



Flooding controls FAQ

What do flood overlays do?

Flood overlays help Council decide how land in flood-prone areas can be used or developed.

Wellington Shire Council assesses planning permit applications against the flooding rules in the planning scheme.

For land covered by a **Floodway Overlay (FO)** or **Land Subject to Inundation Overlay (LSIO)**, Council must refer planning permit applications to either:

- West Gippsland Catchment Management Authority (WGCMA), or
- East Gippsland Catchment Management Authority (EGCMA) for the Dargo area.

These authorities review the proposal and provide advice to Council, which must be considered before a planning decision is made.

This process helps make sure development in and around flood-prone areas is planned carefully, protects property and the environment, and most importantly keeps people safe.

When is a Floodway Overlay applied?

The **Floodway Overlay (FO)** is applied to parts of the floodplain where floodwater moves quickly or is stored during a flood. These areas are known as 'floodways' and usually experience deeper and faster-moving water, making them higher-risk during flood events.

When is a Land Subject to Inundation Overlay applied?

The **Land Subject to Inundation Overlay (LSIO)** applies to areas that may flood but generally have a lower risk than floodway areas. These areas are often on the edges of floodplains, where floodwater is usually shallower and slower moving.

Even so, this land can still flood and may store floodwater, so planning controls are used to make sure development does not increase flood risk or suffer unnecessary damage. The LSIO helps identify land affected by the 1-in-100 year (1% AEP) flood, keeps people and property safe and protects waterways, wetlands and floodplains.

While the main difference is level of flood risk, both the FO and LSIO are used to:

- identify land that may be affected by flooding
- guide how land can be safely used or developed
- ensure new buildings don't make flooding worse for nearby properties
- require flood risk to be considered in planning permit decisions
- aim to protect people, property and the natural floodplain environment





How are LSIO and FO areas defined?

Flood overlays are applied based on how dangerous flooding is likely to be in an area. This is worked out using a national flood hazard rating system, which looks mainly at how deep the water is during a flood.

The LSIO is used for lower-risk flooding areas:

- *H1 (less than 0.3 metres deep)* - Flooding is generally safe for people, vehicles and buildings, though water may still be present.

The FO is used for higher-risk flooding areas, where floodwater is deeper and more dangerous:

- *H2–H6 (more than 0.3 metres deep)*, where flooding may be:
 - unsafe for small vehicles (H2)
 - unsafe for vehicles, children and older people (H3)
 - unsafe for most people and vehicles (H4)
 - likely to damage or structurally affect buildings (H5)
 - extremely dangerous, with all building types at risk of failure (H6)

In simple terms, LSIO areas have lower flood risk, while FO areas have higher flood risk and stricter controls to protect people and property.



Will the flood overlays stop me from developing my property?

The FO and LSIO do not stop development in most cases. The main exception is subdivision in the Floodway Overlay, which is only allowed in limited circumstances.

In FO and LSIO areas, some buildings or works may need a planning permit. Applications are referred to the relevant flood authority, either WGCMA or EGCMA (for Dargo), so flood risk can be properly assessed.

This process helps make sure new development is located and designed to reduce flood risk and does not increase flooding for nearby properties. A permit is only required where an overlay applies. If development is on higher ground that is not affected by flooding, a permit may not be needed.

The WGCMA and EGCMA can give free flood advice about potential development

When might the flood authority object to a proposal?

The flood authorities use guidelines that set limits on things like flood depth on the property and, in some cases, safe access during floods.

If a proposal does not meet these guidelines (for example, if flood depths are too high), the authority may ask for changes or object to the application.

What happens to existing buildings?

Property owners are not required to change existing buildings. However, any new buildings or works will need to meet the requirements of the flood overlay if one applies.



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