

ASSESSMENT OF DEVELOPMENT IN RELATION TO POTENTIAL SEA LEVEL RISE POLICY

Policy Number:	3.1.2
Approved by	Council
Date Approved/Effective	17 December 2019
Date of Next Review:	1 October 2020
Related Policies:	Nil
Applicable to Unit(s):	Land Use Planning
Responsible Officer:	Manager Land Use Planning
Statutory Reference:	<i>Planning and Environment Act 1987</i> Wellington Planning Scheme

OVERVIEW

The purpose of this policy is to establish appropriate sea level rise allowances to be applied in future planning permit decision making.

This policy responds to the Planning Policy Framework in the Wellington Planning Scheme, which identifies 'the need to plan for and manage potential coastal impacts of climate change'. More specifically, strategies in Clause 13.01-2S of the State Planning Policy Framework include:

- *In planning for sea level rise, an increase of 0.2 metres over current 1 in 100 year flood levels by 2040 may be used for new development in close proximity to existing development (urban infill).*
- *Plan for sea level rise of not less than 0.8 metres by 2100.*

Based on this policy, the West Gippsland Catchment Management Authority (as the relevant statutory flood authority) can provide consistent technical advice to Council on appropriate flood levels in areas affected by potential sea level rise.

THE POLICY

Application of policy

This policy applies to land affected by potential sea level rise when a planning permit is 'triggered' by:

- the Land Subject to Inundation Overlay or Floodway Overlay; or
- another planning scheme provision and Council has resolved to include the land in the Land Subject to Inundation Overlay or Floodway Overlay.

This policy applies to 'urban infill areas' and 'greenfield development', which for the purpose of this policy are defined as:

Urban infill areas

'land within defined settlement boundaries identified in Clause 21.12 of the Wellington Planning Scheme or where no defined settlement boundary exists, to all established township areas zoned for urban purposes'.

Greenfield development

'All land other than urban infill areas'.

This policy does **not** apply to urban infill areas in Port Albert which have been excluded from flood overlay controls through the Minister for Planning's approval of Amendment C33 to the Wellington Planning Scheme. Consistent with Council's 18 March 2014 resolution, identified urban infill areas of Port Albert have instead been designated as subject to flooding under the Building Regulations where required finished floor levels will be 2.25m AHD (comprising 1.75m AHD 1 in 100 year flood level plus 0.3m freeboard plus 0.2m potential sea level rise).

Information and advice

Council will seek technical advice from the West Gippsland Catchment Management Authority in applying this policy.

The West Gippsland Catchment Management Authority will assess development in relation to sea level rise in accordance with Guidelines for Coastal Management Authorities, June 2012 (or any subsequent version) and this Council policy.

While the West Gippsland Catchment Management Authority is a 'recommending' referral authority, Council will continue to rely on the best available technical knowledge and information provided by the West Gippsland Catchment Management Authority at the time of making any planning decision.

Benchmark flood levels

- *In all urban infill areas, the current 1 in 100 year benchmark flood level will be applied, with an extra potential sea level rise allowance of 0.2 metres being applied to finished floor levels.*

This does not apply:

- to development accommodating emergency and community facilities (as identified in Clause 13.03-1S of the Planning Policy Framework) where an allowance of 0.8 metre sea level rise will be used if the West Gippsland Catchment Management Authority support the proposal**.
- to minor development proposals such as non-habitable outbuildings, decking and the like where a reduced floor level is supported by the West Gippsland Catchment Management Authority.
- when a development proponent elects to establish a higher floor level.

*** It is noted that the Guidelines for Coastal Management Authorities, June 2012 state a clear policy preference for emergency and community facilities to be located outside flood prone areas.*

- *In all greenfield areas, the 2100 benchmark flood level (incorporating at least 0.8 metre potential sea level rise) will be applied.*

This does not apply:

- to single dwellings where the urban infill benchmark flood level above will be utilised.
- to minor development proposals such as non-habitable outbuildings, decking and the like where a reduced floor level is supported by the West Gippsland Catchment Management Authority.

HUMAN RIGHTS

Wellington Shire Council is committed to upholding the Human Rights principles as outlined in the *Charter of Human Rights and Responsibilities Act 2006 (Vic)* and referred to in Council's Human Rights Policy. The Human Rights Checklist has been completed and this policy accords with Council's policy commitment to uphold human rights principles.

Related Documents

Type:	Details:
Procedure:	Nil
Strategy:	Wellington Planning Scheme