

From: Web Services
Sent: Monday, 17 June 2024 12:24 PM
To: Strategic Planning
Subject: Amendment C196more: Submission received

Name :

Email(2) :

Address(3) :

Phone :

Make a submission : Following review of the information provided, I oppose the proposal due to the following points: 1) Insufficient notice and consultation with affected property owners. According to your Engeny Technical Report, 9% of all land parcels are impacted by this new overlay - 7,466. According to your Engagment Summary Report, you 'engaged' residents by posting 9,801 letters. From that, you received 42 enquiries, 12 phone call and 6 people attended information sessions. 6!!! Assuming these were all different people, at 60 people, that's less than 1% engagement rate!! That is not a sufficient number to assume effective engagement and the council should be reporting that number as unacceptable and that the residents remain uninformed, not that they are in agreement or compliant with the recommendations. Considering the number of aged and culturally diverse residents, who are relying on being able to access a computer to review the map for their property, (as individual maps highlighting the impact of the the new overlay were not provided in the correspondence), one would have to consider the engagement to be sub-standard and ineffectual. I am requesting a further mail-out, with a zoomed-in property street map included to clearly identify to residents the direct impact of the map on their property. 2) I am unable to identify on the correspondence available what the level of impact to my property will be in projected mm. Considering the possible impacts for any future developments this is important information. 3) I would like further information provided on how the very recent drainage works to the street have been identified as not being fit-for-purpose to mitigate this level of flooding and drainage.

Upload your submission :

Privacy : I accept

From: Web Services
Sent: Monday, 17 June 2024 3:34 PM
To: Strategic Planning
Subject: Amendment C196more: Submission received

Name : [redacted]
Email(2) : [redacted]
Address(3) : [redacted]
Phone : [redacted]

Make a submission : We oppose our property, [redacted] and other properties on the south side of the street and on the top side of [redacted], from being subjected to the SBO2. Our reasons are: 1. Water flow from [redacted] into [redacted] is minimal since the closure about 30 years ago of [redacted] intersection. A plantation has been established since then which absorbs some of the minimal flow. 2. Drainage improvement works have taken place over the years to manage the flow and very recently 4 pits were installed at [redacted] and [redacted] to cater for the catchment. We believe these to be more than adequate . 3. There are pits located at: - [redacted] x1 - [redacted] x1 - [redacted] x1 - [redacted] (on [redacted]) x3 - [redacted] (on [redacted]) x1 - [redacted] x1 - [redacted] x 1 4. In the past, any flooding that occurred in [redacted] was due to poorly maintained pits which were blocked. We were never impacted by any of the [redacted] floods. We've been living at [redacted] for 37 years, since 1987. 5. [redacted] slopes down to [redacted] ;approximately 6-7 metres, not sure of the exact measurement but we are located near the highest point in [redacted]. 6. The definition of a 1 in 100 year rain event for Melbourne is 48.2mm in 1 hour. The wettest 24 hrs recorded in Melbourne was 113.4mm on 3/2/2005. The properties sitting at the top end of [redacted] (numbers [redacted] and [redacted] near [redacted] end) sit approximately 250-300mm above the gutter bed. For this gutter zone the effective catchment area is 120 square metres. We believe this drainage rate is more than adequate for a 1 in 100 year rain event because of the downhill slope, which is about 6-7 metres.

Upload your submission :
Privacy : I accept

From: Web Services
Sent: Monday, 17 June 2024 4:40 PM
To: Strategic Planning
Subject: Amendment C196more: Submission received

Name : [REDACTED]
Email(2) : [REDACTED]
Address(3) : [REDACTED]
Phone : [REDACTED]

Make a submission : I'm writing this submission on behalf of my mother who lives at the above address for over 50 years. She's 79 years of age and has no knowledge of computers or technology. My parents have approached the council many times to let them know that [REDACTED] which runs alongside their property would flood during extreme weather. They would take it upon themselves to walk into the sometimes knee deep water to unblock the drain located on the corner. This water as shown on the map would flow underneath the house. It seems council never did anything about it. We recently had a trade assess the footings of the house and these have been compromised over the years due to the excess water flow going under the house. My mother has informed council and nothing has been done about it. We don't want any overlay on the said property as this can be rectified as follows: 1. Council and Melbourne Water need to maintain, inspect and clean the storm water drainage system. 2. The concrete island located in the middle of [REDACTED] to be removed. During a flooding episode the overflow from [REDACTED] on my mother side would pour over the road into the other side of the lane. Now, the water sits idle right at my parents property causing it to flow under her property. If the above issues are addressed there this would eradicate the issue.

