden Plains Planning Scheme.

The amendment applies a combination of updated FO and LSIO controls. The application of these planning controls allows some development to occur within floodwaters which are deemed low risk but is more restrictive for development in high-risk areas.

The changes to the proposed FO2 and LSIO2 maps in Teesdale will increase the area covered by the controls to include an additional 38 properties. The extent of the changes to the proposed overlays, can be seen in figures 1-3.

While engineering mitigation works and emergency response plans play a very important role in alleviating the impacts of flooding, in the long term, one of the most effective means of reducing the impact of flooding on communities is the establishment of appropriate planning scheme controls. The overlays have been used in this case to ensure appropriate development in areas affected by flooding.

Other areas

In September 2019, Amendment C80gpla introduced flood controls (FO1 and LSIO1) to Inverleigh. When C80gpla was approved and published in the Victoria Government Gazette an administrative error occurred that inadvertently removed the FO and LSIO schedules that had corresponded to the existing FO and LSIO mapping throughout the shire. No schedules have applied to these overlays since this time.

This amendment will correct this error by applying the Teesdale schedules to the existing FO and LSIO mapping which are proposed to be renamed FO2 and LSIO2.

Since 2019, most buildings and works within the existing FO/LSIO areas have required a planning permit. The effect of the local schedules is to provide exemptions where appropriate to exempt certain low risk buildings and works from the need for a planning permit.

The proposed new schedules are based on the content from the removed schedules but have been updated in accordance with the requirements of the Corangamite CMA and to align with the Victoria Planning Provisions and the form and content requirements of the Ministerial Direction s7(5). They are appropriate for the areas within the existing mapping and also for the new areas in Teesdale.

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

The amendment implements the objectives of planning in Victoria as outlined in section 4(1) of the *Planning and Environment Act 1987* as follows:

- a) *Provide for the fair, orderly, economic and sustainable use, and development of land.*

The amendment will result in the fair, orderly, economic and sustainable use and development of land by implementing a well-planned, holistic approach to addressing flooding impacts in the existing and future community of Teesdale and the broader Golden Plains Shire community. The amendment will regulate development in hazardous areas.

This amendment will assist landowners and occupiers to understand the potential flood risk and provide more certainty to the community. It will assist the Council and the Corangamite CMA in making more informed and effective decisions on development of land affected by flooding.

- b) *Provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.*

The amendment identifies and protects local environmental features by applying flood controls to protect the natural functions of floodplains from unsuitable development. The amendment will ensure that new development is appropriately designed and located for flood risk in a manner that maintains the free passage and temporary storage of floodwaters, and that future development does not compromise natural systems.

- c) *Secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*

The amendment more accurately identifies areas prone to flooding in Teesdale and appropriately reintroduces missing flood overlay schedules throughout the Golden Plains Shire. This will ensure development is managed safely in and around the floodplains which will assist in creating townships where communities can live, work and play safely and provide for a more efficient recovery from future flooding events.

- f) *Facilitate development in accordance with the objectives.*

The amendment achieves the objectives of planning in Victoria by introducing a suite of planning scheme provisions to guide development for the benefit of the Golden Plains Shire, consistent with state, regional and local planning policy.

- g) *Balance the present and future interests of all Victorians.*

The amendment supports this objective by identifying flood prone land based on a climate change high emission scenario for 2100 in the township of Teesdale. Development that is built for the long term will assist with intergenerational equality, while at the same time, alleviate the more immediate impacts that flooding can have on communities. The overlay schedules have been drafted to ensure development occurs in a logical manner consistent with the objectives of planning in Victoria.

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

Environmental effects

The amendment identifies flood-prone areas. Areas of environmental significance, such as swamps, billabongs and wetlands have an important role to play in supporting biodiversity, recycling nutrients and maintaining water quality. Through this amendment, these areas can be protected from inappropriate development that may pose a threat to water quality and flora and fauna communities. The identification of flood-prone areas will ensure that development is compatible with local environmental conditions including flood hazards and drainage conditions.

The application of the FO2 and LSIO2 in Teesdale, which is underpinned by the Study, will ensure future development is managed in areas subject to flooding. The amendment will prevent development from occurring in areas that are subject to flooding that could reduce the capacity of the floodplain to store and convey water, and consequently will help protect the creek environs.

