
From: [REDACTED]
Sent: Friday, 8 November 2024 4:24 PM
To: Strategic Planning <StrategicPlanning@merri-bek.vic.gov.au>
Subject: Stormwater Map

Hi,
Can I please request a site visit? The flood area doesn't seem to match the terrain around and over my property.

I spoke to one of your consultants via the number provided and they recommended I get a local visit/survey.

Regards,

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: Friday, 8 November 2024 10:22 PM
To: Strategic Planning <StrategicPlanning@merri-bek.vic.gov.au>
Subject: Re: [REDACTED] SBO2

SBO2 further feedback.

Hello,

There was a letter send out for further feedback in regards to SBO2 recently at [REDACTED]
[REDACTED]

The section of property claimed to be affected by SBO2 is trivial at best - with a very minimal degree of accuracy given the extreme overgrowth in the area. Major issues experienced in the past decades have not been in relation to flooding but rather:

Lack of maintenance of land between the properties and victrack assets.

Per quote "While VicTrack is the custodian of this land, it is leased to Metro Trains Melbourne (MTM) who are responsible for its maintenance. I have referred your request through to their Customer Relations team for investigation.

If you would like to follow up directly with MTM, you can contact them via Public Transport Victoria (PTV) on 1800 800 007 or at <https://www.metrotrains.com.au/customer-feedback/>."

Politics between council, victrack and the railroads as to who is responsible for taking care of the vegetation in the area.

Politics between who has the right to access the area, with government bodies wanting to access the area having to go through 2 weeks of training with victrack to be able to address matters of concern.

Previous correspondence in the past year with the railway/victrack has simply replied that they do not have the current resources to attend to maintaining the area and there are more pressing concerns.

There was extensive stormwater overflow one year because one government authority had built over the drainage system by accident. It took 14 months to identify the issue and for new stormwater assets to be restored.

The application of SBO2 honestly just goes further to add additional red tape at no strategic benefit for any parties apart from burdening property owners.

If the responsible private/government bodies can please decide who is going to take care of that area, and actually do it, then there will be no water issues.

In its current state the lack of maintenance of the trees and invasive weed species causes both a fire hazard and a property risk in itself.

In order to address anything in that area the buck is often passed between Victrack/Metro Trains/Public Transport Victoria/Council. With I assume council at the will of the first three parties.

I hope you can understand how dealing with that amount of bureaucracy is insanity in itself. We are just adding more rules, there is nothing 'strategic' about this. I feel with this overlay, responsibility of any flooding/stormwater events are being handballed to the property owners.

From: [REDACTED]
Sent: Saturday, 9 November 2024 4:10 PM
To: Strategic Planning <StrategicPlanning@merri-bek.vic.gov.au>
Cc: [REDACTED]
Subject: Amendment C196 Stormwater Map

Hi To Whom it may concern,

I am emailing post a phone conversation regarding the properties [REDACTED]
[REDACTED] of which we are the property owner of.

I am requesting formally to make a change to your proposed assessment to [REDACTED]
[REDACTED] which shows and demonstrates a slight area of the site falling under the 1 in 100
stormwater mapping. It is of our view that from the levels this assessment proposed to place
this small portion of the site being marked is an overly conservative and unwarranted.

We appeal to whom it concerns to review the assessment and remove the proposed mapping
from the site as we feel it has been incorrectly marked.

Your appropriate action on this matter would be appreciated,

Kind Regards,

[REDACTED]
Director

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

If you receive this email by mistake please notify us and do not make any use of it. We do not waive any
confidentiality, privilege or copyright in this email.

From: [REDACTED]
Sent: Saturday, 9 November 2024 4:51
To: 'strategicplanning@meri-bek.vic.gov.au' <strategicplanning@meri-bek.vic.gov.au>
Subject: Amendment C195 Stormwater Map

Ms. [REDACTED]

Hi [REDACTED],

Thank you for your letter dated 28/10/24.

I own property at [REDACTED]. Which according to Stormwater Map would be Inundated in the event of a once in 100 year flood,

The factory was built in 1947 – been there 77 years as yet no flooding has occurred so we have to wait another 23 years to see if flooding happens.—a ridiculous statement ? –no more than the Stormwater Map where it shows water flooding a large area then conveniently flowing down a narrow laneway ignoring the properties on either side of the laneway only to flood another large area further down the road .