Upload your submission :

Privacy : I accept

From: Web Services
Sent: Monday, 17 June 2024 9:27 PM
To: Strategic Planning
Subject: Amendment C196more: Submission received

Name : [REDACTED]

Email(2) : [REDACTED]

Address(3) : [REDACTED]

Phone : [REDACTED]

Make a submission : To the Merri-bek City Council planning authority, This submission relates to Amendment C196more to the Merri-bek Planning Scheme. As the owner of [REDACTED], I raise my objection to apply the Special Building Overlay to my property. There are a few considerations below which I believe this overlay is not required: 1. I'm not personally informed last year for the early feedback, otherwise I would raise my objection for the same; 2. The property is located at the highest peak point along [REDACTED], and is the only property impacted [REDACTED], which is so hard to believe to be right. 3. This overlay is only relevant for land development, the land has already been subdivided and relatively new. There are 3 different owners so there is very little possibility for further land development in foreseeable future. Hence this overlay will not be relevant for the next 20+ years or so; 4. The overlay in fact once applied, would significantly reduce the sales price/market appraisal of my property. This financial detriment is realised immediately to my financial situation. In such a challenging economic environment, the drop in property value will have significant damage to my financial situation, which would impact my supports to my child and family members. Overall, I'm formally request to remove this Special Building Overlay to my property. I hope my voice above is carefully considered. Thanks for your consideration. Regards [REDACTED]

Upload your submission :

Privacy : I accept

17/06/2024

[REDACTED]
[REDACTED]
Merri-bek City Council
Email: strategicplanning@merri-bek.vic.gov.au

Dear [REDACTED]

Proposal: Planning Scheme Amendment C196more
Site location: Various locations in municipality
Melbourne Water reference: MWA - 1330401
Council reference: C196MORE – MERRI-BEK PLANNING SCHEME

Thank you for your correspondence dated 10 May 2024 providing information regarding Amendment C196MORE to the Merri-bek Planning Scheme. Melbourne Water has reviewed the amendment documentation and provides the following response.

Melbourne Water wishes to acknowledge the significant work Council has undertaken to address risks associated with stormwater hazards including:

- Working in partnership with Melbourne Water on the preparation of updated stormwater modelling part of which provides the basis for the amendment;
- The consideration of climate change parameters in the modelling of flood levels and flood extents for the 1% Annual Exceedance Probability (AEP) event;
- Engaging with the community on stormwater hazard issues;
- Designation of the stormwater mapping under the Building Regulations;
- Preparation and commencement of the planning scheme amendment process to implement controls into the planning scheme; and

Melbourne Water ABN 81 945 386 953
990 La Trobe Street Docklands VIC 3008
PO Box 4342 Melbourne VIC 3001 Australia
TTY 131 722 F +61 3 9679 7099
melbournewater.com.au
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- Progressing discussions regarding the ongoing management of stormwater drainage infrastructure.

Based on the above approach, Melbourne Water is generally supportive of the amendment, noting that it relates specifically to stormwater overland flows associated with local drainage infrastructure, where Merri-bek Council is the local drainage authority. I can confirm that Melbourne Water intends to seek a separate planning scheme amendment at a later date to revise the existing SBO1 mapping for the catchments under its management.

While beyond the scope of this amendment, Melbourne Water encourages Council to continue to invest in upgrades to drainage infrastructure via its capital works program and in part funded via the Moreland Development Contributions Plan, that will mitigate risks associated with stormwater hazards.

