

Geoff Hill
Manager Economic Development
Latrobe City Council
PO Box 264
Morwell VIC. 3840

May 30th2011

Dear Geoff,

Re: AMENDMENT C9 (FLOOD) EXPLANATORY REPORT

This submission response by the Toongabbie Community seeks to clarify LSIO in the area of:

- **Toongabbie Creek:**
 - in consideration of a township submission in place since 2009
 - #see supplied documents: Toongabbie Creek submission and DSE reply
- **Rosedale Creek:**
 - in consideration of potential subdivision availability

The township acknowledges:

- that there has been no change to the **LSIO** mapping of Rosedale Creek and minimal change for Toongabbie Creek
- that Latrobe City Council (**LCC**) and West Gippsland Catchment Mangement Authority (**WGCMA**) in releasing discussion on amendment C9 seek to facilitate future planning development based on updated information of our waterways and potential for flood impact of the Toongabbie and Rosedale Creeks on our township during a 1 in 100 year flood event
- Application of these updated overlays will assist local Government, CMA and the community in carrying out more effective planning and management of land affected by flooding.
- Acknowledge that *'Amendment C9 does not rezone.....'*

Our Township has a current submission in place (2009) with DSE, WGCMA and LCC concerning Toongabbie Creek with most issues yet to be actioned. DSE have agreed in email correspondence that the present creek condition is contributing to flooding. By Latrobe City accepting WGCMA's recent flood mapping as accurate, and then adopting **Amendment C9** recommendations for LSIO on Toongabbie Creek, Latrobe City will actually be creating a potential avenue for recompense in any event of future flooding. The township seeks Latrobe City intervention with both DSE & WGCMA to support increased resources to improve the normal water flow before any LSIO recommendations can be correctly updated.

For Rosedale creek:

Toongabbie has a LCC community building initiative action plan citing priorities and objectives to Future Township Planning and Development.

As well, the community are about to launch their community website with a future plan that is dependent on new subdivision options to attract families to our town.

Our community are presently waiting to have a township structure plan developed in consultation with LCC that will identify new areas of potential development for subdivision and, expectantly, allow the rezoning of currently available land bordering residential zones.

As the **LSIO has not changed for Rosedale Creek**, the current opportunities open for this area to progress the town forward will be severely impacted upon.

Under the **LSIO schedule**, subdivision will impact on the lands capacity to cope with increased drainage concerns, consequently, restricting township progression and any potential new investments.

As a result, it is now imperative that the LCC Planning Dept works closer with the Toongabbie community and progress the Township Structure Plan forward to enable consultation for other suitable land developments adjoining residential land that, presently, are unknown as to their future availability.

The community are also seeking the farming zone around the Rosedale Creek area to be rezoned for rural living so a single dwelling can be built on a 40 acre block.

For Toongabbie Creek:

Our 2009 township submission alerts WGCMA, DSE and LCC that current flood inundation of Toongabbie Creek is primarily caused by waterway mismanagement and lack of resources and is the single most contributing factor as to why the Toongabbie Creek floods and impacts on surrounding land.

The LCC explanatory report states that flood mapping and assessment at Toongabbie was based on photography, survey and site inspection.

Does this information identify why some areas bordering Toongabbie Creek are prone to flooding? If so, does it acknowledge lack of waterway maintenance as a contributing factor leading to increased flood inundation?

As WGCMA is the relevant agency, was this known data included as appropriate information in surveying of Toongabbie Creek as flood inundation would be greatly reduced if the waterway was better managed.

see correspondence from DSE re submission response

WGCMA acknowledged lack of resources as to why maintenance of Toongabbie Creek has been neglected, therefore, it can be concluded that **FO** and **LSIO** is present due to build-up of debris and vegetation and any failure of future maintenance to waterway will result in the surrounding land being subjected to increased flood related concerns.

Additionally, as this submission has been in place for 18 months (site meeting attended by LCC community development officer, WGCMA and DSE representatives), does the updated flood mapping open up a grey area potentially creating conflict with insurance providers of existing landholders.

Moreover, the objectives of planning in Victoria noted in **Section 4(1)** of the *Planning & Environment Act 1987* is **compromised** because waterway neglect conflicts with:

- (a) To provide for the fair and orderly, economic and sustainable use, and development of land;
- (c) To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
- (d) To balance the present and future interests of all Victoria.

Again the **objective of Clause 13.02** is also compromised

- [Floodplain management is to assist the protection of:](#)

- Life, property and community infrastructure from flood hazards
- Flood storage functions of floodplains and waterways
- floodplain areas of environmental significance

“It is critical that areas with no current flood controls or outdated flood controls be properly recognised in the planning scheme based on current known information.”

If this waterway continues to lack future investment in maintenance, LCC and WGCMA will again have to revise their **LSIO** to be **FO** because the cause of the flooding would not have been addressed.

As this amendment C9 has been requested by WGCMA, they have a responsibility to also acknowledge that certain contributing factors will impact more on **FO** and **LSIO** rather than the 1 in 100 yr flood.

The notion that an **updated FO** and **LSIO** amendment is acceptable by providing a safer environment for our future township planning disregards the primary concern that maintenance of the waterway is the precursor to flooding, thus more of a danger to our environment and therefore impacting on the safety of our community let alone the social and economic consequences.

In summary:

- LCC to conduct Township Structure Plan asap
- Toongabbie Creek submission be addressed by all parties involved particularly in relation to *issue 7* of the creek submission

Consideration when attending any new planning works to address waterway management

Who or what has the greater overriding priority of worth?

- newly formed natural habitats causing stream instability
- or
- the potential flood inundation and consequent impact to private infrastructure and community inconvenience

If this plan is to be adopted, it is essential that our Township Structure Plan be considered for budget allocation asap to identify a new range of options.

This response was completed by:

Tracey Anton

Toongabbie Township Planning & Development Group

In consultation with the community of Toongabbie 30th May 2011