I believe the “ Technical Experts “ included a lot wild guesses in their no doubt expensive report in which I have little if any faith.

Council being council will adopt this Amendment C195 no matter what I or others say or think.

Best regards

[REDACTED]

From: [REDACTED] >
Sent: Monday, November 11, 2024 12:48 PM
To: Strategic Planning <StrategicPlanning@merri-bek.vic.gov.au>
Cc: [REDACTED] >
Subject: Amendment C196more:StormwaterMap

To whom it concerns,
Please find attached a letter and images from the owners of [REDACTED] in response to correspondence from Merri-bek council regarding the proposed changes to the Planning overlay for Stormwater which will affect our property.

Regards,

[REDACTED] and [REDACTED]

[REDACTED] and [REDACTED]
[REDACTED]
[REDACTED]

Merri-bek City Council
Manager City Strategy and Economy
Attention: [REDACTED]

Re: Merri-bek Planning Scheme
Amendment C196more : Stormwater Map

Dear [REDACTED],

We received a letter regarding the revised Stormwater planning overlay Amendment C196more; Stormwater map which indicates the revised overlay affects our property at [REDACTED]. We have reviewed the amended map and have a number of concerns and questions regarding the map.

The map indicates a number of properties in [REDACTED] would be subject to a 1in 100 year storm. It shows some properties on the western side of the street are affected and others adjacent are not or are partially affected. This seems very detailed and nuanced for a street which is basically level for the length of the road. It appears to us that the detail is not very consistent overall for the length of the street and could not make such specific differentiation of the affected and non affected properties in such close adjacency to one another.

As the map may affect any planning applications for the affected properties and may affect the renewal of home insurance premiums we request the council provide more detailed evidence as to how these differences have been assessed before the overlay is implemented.

We also note that the source of the expected flood pattern is being generated from adjacent Merri-bek Council property to the west of [REDACTED]. Specifically from [REDACTED] on the corner of [REDACTED] streets and from [REDACTED] entry to the [REDACTED] car park. The main path of flow is over seal surfaces through the car park and pathways to the rear of properties. This would suggest there is no storm water drainage or mitigation on council land to prevent the flooding of the adjacent private properties in [REDACTED]. We believe it is the responsibility of Merri-Bek Council to have

in place storm water reticulation on its property to prevent the flooding of our property and other properties affected. .

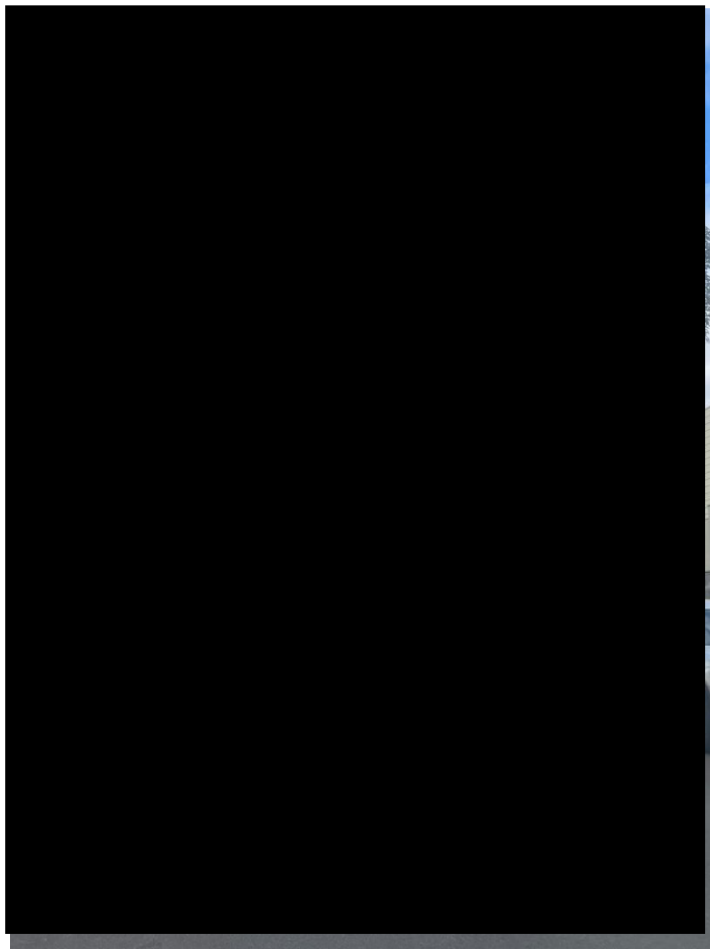
██████████ has been a committee member and president of the ██████████ for many years. As part of the ██████████ we have experienced flooding of the courts due to poor storm water drainage to the north east corner of the club boundary and the vehicle entry from ██████████. The map as shown indicates that this is a key area for the flow of any flooding to the north of the ██████████ and rear of properties in ██████████. We have previously notified Merri-bek Council of flooding behind our house inundating our rear garden and asked it be rectified. The revised overlay confirms this problem and that nothing has been implemented by council to alleviate the problem. We believe the lack of infrastructure provided is due to the council's inactivity and is their responsibility for fix the problem and rectify the overlay issue.