It is noted that via earlier discussions, Council seeks resolution regarding the ongoing management of stormwater drainage infrastructure via an agreement under clause 45.05-6 of the Merri-bek planning scheme. Melbourne Water is currently considering the broader implications of such agreements, given their inclusion in planning schemes throughout Melbourne and is in the process of seeking further advice on this matter. Melbourne Water provides its ongoing support and commitment to resolving this matter as soon as practicable.

Should you like to discuss any of these matters further please contact [REDACTED]

Kind regards

[REDACTED]

Date

21 June 2024

To

Strategic Planning Department

Address

Merri-bek City Council

Sent

Via Email: strategicplanning@merri-bek.vic.gov.au

Dear Strategic Planning Department,

Planning Permit [REDACTED]

[REDACTED]

We act for [REDACTED] as town planning consultants and refer to Planning Scheme Amendment C196 of the Merri-bek Planning Scheme which proposes to introduce Schedule 2 to the Special Building Overlay into the Merri-bek Planning Scheme.

By way of background, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The approved development has gone through an extensive assessment and a substantial amount of work has been undertaken following the issue of the original Planning Permit. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] we submitted a request to Council to obtain two (2) flood level certificates that affect the two (2) separate lots associated with the subject site. We are yet to obtain this information.

On behalf of our client, we provide this submission to Council to reserve the right for our client to participate in the Planning Scheme Amendment process and to lodge any further submission should any queries arise following receipt of the associated flood level certificates.

Should Council's Strategic Planning Department wish to discuss any matters associated with the approved development, please do not hesitate to contact the undersigned via email at [REDACTED]

[REDACTED]

[REDACTED]



Planning Studio {on peel}

Strategy, design + planning
508 Rae St Fitzroy North 3068 Vic.
→ 0419 344 772 → psonpeel.com.au

21 June 2024

Merri-bek City Council
Strategic Planning Unit
Locked Bag 10
BRUNSWICK VIC 3056

Att David Cox

Dear David

Re: Amendment C196 SB02

Thank you for consenting to this late submission and consenting to an extension of time to 21 June 2024.

BACKGROUND

We have acted for the landowner for over a decade to assess development options, rezoning proposals, submissions to Council and Planning Panels Victoria in Amendments [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

It is important to note, and central to our submission, that the recent (2020) gazettal of C164 rezoning from industrial to mixed use was silent on the matter of flooding submissions and any discussions about special building overlays. We also note that SB01 which came into effect in July 2021 but did not include the subject site and makes no allowance for variation to the overall height.

NOTIFICATION PROCESS

We have been instructed that notwithstanding that the subject site was not included in the properties included in SB01, our clients were not aware nor made aware of that proposal. On the other hand, the notification of C196 was by means of a letter dated 10th May 2024 “slipped under the tenants’ door” and passed onto the absentee landowner on 21st May 2024. We are also instructed that they have not received any correspondence during the 2023 consultation period.

Given the nature of the amendment, the potential impact on development options for the subject site (and many other sites) and Councils' available access to landowner's data base, particularly in the case where landowners do not reside in the Municipality, we submit that it is unreasonable to undertake the notification task in this manner in the 21st century. Moreover, a 3-week window, as is the case here, provides unreasonable limitations to a landowner to respond.

SUBMISSION

We now turn to the provisions in Amendment C196 as they impact on the subject land.

The Councils' and the Department of Transport and Planning website links are widely populated with the "normal" documents such as the Explanatory Report, the Instruction Sheet, FAQ's, Council minutes, technical reports, a document creating the Local Drainage Authority in this case and mapping changes. However, there appears to be no documentation addressing the development control changes which the amendment will trigger.