The appropriate location of development will reduce the impact that floating debris and sewage can cause to vegetation throughout floodplains during and after flooding events.

Social effects

This amendment aims to facilitate the orderly growth and development in relation to flooding impacts within the Golden Plains Shire.

The amendment applies restrictions on the development of land with the application of the flood overlays. This will minimise the effect of development on flood processes.

In the Teesdale township, these overlays could impact landowners by restricting what they can do with their land or requiring conditions for how to develop on some properties which were previously not covered by the current flood overlays. However, the overlays will ensure that development is undertaken in a safe manner. While in the case of reintroducing the mistakenly removed schedules, this will have the opposite effect, by providing exemptions to planning permit triggers for minor developments such as open type rural fencing. Overall, the amendment provides a community benefit by protecting important assets and protecting life and property.

Flooding can have significant consequences for individuals and for local communities. The impacts can include loss of life, loss of property and temporary or permanent displacement. Flooding may affect people and communities differently. Health, mental health and social vulnerability may be exacerbated for people living in exposed communities and can make normally resilient people vulnerable.

Specific groups within communities exposed to flooding may be further disadvantaged. For example, people with disability may be more disadvantaged than people without disability in responding to a flood event. This may be because people with disability may face barriers to receiving or understanding emergency warnings. Ensuring appropriate development occurs reduces the chance of socially vulnerable people living in flood prone areas.

Over the long term, applying appropriate planning controls will reduce the compounding impacts of social vulnerability.

Economic effects

The amendment is expected to have positive economic effects for the municipality. The identification of flood risk through planning scheme mapping will provide increased certainty to the community and reduce future economic loss from flooding. Flooding carries significant costs for the community, individual landowners and occupiers and the state.

Flood damage can disrupt communities and in extreme cases, cause extensive and costly damage to public and private assets, cause agricultural and industry losses, personal hardship and loss of life. By careful planning of new development, having regard to flood risk, future economic impacts of flooding can be reduced.

The publicly available flood risk information will assist current and future landowners make informed choices prior to purchasing and developing land. This information will assist in establishing future industries, tourism and community facilities in appropriate locations. Additionally, minor buildings and works are exempt under the proposed schedules to avoid unnecessary planning regulation.

Does the amendment address relevant bushfire risk?

The amendment does not increase the risk to life, property, community infrastructure or the natural environment from bushfire, as it identifies flood risk but does not facilitate strategic planning in identifying new locations for intensifying development.

The amendment meets bushfire policy in Clause 13.02 of the Planning Scheme. Much of the land affected by this amendment is unlikely to be intensified for urban purposes without subsequent planning approval, and further consideration and assessment against the purpose and decision guidelines of the Bushfire Management Overlay, where applicable.

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

The amendment complies with Minister Direction No. 11, *Strategic Assessment of Amendments*, under section 12 of the *Planning and Environment Act 1987* (P&E Act). The amendment is consistent with this direction which ensures a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces. This explanatory report provides a comprehensive strategic evaluation of the amendment and the outcomes it produces.

It also complies with the form and content requirements of the Ministerial Direction *The Form and Content of Plannings Schemes*, section 7(5) of the P&E Act.

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

The amendment is consistent with the following clauses of the Planning Policy Framework and will assist in achieving objectives of the clauses:

Clause 11 – Settlement

The amendment is consistent with identifying that planning for settlements must have regard to *“health, wellbeing and safety”* and supports *“...anticipate and respond to the needs of existing and future communities...”*. The amendment supports this principle by documenting the extent of flooding now and into the future (for Teesdale) and the degree of risk from its impacts.

Clause 11.01-1S – Settlement

The amendment is consistent with the objective *“to facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements”* by updating the extent of flooding in the Teesdale township and reintroducing mistakenly removed schedules. Applying the FO2 and LSIO2 for the degree of risk from flooding impacts will ensure that development within flood prone areas is regulated to prevent impacts to human life and property. The FO2 applies to areas that are at risk of faster flood flows and depths and the LSIO2 where the flood risk is lower.

This amendment is also consistent with *“minimising exposure to natural hazards, including increased risks due to climate change”* and *“support metropolitan and regional climate change adaptation and mitigation measures”* by identifying land in the township of Teesdale that is likely to be within the 1% Annual Exceedance Probability flood extent under an climate change high emission scenario projected to 2100.