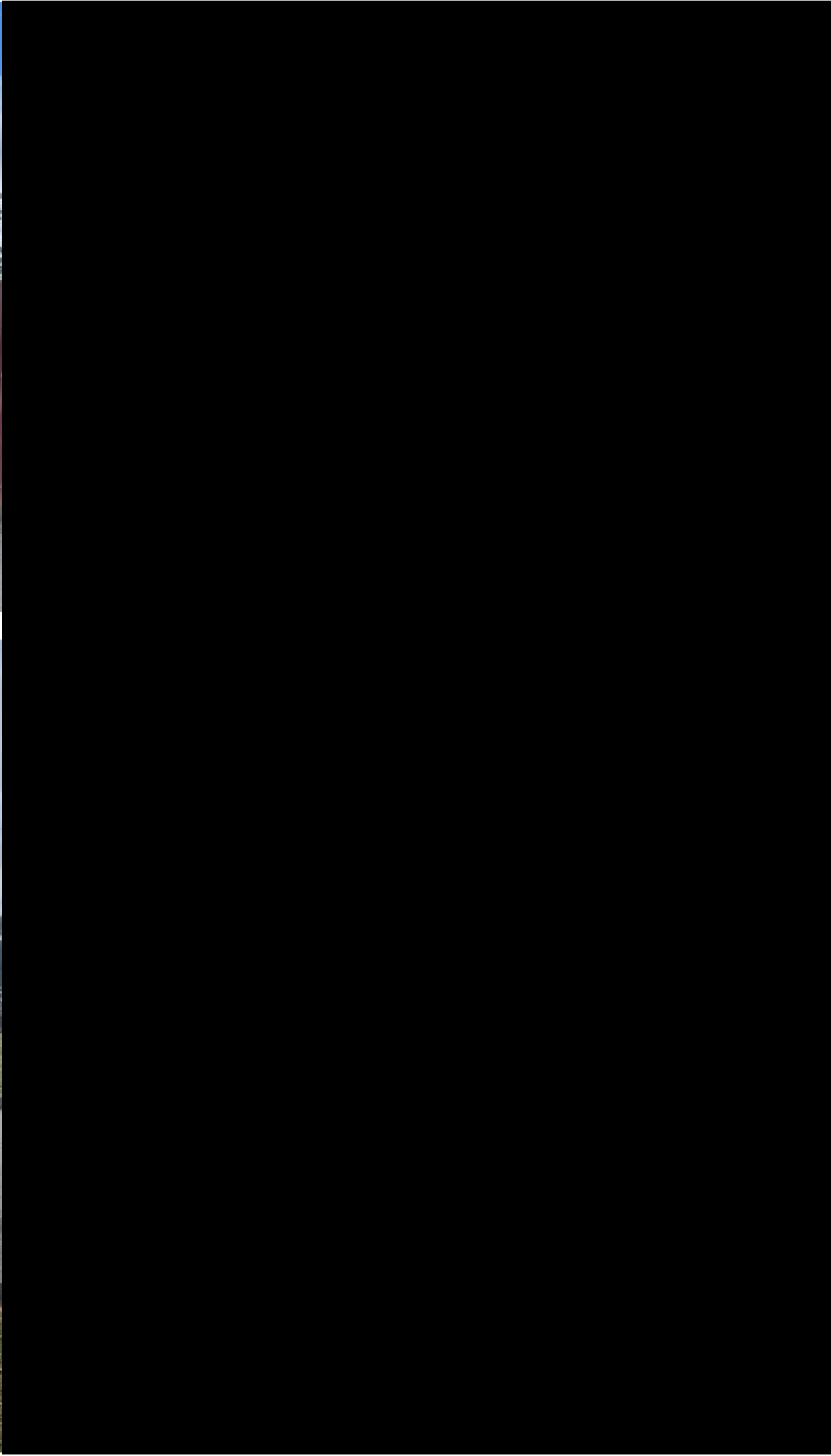
██████████ has spoken, in person to ██████████ at Merri-bek Council regarding this issue. He indicated that Merri-bek are intending to review the data used for mapping. We are forwarding image of ██████████ and the council property adjacent to the affected properties as further evidence of of the differentiation appearing wrong and the specific conditions accentuating the problem.