The development control areas of interest for the landowner include as follows:

1. The need or otherwise for the normal referral requirements to Melbourne Water (MW).
2. We have been verbally advised that MW and Council will enter a Memorandum of Understanding (MOU) that MW's role will not be that of a referral authority as C196 is a Council initiated amendment and MW will act as a non-statutory referral. There are no details available to confirm if and when this may occur and the terms of the MOU.
3. In the event that MW does not agree to such an arrangement or requires to be a referral authority, our experience has been in other SBO areas that MW does not have an appetite for developments containing basements due to the risk of human life, has no appetite for flood gates to basements due to the potential for mechanical/electrical failure and has no appetite for any other construction method which may include water retention systems or high volume/velocity pumps to drain areas subject to flooding.
4. Indeed, this lack of appetite may transfer to the Council as the New Drainage Authority.
5. It does not advise of what, if any, exemptions will be available for sites currently with a planning permit, demolition permit or building permit.
6. We have been verbally advised that the mapping is for "*low level flooding*" but the interactive mapping provides no information as to AHD levels.
7. There is a reference to a 300mm flood level across most of the mapping areas but this, we believe, falls within the realm that MW would often object to development proposals for the reasons set out above at item 3.
8. There is no indication of what, if any, transitional provisions would be applied and considered.
9. The Council is asking landowners, many of whom do not have access to the technical appreciation nor understanding of the outcome that C196 wishes to achieve without seeking their own expert advice.

10. If the intention is to introduce development controls as a separate amendment at a later date, we submit that should be avoided.
11. It is our submission that the amendment should be recast to include all relevant development controls and resubmitted for Ministerial approval prior to re-exhibition.
12. The Council should use readily available technology it already has (it has address and email addresses of all landowners) to notify landowners for all planning scheme amendments.
13. An unsolicited letter drop addressed to the *"To the occupier"* is an insufficient means of notification.

We reserve the right to expand on our submission but we would be pleased if you could kindly acknowledge this submission in the meantime and submit this to PPV.

Yours faithfully

[Redacted signature block]

[Redacted contact information]

[REDACTED]
Public Accountants. Taxation Consultants. Business Advisors.

A.B.N. [REDACTED]

[REDACTED] Dip. Bus. (Acct.)

[REDACTED] B. Bus. MNIA

24/06/24

[REDACTED]
Merri-bek Civic Centre
90 Bell Street
Coburg Victoria 3058.

Re: Storm water mapping
[REDACTED]

Dear Madam

Further to your letter dated 14/3/24 and the follow - up conversation that I had with [REDACTED] where little was achieved and, as I stated to him, that I didn't understand how my property value could increase by \$ 240,000 from the previous year, meaning increases in my rates notice for the upcoming 24/25 financial year and subsequently a 300% increase in my land tax from \$859 to \$3,090 as per my, 2024 Land Tax Notice, when my property is identified as being prone to flooding, which would lead to a decrease in the value of the property.

This being the case, I now require and demand that the Merri-bek council take the necessary steps to install a storm water drain pit at the midway point of my property, that runs along the [REDACTED] side, as per " Attachment A ." Similar to works being carried out on [REDACTED] Re; " Attachment 1 and 2. " Not identified as being prone to flooding. The infrastructure required already exists to allow this work.

I look forward to notification as to when this work will commence, failure to carry out this request , should a 1-100 year event occur, I will take the necessary steps to sue the council for negligence.

Thanking you for your co-operation and assistance with this matter.

Regards.

[REDACTED]

