



# FACT SHEET

## BIRREGURRA FLOOD AND DRAINAGE STRATEGY 2021

The *Birregurra Flood and Drainage Strategy 2021* (the study) is a joint project between the Colac Otway Shire, Corangamite Catchment Management Authority (CCMA) and the Department of Environment, Land, Water and Planning (DELWP).

The flood study has used the latest information, technology, methods and local knowledge to model the extent and impact of flooding in Birregurra and investigates what can be done to reduce flood impacts on existing and future development. The study provides guidance on how flooding in Birregurra can be addressed through drainage infrastructure improvements and applying planning controls to direct appropriate development to where the flood risk is considered to be acceptable. The study has been developed with extensive input from the local community and also responds to the recent flood event in September 2016.

It is noted that there are already flood based planning controls in Birregurra, but the modelling used to prepare these controls is partially inaccurate. This study recommends that these existing controls are updated to reflect the newly mapped flood risk. A planning scheme amendment is required to update existing or insert new flood overlays in the Colac Otway Planning Scheme. This will ensure that the most up-to-date flood mapping is available when property owners, Council and the CCMA make decisions on land use and development in Birregurra. The amendment can also allow for a greater number of planning permit exemptions for new works that do not increase the flood risk, when compared with the current provisions already in place.

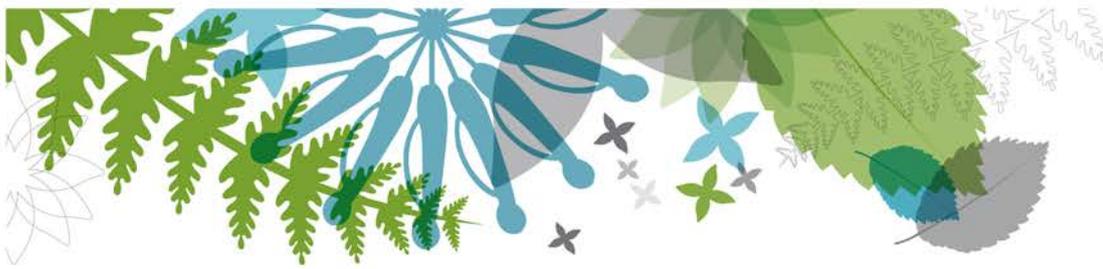
### What is an overlay?

An overlay in the Planning Scheme is a planning control that is applied to land to identify a specific issue that needs to be considered when developing land e.g. heritage, flooding, bushfire or landscape protection. An overlay may control new buildings and works and the subdivision of land. It may result in a planning permit being required for specific buildings and works.

### What are the Floodway Overlay (FO), Land Subject to Inundation Overlay (LSIO) and Special Building Overlay (SBO)?

These three overlays are the controls which the State Government requires Councils to apply to land which is assessed as being prone to potential flooding. Each one has a different emphasis. Application of these overlays is determined by the degree of hazard identified in different parts of the floodplain, and the type of flooding. The overlays are applied to different areas having regard to factors such as flood depth, velocity, natural storage, flood duration and warning time based on a 1% AEP flood extent (i.e. a 1-in-100 year flood). This is a standard used across the industry for flood planning and management. The 1% AEP has been determined through the *Birregurra Flood and Drainage Strategy 2021*.

The **Floodway Overlay (FO)** applies to land in a flood-prone area that provides for movement and storage of significant volumes of floodwater greater than 300mm in depth. This land should remain free from obstruction by buildings and structures. Most development would be discouraged from occurring on land subject to the Floodway Overlay due to the high hazard of future flooding, whilst low intensity/low impact uses can still be considered such as some building extensions, replacement buildings, fences and the like subject to conditions.



The **Land Subject to Inundation Overlay** (LSIO) is generally applied to the fringe of a floodplain where flooding is shallower and slower moving than in the Floodway Overlay and the level of hazard is relatively lower. Development is permitted when it does not expose people and property to an unacceptable risk, or would make flooding worse elsewhere, subject to conditions. This might include, for example, constructing the floor of a building above the established flood level and allowing the free passage of floodwater underneath the building.

The **Special Building Overlay** (SBO) is generally applied to land in urban areas liable to inundation by overland flows from the existing urban drainage system. Development is generally permitted subject to conditions when it does not expose people and property to an unacceptable risk, or would make flooding worse elsewhere. This might include, for example, constructing the floor of a building above the established flood level and also where the development will not cause any significant rise in flood level or flow velocity.

### **What was the process of developing the mapping to revise the extent of the Floodway Overlay, Land Subject to Inundation Overlay and Special Building Overlay?**

A qualified flood consultant generated a map of flood-prone areas using complex computer modelling. The model predicted how water from a 1% AEP storm event would affect the local creek systems. Current mapping of overlays in the planning scheme is based on outdated information and may not accurately reflect this potential flood risk. This was evident when flooding occurred in 2016 and houses outside of the overlay were impacted by rising flood waters. The Special Building Overlay was mapped following modelling of the capacity and design of the existing urban drainage system within the town.