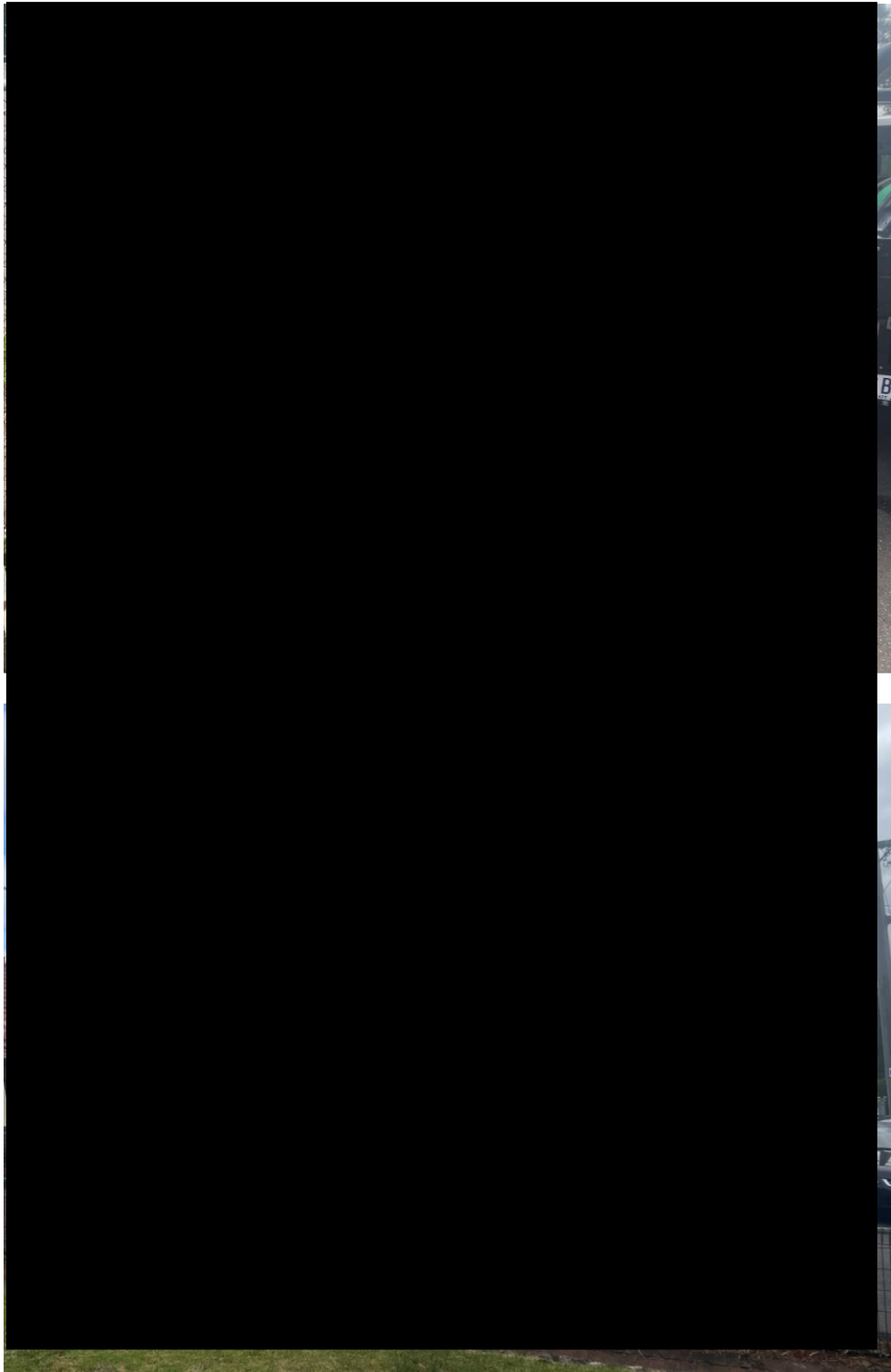
We have spoken to others in the street who are affected and they are interested and prepared to approach council about this issue. Please contact us urgently to discuss what Merri-bek Council proposes to do to about fixing the problem.