Property Owner

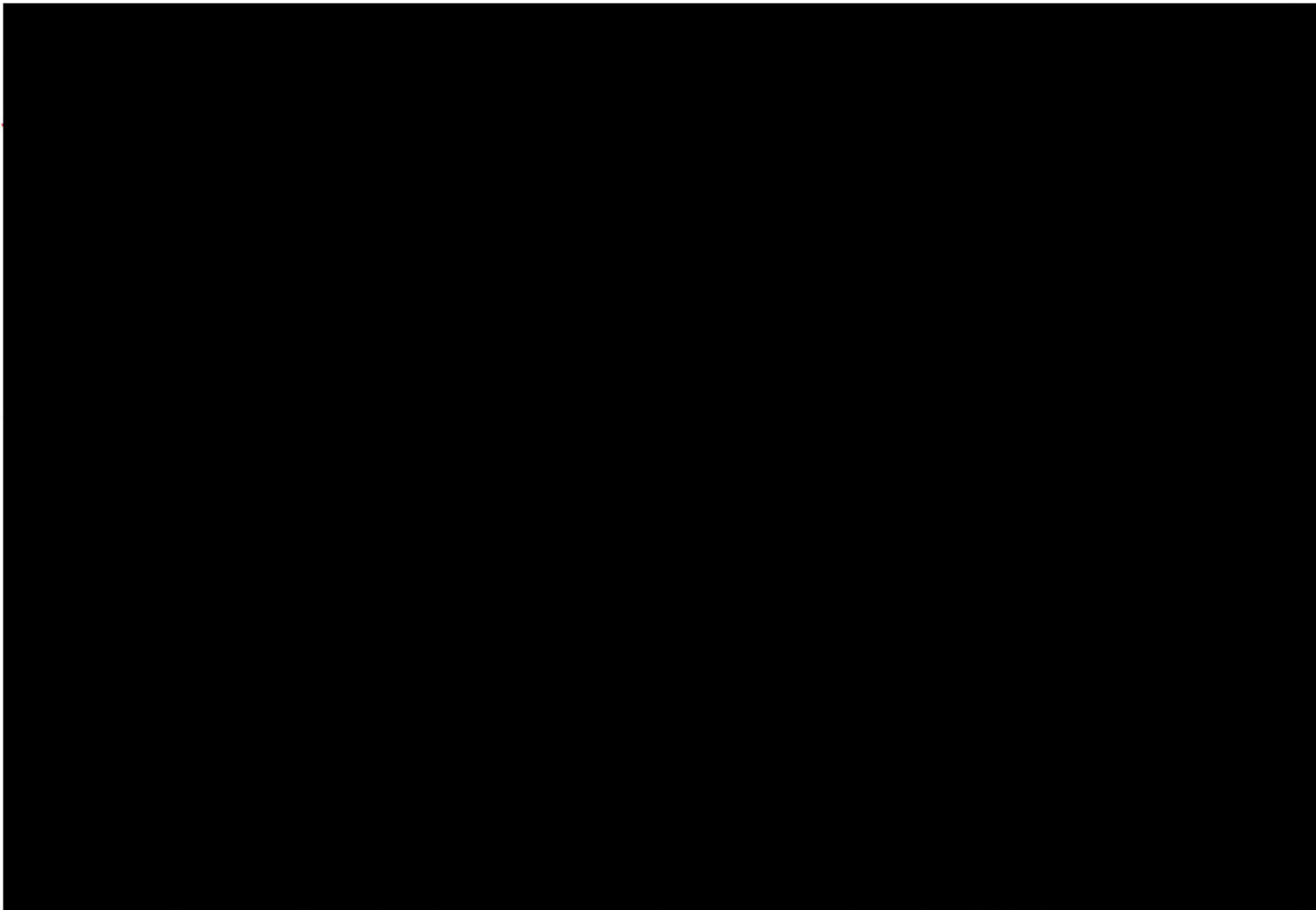
[Home](#) > [Building and business](#) > [Planning and building](#) > [Building](#) >