Clause 12.03-1S – River and riparian corridors, waterways, lakes, wetlands and billabongs

The amendment is consistent with the objective *“to protect and enhance waterway systems including river and riparian corridors, waterways, lakes, wetlands and billabongs”*. It implements the following strategies: *“address the impacts of use and development on drought and flooding events at a catchment and site scale to protect the health and natural function of waterway systems and their surrounding landscape and environment”*; and *“design and site development to maintain and enhance the natural environment of waterway systems by: avoiding impeding the natural flow of waterways and future flood events”*.

Clause 13 – Environmental risks and amenity

The amendment is consistent with strengthening the resilience and safety of communities by adopting a best practice environmental management and risk management approach. It assists in identifying, preventing and minimising the risk of harm to the environment, human health and amenity through development compatibility and effective controls to reduce significant impacts. Along with ensuring development and risk mitigation does not detrimentally interfere with important natural processes. In the township of Teesdale, the amendment prepares for and responds to the impacts of climate change.

Clause 13.01-1S – Natural hazards and climate change

The amendment is consistent with the objective *“to minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning”* by

implementing the following strategies: *“identify at risk areas using the best available data and climate change science”*; *“direct population growth and development to low risk locations”*; *“site and design development to minimise risk to life, health, property, the natural environment and community infrastructure from natural hazards”*.

It assists with climate change adaptation responses in the township of Teesdale through implementing overlays based on climate change which will guide planning and management decision making processes such as where intensification of development is appropriate. The Teesdale overlays were prepared in line with the *Australian Rainfall and Runoff 2019* methodology which was the recommended approach at the time the Study was undertaken, and therefore represents the best available data at the time.

Clause 13.03-1S – Floodplain Management and Clause 13.03-1L Floodplain Management – Golden Plains Shire

The amendment is consistent with the objective in assisting with the protection of the following: *“life, property and community infrastructure from flood hazard, including coastal inundation, riverine and overland flows”*; *“the natural flood carrying capacity of rivers, streams and floodways”*; *“the flood storage function of floodplains and waterways”*, and the *“floodplain areas of environmental significance or of importance to river, wetland or coastal health”*.

Clause 19.03-3S – Integrated water management

The amendment is consistent with the strategies to: *“Take into account the catchment context; Protect downstream environments, waterways and bays; Minimise flood risks; Provide urban environments that are more resilient to the effects of climate change.”*

The amendment assists with integrated water management responses through implementing overlays which will guide planning and management decision making and help inform a holistic approach to water management.

The amendment supports the above mentioned clauses by replacing the FO and LSIO overlays with updated mapping identified in the Study. The controls are being applied in order to protect life and property from future flood impacts and to ensure that the natural flood storage capacity of waterways remain relatively unencumbered.

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

The amendment is consistent with the following clauses of the Municipal Planning Strategy and will assist in achieving objectives of the clauses as follows:

MPS Clause 02.02 – Vision

The amendment is consistent with the vision *“Council’s vision is to sustainably manage land use and development within the Shire, including: The natural*

environment will be protected and enhanced; The local economy will grow, particularly in township development and rural based and farming industries.” The amendment supports this vision by providing the community with up-to-date planning controls for flood risk which will assist in reducing the impacts on the local environment and the local economy. The amendment will provide the local community and businesses with more certainty on flooding information which can inform their decision making.

Clause 02.03-3 – Environmental risks and amenity

The amendment implements the strategic directions for environmental risks and amenity through applying flood controls, with the following strategic directions:

“The catchments of the various rivers and streams within Golden Plains Shire include areas of flood prone land where flooding has historically caused substantial damage to the natural and built environment. The town of Inverleigh is most affected by flooding due to the confluence of the Leigh and Barwon Rivers. The Woody Yaloak River is another key floodplain affecting the north of the Shire. Natural flooding, long term productivity of flood prone land, river and wetland health are all closely linked. Inappropriate development on the floodplain can lead to the deterioration of environmental values and reduced agricultural production.

The impact of floods is increasing due to land use and vegetation changes. In particular, urban expansion, raised earthworks and the clearing of land for rural and urban development have all contributed to the increase in the instances of flooding.