Regards,

██







From: [REDACTED]
Sent: Monday, 18 November 2024 6:21 PM
To: Strategic Planning <StrategicPlanning@merri-bek.vic.gov.au>
Subject: Amendment C196more Stormwater Map [REDACTED]

Hi Council,

Thank you again for the opportunity to submit concerns in relation to the subject proposed SBO2. My property has been affected by the proposal, it's part of. 9 unit townhouse on [REDACTED] with a gradual decline in the road elevation toward [REDACTED]. The property itself is elevated from the road itself. With neighbours across the road at a lower elevation. And I'm struggling to see how the area can be subjected to such flooding. I note that drainage in the vicinity is outdated and very narrow compared to many modern day Australian cities.

At the top of [REDACTED] along [REDACTED], near the [REDACTED] is a drain pipe under the train line feeding into what looks to be a 50 yr old constructed drain, that you would find a twice the size manhole in a property that currently gets constructed.

Already our insurance premium for the owners Corp has trebled due to this proposal, with a threat to not being covered in the future. Our owners Corp has taken steps to ensure that all our common property drainage remains cleared and serviced annually. There are also multiple properties behind also having drainage in place which should reduce standing water.

I wish to have the site inspected around [REDACTED] again and to ask council to invest in ensuring the drainage is up to standard and in keeping with the continual development of the area. That should include enlargement of drains flowing from higher ground into deeper wells and ensuring street side drains at bottom of elevated roads are enlarged to account for any influx of water. These should be inspected and cleared frequently by council.

Look forward to further discussion and response to these concerns

Kind Regards

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: Wednesday, 20 November 2024 2:08 PM
To: Strategic Planning <StrategicPlanning@merri-bek.vic.gov.au>
Cc: [REDACTED]
Subject: [REDACTED] Storm Water Map

Dear [REDACTED],

We write in response to your letter dated 28 OCT 2024 regarding Amendment C196more: Stormwater Map which shows our property being affected by Melbourne Water's calculations.

It appears council are adopting this map in order to undertake a planning scheme amendment. This is greatly concerning to us as the owners of [REDACTED] and is causing significant anxiety for our family. We object to council making this change.

We contacted [REDACTED] in March 2021 after we discovered we had not been informed of the proposed changes. At that time [REDACTED] highlighted that part of the problem was the fact that the existing infrastructure's was inadequate to handle a significant rain event given the amount of approved development that had occurred in Moreland (now Merri-bek).

The interactive map available to us now has been altered since that time - putting us in a theoretically even worse position. This only serves to increase our concern.

We need a resolution from you and would welcome an onsite visit and discussion. We also note that there has been some work on drains undertaken in [REDACTED] and [REDACTED] - and we anticipate that these works have mitigated the associated risk on the map for us and our neighbours.

We can be contacted as follows,

[REDACTED]

[REDACTED]

Warm regards,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Thursday, 21 November 2024 8:53 AM
To: Strategic Planning <StrategicPlanning@merri-bek.vic.gov.au>
Subject: Stormwater Map [REDACTED]

Hi Planning,

I've called previously to express my dissatisfaction with Merri-bek's new stormwater map and this email is a follow up to that phone call. I don't agree with your proposed plan that shows your new 'climate change' map impacting my properties at [REDACTED]. I don't want this new overlay placed on these properties and want your map changed to reflect this. If I have to discuss this matter on site or at your office I will, however I'd prefer not to as my time is money. My preference is that you remove this overlay before I take my next action, but I'll do what I have to so that this overlay is removed. I look forward to hearing from you.