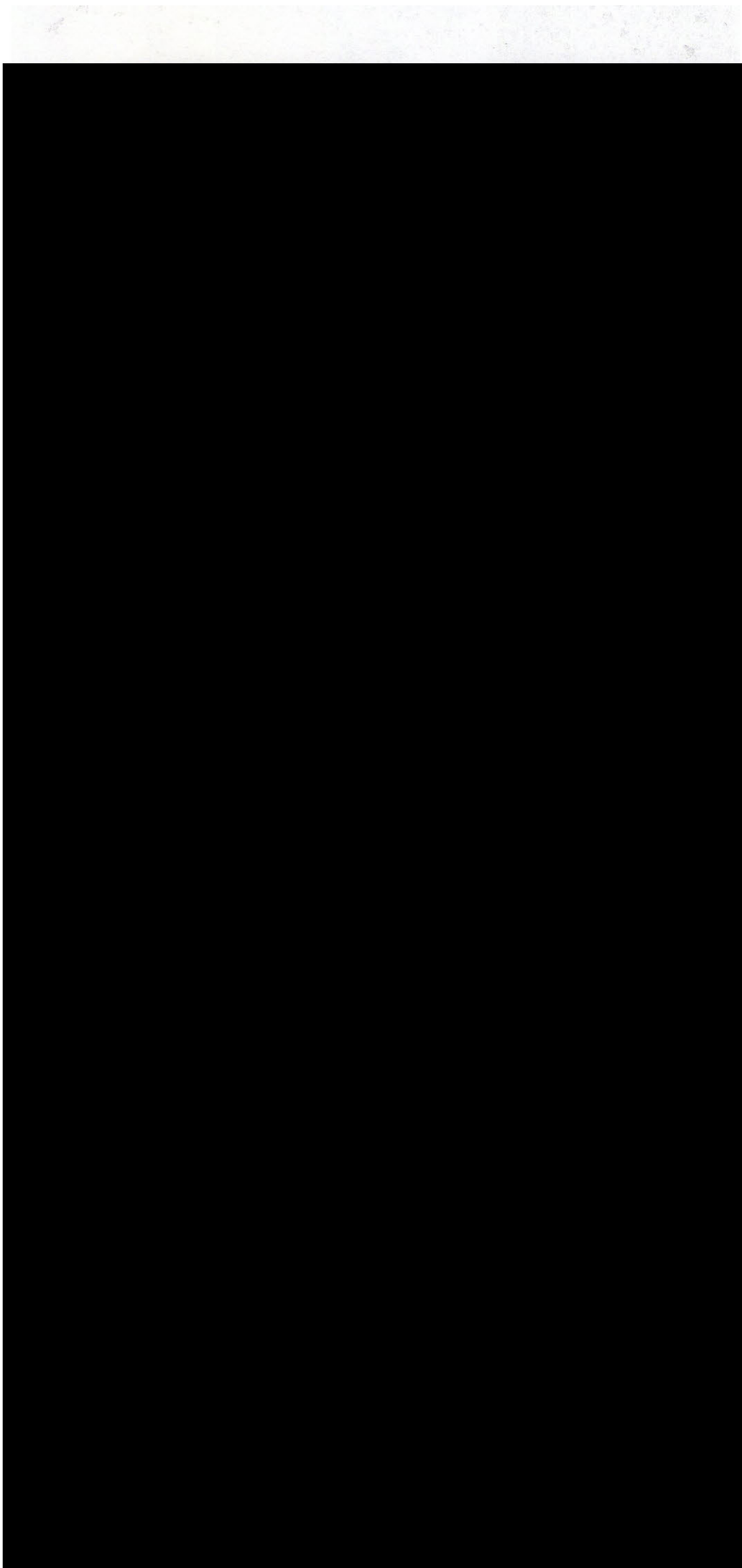
Stormwater mapping - search your property