Council seeks to mitigate flood risk by:

- *Discouraging the intensification of land use and development in floodplains.*
- *Ensuring the future use and development of land prone to flooding minimises the consequences of inundation on life and property.*
- *Protecting floodways for their role in conveying floodwater.”*

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

The amendment utilises the most effective controls available from the Victoria Planning Provisions. Consideration was given to the level of flood risk, depth and velocity of flood waters in choosing planning scheme tools. The amendment is consistent with *Planning Practice Note 12: Applying the Flood Provisions in Planning Schemes*.

The Corangamite Catchment Management Authority supports the application of the Floodway Overlay and the Land Subject to Inundation Overlay.

The FO2 is applied to areas which flood frequently from riverine flooding, at high depth and/or velocity and for which the impacts of flooding are moderate to high, and

in urban areas where development is anticipated.

The LSIO2 is applied to areas of lesser depth and velocity from riverine flooding in both rural and urban areas, or where development is anticipated. It is also applied to rural zoned land which is subject to higher flood frequency, depth and velocity but where less development is planned.

The planning permit exemptions set out in the FO2 and LSIO2 schedules correspond to the level of flooding risk for the locations.

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

The amendment has been prepared in consultation with the Corangamite CMA which is the relevant floodplain manager and recommending referral authority under Clause 66.03 of the planning scheme. The extent and configuration of the mapping for the overlays, along with the application of the schedules, has been prepared in consultation with the Corangamite CMA. Other agencies will be consulted via the exhibition process of this amendment.

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

The amendment is consistent with the objectives and decision-making principles in the *Transport Integration Act 2010*. Specifically:

- The amendment supports social inclusion and economic prosperity with respect to “*minimising barriers to access so that so far as is possible the transport system is available to as many persons as wish to use it*” and “*enabling efficient and effective access for persons and goods to places of employment, markets and services*”. It achieves this through providing information on flood risk which can be used to assist in future management and design of the transport system.

This amendment is unlikely to have a significant impact on the transport system as it is not significantly increasing intensification of flood risk areas.

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 improve the application and administration of the Golden Plains Planning Scheme, by providing greater certainty for the Council, Corangamite CMA, landowners and the community.

The introduction and reintroduction of schedules and therefore planning permit exemptions across the municipality will result in a decrease in the volume of permit applications relating to FO2 and LSIO2. This will ease burden on planners and reduce administrative costs for both council and the community.

Any costs from increased permit activity meets the test for net community benefit when compared with the benefits associated with ensuring development responds to flooding and the reduced demands on the Council's emergency management response and recovery resources from flooding events.

ATTACHMENT 1 - Mapping reference table

Location Land /Area Mapping Address Proposed changes						
	Affected	Reference		Zone	Overlay	Deletion
Golden Plains Shire	Land specified as FO and LSIO	01 LSIO-FO, 02 LSIO-FO, 03 LSIO-FO, 04 LSIO-FO, 05 LSIO-FO, 06 LSIO-FO, 07 LSIO-FO, 08 LSIO-FO, 10 LSIO-FO, 11 LSIO-FO, 12 LSIO-FO, 13 LSIO-FO, 15 LSIO-FO, 16 LSIO-FO, 17 LSIO-FO, 18 LSIO-FO, 19 LSIO-FO, 20 LSIO-FO, 21 LSIO-FO, 22 LSIO-FO, 23 LSIO-FO, 24 LSIO-FO, 25 LSIO-FO, 26 LSIO-FO, 28 LSIO-FO, 29 LSIO-FO			LSIO2 FO2	D-LSIO D-FO

Teesdale	Land in Teesdale affected by the 1% Annual Exceedance Probability flood extent as identified in the Teesdale Flood Risk Identification Study (Water Technology Pty Ltd, 2023).	24 LSIO-FO, 26 LSIO-FO			LSIO2 FO2	D-LSIO D-FO
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Location	Planning Scheme Mapping Reference	Proposed Overlay changes
Teesdale (surrounds)	Map No 24 LSIO-FO	Inserts new flood mapping (FO2 and LSIO2)
Teesdale township	Map No 26 LSIO-FO	Inserts new flood mapping (FO2 and LSIO2)