Regards,

[REDACTED]

From: [REDACTED]
Sent: Sunday, 3 November 2024 6:00 PM
To: Strategic Planning <StrategicPlanning@merri-bek.vic.gov.au>
Subject: Amendment C196more: Stormwater Map

Re: [REDACTED]

I purchased the above noted property off the plan in 2017 and was issued Certificate of Occupancy mid 2019.

When I purchased, the contract of sale included the below note issued by Moreland City Council that the land was not subject to flooding which I took as comfort that my investment was free of a drainage encumbrance. I also note that as part of the development an old drainage easement (and assume pipe) running diagonally across the site was removed and replaced with easement E-4 shown on the plan of subdivision [REDACTED]. My expectation was that the drainage installed within this easement was appropriate to convey upstream drainage flows and ensure that my property remains free of expected drainage inundation.

This latest proposed mapping shows that my property is now subject to flooding which I expect would have a significant impact on any re-sale value. I am trying to understand how this occurred and would appreciate a response on the following;

1. Was the property in fact free of inundation and not subject to flooding back in 2017 or was this an incorrect statement?
2. Did drainage pipes installed as part of the development of [REDACTED] that I assume were checked by Council and have now been taken over for future maintenance have appropriate capacity and to convey an appropriate rainfall event? Are civil plans available for this site?
3. Has the current levels and topography of the developed site at [REDACTED] been considered in the updated flood mapping, it appears that the previous dwelling located on this site provided no overland flow path, however the current footprint provides dual overland flow paths and I expect flood conveyance was considered in the development?
4. Has the new flooding issue been caused by development within the surrounding area.

It is hard to see how the re-development of this site which has added what appears to be dual overland flow paths has worsened a previously non-existent overland flooding issue. I look forward to hearing from Council on this matter.

Regards,

[REDACTED]

**Building Act 1993
BUILDING REGULATIONS 2006
Regulation 326 (2)**

LAND OR BUILDING INFORMATION

I refer to your request for land or building information as permitted pursuant to Regulation 326 (2) of the Building Regulations and advise as follows:



Is the subject property within a termite area?

No.

Is the subject property within a bush fire prone area?

No

Is the subject property with an Alpine area?

No

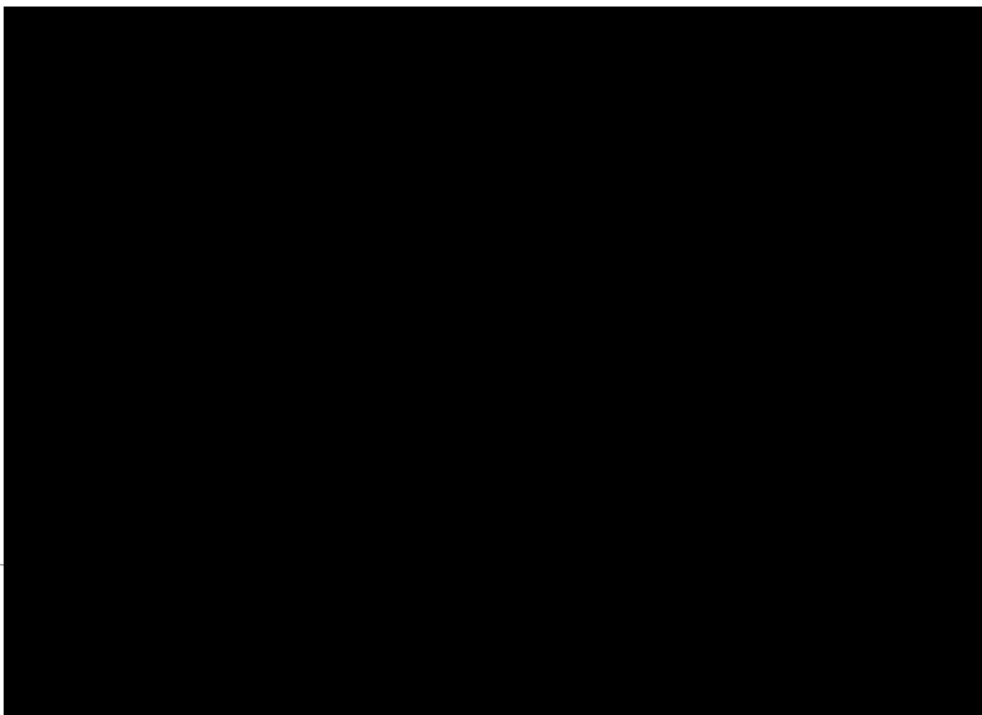
Is the subject property within a flood prone area?