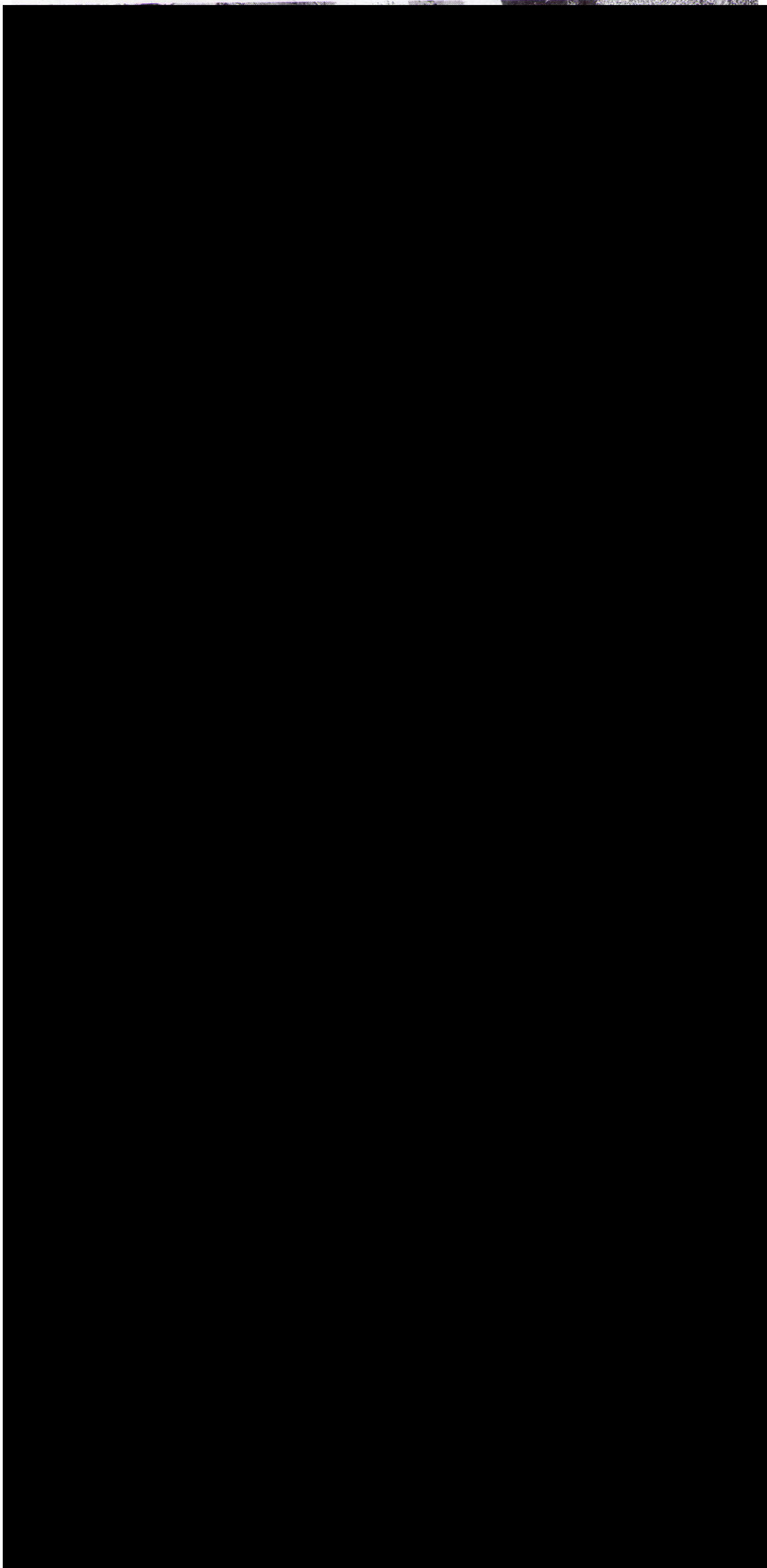
ATTACHMENT
A

Enter your address

SEARCH







From: Web Services <webservices@merri-bek.vic.gov.au>

Sent: Saturday, June 29, 2024 1:57 PM

To: Info@Merri-bek <info@merri-bek.vic.gov.au>

Subject: Send us a message: Form submission

First name : [REDACTED]

Last name : [REDACTED]

Company (if applicable) :

Email : [REDACTED]

Phone number : [REDACTED]

Address : [REDACTED]

Suburb : [REDACTED]

Postcode : [REDACTED]

Message : Amendment C196more – Merri-Bek Planning Scheme Introduction of the Special Building Overlay – Schedule 2 To Merri-Bek Council, Strategic Planning, I am writing in response to the letter received from Merri-Bek City Council on the 10th of May regarding the Amendment C196more, which introduces the Special Building Overlay – Schedule 2, classifying my property at [REDACTED] as being within a flood risk area. I wish to formally dispute this classification. My property is not located near any water body, and any event of flooding would be a result of inefficient drainage rather than proximity to a natural water source. Furthermore, I have noted that the property at [REDACTED] has not been designated as part of the flood zone, raising concerns about the consistency and accuracy of this classification. Given the close proximity and similar topography of the two properties, it seems illogical for one to be classified as a flood risk area while the other is not. In light of these points, I request that my property be re-evaluated and returned to its original classification, removing it from the Special Building Overlay – Schedule 2. Additionally, it is Council's responsibility to maintain and improve the drainage system on [REDACTED] to mitigate effectively any potential flood risks. I appreciate your attention to this matter and look forward to your prompt response. Yours sincerely, [REDACTED]

File upload :

From: [REDACTED] >
Sent: Friday, 19 July 2024 9:12 PM
To: [REDACTED]
Subject: RE: Amendment C196More - Stormwater Mapping Information

Hi [REDACTED]

RE: Amendment C196More - Stormwater Mapping Information

As discussed, I am acting on behalf of my elderly neighbour that is unable to speak English and express her concerns.