### **My place hasn't flooded in years, why will it in the future?**

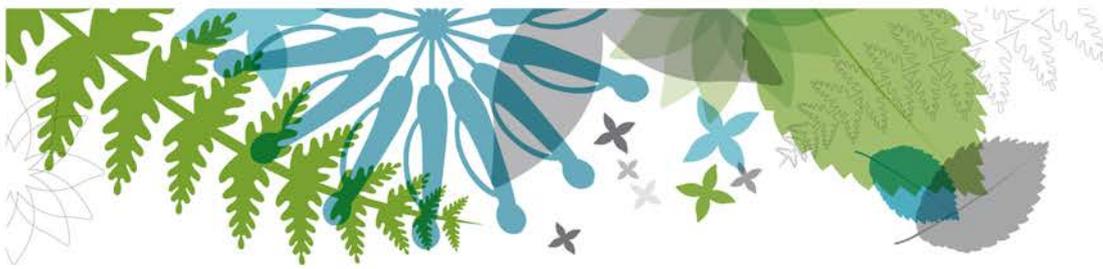
It cannot be assumed that flooding will not occur simply because there are no recollections of previous flooding at that property. The overlays are based upon modelling of the 1% AEP and reflect the most accurate data (and modelling based on this data) that we have. This model was previously referred to as a 1 in a 100 year flood. It is noted that the 2016 flood event in Birregurra impacted, in part, land outside of the current flood mapping in the town and was a 1 in 20 year flood event.

### **If I am in a flood overlay will my insurance premiums increase?**

Insurance premiums are based on the most up to date available flood studies, such as this study, rather than the planning scheme controls. The insurance industry has its own National Flood Database where this information is kept. In many cases insurance premiums may go down due to the availability of more reliable and accurate information, but of course in some cases where deep flooding is identified, premiums may go up. Reliable flood information can help ensure properties are not underinsured. The insurance companies will use the flood model data to set premiums regardless of whether the land is within a planning overlay or not. For further information go to the Insurance Council of Australia website at [www.ica.com.au](http://www.ica.com.au)

### **What if my property is included in the Floodway Overlay (FO)?**

If your property is included in the Flood Overlay, your land has been identified as being within a waterway, major flood path, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding. Development opportunities are limited in the Flood Overlay. You can discuss the implications of flooding and the overlay on your land with Council officers.



### **If included in a flood-based overlay, will I need a planning permit for everything I do?**

There are many exemptions for development in the Land Subject to Inundation Overlay and Special Building Overlay. These include certain types of fences, some building extensions and in many cases new dwellings built above the flood levels subject to conditions. Generally, if your proposed development is constructed 300mm above the flood level and does not impede the flow of water across your land, a planning permit may not be required.

### **Are the overlays required if Council improves drainage within the town?**

Future drainage improvements in and around Birregurra may reduce the need for overlays on some properties. Council is continually seeking ways to improve flooding across the Shire and future works will be included in the capital works program. However, it could be some years before such improvements occur, as they are generally high cost and subject to further feasibility investigations and funding. In the interim, the flood controls will help protect future development from the impact of flooding. When infrastructure is upgraded, a future planning scheme amendment can remove land from flood overlays to reflect drainage improvements and lower flood risks.

### **Proposed flood overlay changes in Birregurra.**

Many properties in Birregurra are already included in the current flood mapping of the Colac Otway Planning Scheme. If the planning scheme amendment proceeds and is approved, some properties may be removed from the flood mapping. Other properties will have no change. The flood extent (or mapping) on some properties may be increased or decreased as a result of the study whilst other properties may be included in the Flood Overlay, reflecting the increased existing flood hazard on the land.

Regardless of the flood controls in place, it is important to note that the flood risk to land in Birregurra currently exists, and the placement of planning controls on the land does not alter this risk.

### **When will the drainage improvements identified be undertaken?**

Drainage improvements in Birregurra will be subject to Council's capital works budget and availability of external funding.

### **Will land owners be compensated for any new planning controls being applied?**

Victorian planning regulations do not allow for compensation to be paid when new planning controls such as flood controls are placed on land.

### **Community consultation to date**

Council has engaged with the Birregurra community during the preparation of the study since 2019. This included in person consultation sessions and phone interviews. Draft mapping of flood prone areas has also been circulated to affected parties. This engagement has been critical to informing the study, with photos of past flooding confirming in most cases the predicted modelling of flood behaviour.

### **What next?**

Council will consider the Officers report at the 28 April Council meeting. If Council resolves to publicly exhibit the draft Strategy and a planning scheme amendment, officers will prepare the amendment documentation and write to all land owners and occupiers advising them of how they can view the information and make a submission. It is likely that there would be drop-in information sessions attended by Council planning and engineering officers, officers from the Corangamite Catchment Management Authority (CCMA) and the consultant engineers who prepared the study. You will be notified of this opportunity when the exhibition process commences.