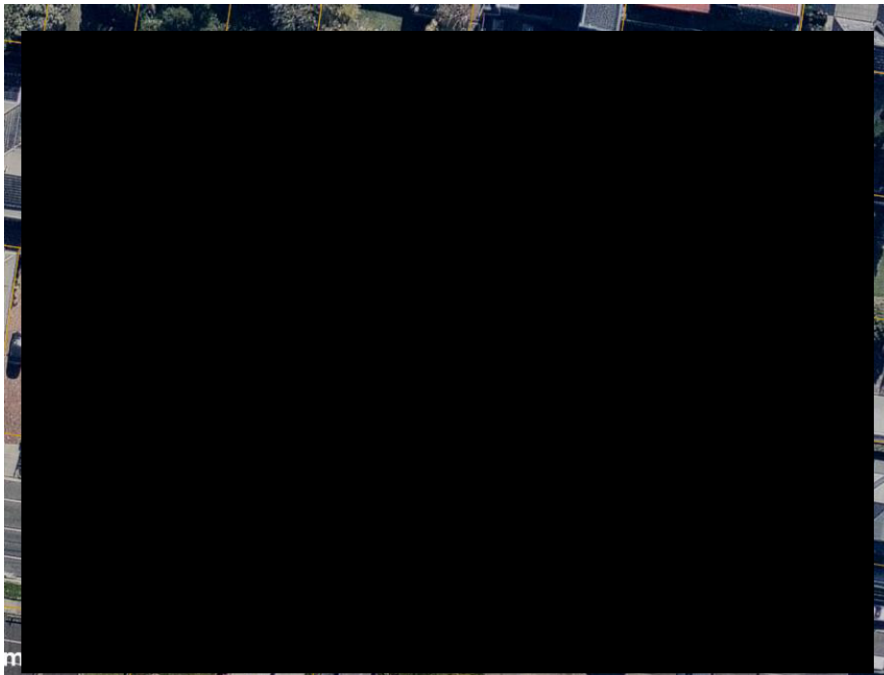
A search of Council records has indicated that the subject property is not in an area determined to be liable to flooding.

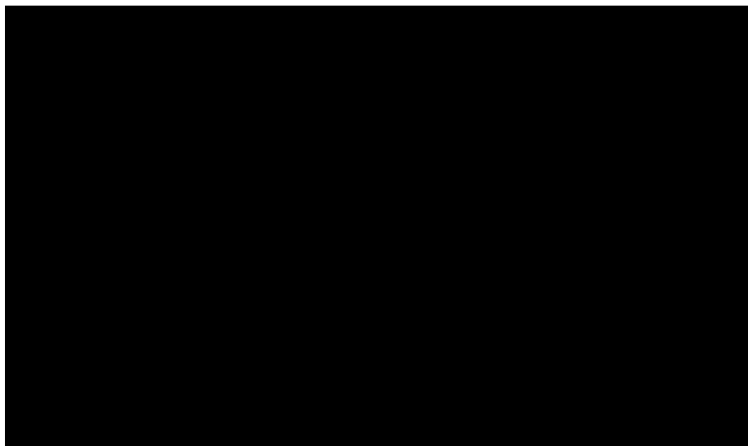
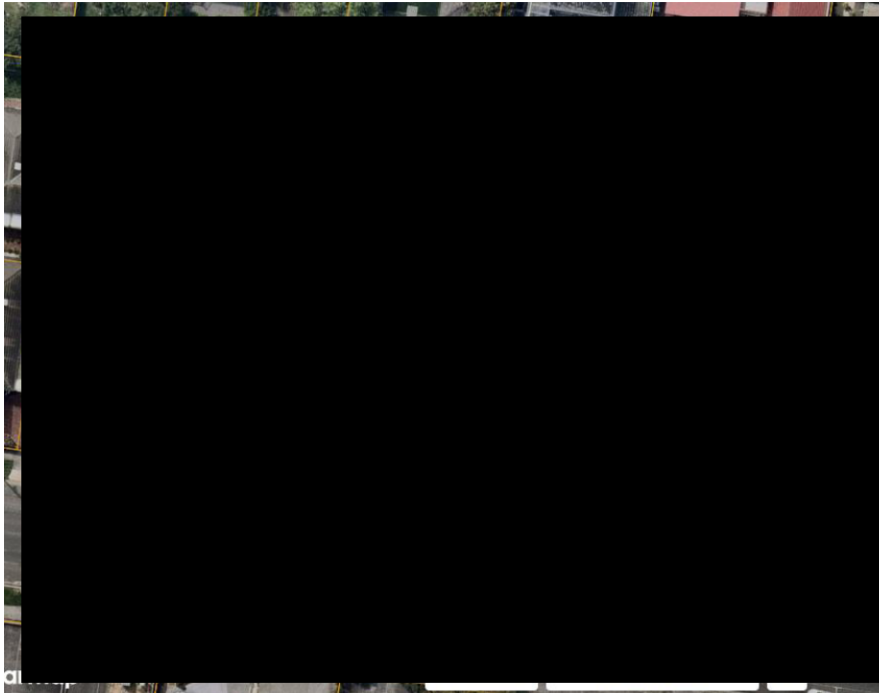
Is the subject property liable to inundation overflow?