[REDACTED] is 84 years of age and has resided at [REDACTED] for 45years.

[REDACTED] lost her sister 12 months ago and now resides on her own and has no immediate family to assist her with council letters or correspondence.

I explained to her that the C196 Merri-bek proposal to rezone her property would result in a reduction in the property value and that her property insurance would increase as confirmed by the current insurance provider (*2 to 3 thousand dollars*) was the verbal confirmation provided to me.

[REDACTED] has instructed me to be her conduit and voice the request for the flood zone overlay to be reconsidered as this would place her under financial duress.

As my family has also lived in [REDACTED] since 1968 (56 Years) I can factually advise that any pooling of water has always been a direct result of blocked drains due to lack maintenance. The computer generated flooding snap shot that you have provided is simply not correct, the laneway to rear of [REDACTED] and [REDACTED] mapping indicates that water has or will enter residents property boundary this is not factually correct.

Also, the C196 mapping that you have provided does not mention that an old 225mm stormwater drain is expected to service part of [REDACTED] and every single home in [REDACTED] including the multiple unit developments that have been approved in recent years with no drainage upgrades by the developer or council.

Lastly, I would like formally oppose the C196 amendment on behalf of [REDACTED] and I shall be available onsite or scheduled council meetings.

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Thursday 25 July 2024, 9:36 PM
To: Engagement engagement@merri-bek.vic.gov.au; [REDACTED]
[REDACTED]
CC: [REDACTED]
Subject: Stormwater mapping and application of the Special Building Overlay, Schedule 1 (SBO1)

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

25 July 2024

Re: Stormwater mapping and application of the Special Building Overlay, Schedule 1 (SBO1)

Dear [REDACTED], [REDACTED] or responsible person(s),

I am writing to formally object to my property being subject to SB01 as per the Stormwater mapping performed by the Council. I also want to know what flood mitigation works will be implemented by Council to update outdated stormwater drainage in impacted areas.

I have lived/owned my property since 2005 and have never experienced flooding at my property. I do however note that the Council has not maintained nearby stormwater drains and the drains located on [REDACTED] close to [REDACTED] sit above the level of the bluestone gutters and therefore do not allow stormwater to flow into the drain.

I also object that the Council has sufficiently consulted impacted residents on all the impacts to the new mapping and that they came into effect on 30th November 2023. I believe consultations need to be re-opened to residents as the information that was sent to residents was insufficient and could not be easily understood.

I only recently read an article in the Age, Flood risk for more than 22,000 inner Melbourne properties, new modelling shows dated July 9 2024 which highlight that the risk is passed from Council to residents by introducing these new zones. This article states that properties prices could be reduced by up to twenty percent.

I also very recently renewed my Building and Contents Insurance and have already realised that the existing heritage overlay on my house is already reducing the number of Insurance firms that will insure my property and those that do charge a much higher price. This will further burden the risk that I will no longer be able to afford house insurance or that a large majority of Insurance companies will no longer insure my house.

I require further evidence that my house will be affected by what the Council claims is a significant 1 in 100 year storm but effectively will increase with climate change. I also want to know when the stormwater drains in my street will be repaired so that they sit below, not above the bluestone gutters in my street.

Finally, Merri-bek City Council was very supportive of the Level Crossing Removal Project which subsequently had an impact on stormwater and increased risk of flooding to nearby properties. I believe the Council received funding to improve stormwater as a result of the project however I have seen no improvement to stormwater infrastructure. Please confirm

what the Council intends to do to improve stormwater infrastructure which is obviously now impacting my property.

Your quick response on storm water mapping, application of SB01, stormwater infrastructure improvements by Council that will reduce risks to my property and next steps is much appreciated.

Yours sincerely,

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