A search of Council records has indicated that the property is not shown to be subject to overland flooding. Contact should be made with the Planning Investigation Team, Waterways and Drainage Group, Melbourne Water Corporation – Tel: 9235 2100, Fax: 9429 4561

Should you require any further assistance in respect of this information, please







This email and any attachments are confidential

From: [REDACTED] >
Sent: Friday, 22 November 2024 2:41 PM
To: Strategic Planning <StrategicPlanning@merri-bek.vic.gov.au>
Subject: C196more-[REDACTED]-SBO -submission [P&PP-PRODUCTION.FID91662]

Dear officer,

We act on behalf of the owner of [REDACTED]. Our client has only recently become aware of Amendment C196 to the Moreland Planning Scheme and has sought our advice on it.

Our client wishes to lodge this submission, objecting to the imposition of the Special Building Overlay(Sch2) on its land. Our client is concerned about the impact of the overlay on the land in the context of future development opportunities. It objects on the following grounds;

1. Our client is concerned that the purpose of the overlay is for the Council to seek to pass its statutory obligations to manage stormwater in the municipality to landowners. It asks what the Council's future plans are for Council funded drainage works in the area? These plans need to be clearly understood and taken into account in assessing the need for and extent of the proposed overlay.
2. Our client is concerned about the reliability of the modelling relied on by the Council and submits that an up to date peer review is necessary. It queries whether the overlay is necessary, and whether, if it is to be imposed, its land needs to be included. Any overlay needs to be fully justified by appropriate, reliable, tested modelling. In particular our client is concerned about the accuracy of the modelling for the following reasons:
 - a. The methodology of the modelling, including the 'smoothing process' applied to the edges of the flood extent, which may result in the unnecessary inclusion of properties in the SBO2.
 - b. The inability to access the relevant topographical data of changes resulting from Level Crossing Removal projects and its assumptions that "any works undertaken at these locations are expected to provide no change in afflux and no adverse impacts to adjacent areas" (Technical Report Appendix B).
 - c. The lack of data regarding Citylink's drainage assets.
 - d. Insufficient gauge data regarding Merlynston Creek at Fawkner which is likely to be out of date.
 - e. The significant variation in LiDAR results between 2007 and 2021 which suggest inaccuracies in the assumptions adopted and the reliance on 2017-2018 LiDAR data given the potential for significant change in ground conditions since then.
3. Our client cannot understand why its land is included in the overlay, but that two properties adjoining its land are to be excluded, being [REDACTED] and [REDACTED]. Our client requests a response as to why they are included but its property is not. It seems curious in terms of water flow that this would occur. If they are to be excluded, why is our client's land not similarly excluded?

Our client requests a response to its concerns and that this submission be taken into account by the Council in assessing the proposed Amendment. It also seeks the opportunity to be heard at the panel hearing.

Please forward all correspondence to our office.

Regards

[REDACTED]

P: [REDACTED] | M: [REDACTED] | E: [REDACTED]

[REDACTED]

[REDACTED]

Melbourne VIC 3000