



# **Peel Region Scheme**

## **Floodplain Management Policy**



WESTERN AUSTRALIAN  
PLANNING COMMISSION

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# Contents

|     |   |                     |
|-----|---|---------------------|
| 1.0 | Introduction .....                              | 1                   |
| 2.0 | Background .....                                | 1                   |
| 3.0 | Application .....                               | 2                   |
| 4.0 | Objectives .....                                | 2                   |
| 5.0 | Policy Statement .....                          | 3                   |
| 5.1 | Local Government Town Planning Schemes .....    | 3                   |
| 5.2 | Subdivision of Land .....                       | 3                   |
| 5.3 | Development .....                               | 3                   |
| 6.0 | Referral and Applications .....                 | 4                   |
| 7.0 | Implementation .....                            | 5                   |
|     | Appendix 1 .....                                | 6                   |
|     | Appendix 2 .....                                | 7                   |
|     | Figure I Floodplain Management Policy Map ..... | at rear of document |





## 1.0 Introduction

**1.1** State and local governments have a responsibility to minimise the potential for flood damage resulting from decisions relating to land use and development on defined floodplains for rivers. Also, landowners have the right to expect that adjacent land use and development will not increase the risk or impact from major river flooding on their lives or properties.

**1.2** In response to expectations within the community, industry and government that flood damage should be minimised, the Western Australian Planning Commission (WAPC) and local governments, when considering planning applications on land within defined river floodplains, have, as a matter of practice, sought the advice of the Water and Rivers Commission (WRC) regarding the appropriateness of such proposals and/or conditions of development relating to floodplain management. This policy has been prepared to formalise the consideration of floodplain management requirements by the responsible authorities when preparing town planning schemes and scheme amendments, as well as when considering subdivision and development applications for land within floodplains and adjacent to the Peel Inlet and Harvey Estuary.

**1.3** While this policy provides guidance on appropriate land use and development within floodplains to minimise flood damage during major flooding, it should be recognised that floodplains also have important environmental values. Flooding is a natural occurrence upon which a number of environmental benefits depend. Floods replenish wetlands, transport nutrients and trigger life cycle stages of many plants and animals. Floodplains provide natural overland flow paths and storage areas where

floodwaters remain for slow release until river levels recede. Floodplains also have a key role in supporting flora and fauna habitats.

## 2.0 Background

**2.1** One of the planning strategies for the Peel Region in the *State Planning Strategy* (WAPC, 1997) was to prepare a statutory region scheme based on the final *Inner Peel Region Structure Plan* (WAPC, 1997)

**2.2** In recognition of increasing development pressures on land along the Murray and Serpentine Rivers, the floodways for these rivers are depicted on the final *Inner Peel Region Structure Plan*. During the preparation of the Peel Region Scheme, it became evident that there was a need to increase public awareness of the development constraints relating to the floodplains. Accordingly, this policy relates principally to the floodplains for these major rivers, which includes floodways and flood fringe areas.

**2.3** In the context of this policy:

"Floodplain" means the extent of flooding area in a 1 in 100 year flood event for a particular watercourse, which includes the floodway and flood fringe areas.

"Floodway" means the area of land that would be affected by river flooding in a 1 in 100 year flood event for a particular watercourse, where development and land uses should be limited to those which would not affect the flow of floodwaters.

"Flood fringe" means the area of land that would be affected by river flooding in a 1 in 100 year flood event, where development would normally be permitted subject to a specified minimum

habitable floor level above the relevant 1 in 100 year flood level to provide adequate flood protection.

Other definitions and terms used in this policy are contained in Appendix 1.

**2.4** Major river flooding is a natural phenomenon and therefore not totally predictable, but best practice floodplain management is based on an assessment of the 1 in 100 year flood (1% annual probability of flooding) and is based on historical records of major flooding.

## 3.0 Application

**3.1** This policy applies to the Peel Region Scheme area, and more specifically land:

- 1) within the 1 in 100 year floodplains defined on Figure 1, identified by floodplain mapping using computer modelling of historical major river flooding;
- 2) adjacent to the floodplains defined on Figure 1, up to 0.50 metres above the relevant 1 in 100 year flood level on the appropriate WRC plan (for relevant WRC plans, refer to Appendix 2);
- 3) adjacent to the Peel Inlet and Harvey Estuary and below 2.20 metres AHD (in recognition of the 1 in 100 year flood level of 1.60 metres AHD for the Peel Inlet and Harvey Estuary and the 0.50 metres clearance required between the flood level and habitable floor levels); or

- 4) generally within 200 metres of watercourses or a section of a watercourse for which a floodplain has not been defined by floodplain mapping, but where the WAPC or local government, based on advice from the WRC, considers that there are likely to be floodplain management requirements.

**3.2** The provisions of this policy should be applied in the preparation and consideration of amendments to the Peel Region Scheme, local government town planning schemes and associated amendments, and in the consideration of development and subdivision applications within the Peel Region Scheme area.

## 4.0 Objectives

**4.1** To identify land within the Peel Region Scheme area at risk of being affected by flooding.

**4.2** To assist in the protection of life, property and community infrastructure from flood hazard.

**4.3** To assist the natural flood carrying capacity of floodplains by ensuring any use or development maintains the free passage and temporary storage of floodwaters.

**4.4** To ensure flood considerations are taken into account in preparing amendments to the Peel Region Scheme, local government town planning schemes and amendments, and in assessing subdivision and development applications.



## **5.0 Policy Statement**

### **5.1 Local Government Town Planning Schemes**

**5.1.1** Flood risk must be considered by local government in preparing town planning schemes and scheme amendments and when making land use planning and development decisions, in order to avoid increasing the impacts of flooding through inappropriately located land use and development.

**5.1.2** Local governments should ensure town planning schemes and amendments are compatible with the objectives and specific requirements of this policy.

**5.1.3** Land affected by flooding, including floodway and flood fringe areas, should be shown on town planning scheme maps (for example, as Special Control Areas) or on maps adopted as policy under the scheme.

**5.1.4** There is a presumption against rezoning for more intensive land uses, such as residential, industrial and rural-residential, of land within the floodways.

**5.1.5** For land within floodways, town planning schemes should require planning approval to construct a building or to construct or carry out works, including a single residence, rural sheds, solid fences, landfill and excavation.

### **5.2 Subdivision of Land**

**5.2.1** Subdivision applications for land entirely within the floodway will generally not be approved so as to avoid creating the potential for additional development and further obstructions to major river flooding.

**5.2.2** The WAPC may consider approving subdivision applications within a floodway where:

- i) the subdivision is for a land use which will not create the potential for additional development within the floodway;
- ii) the subdivision is for a boundary realignment, rationalisation of landholdings or lots created for flood management purposes which will not create the potential for additional development within the floodway; and
- iii) the subdivision is consistent with the WAPC's general subdivision policies.

**5.2.3** Subdivision applications for land partly within the floodway will be considered in the context of the WAPC's general subdivision policies. In addition, the WAPC will need to be satisfied that the subdivision will not lead to development at risk from flooding.

### **5.3 Development**

**5.3.1** Development applications for land within the floodway should not be approved where it is considered the development may constitute an obstruction to major river flood flows and increase flood levels upstream.

**5.3.2** The replacement of existing dwellings within the floodway may be considered an exception to this policy provided:

- i) the existing dwelling is demolished or being relocated;
- ii) the effective width of obstruction of the new dwelling to river flows is no greater than the effective width of the existing dwelling; and

- iii) the proposed dwelling achieves a minimum habitable floor level of 0.50 metres above the relevant 1 in 100 year flood level on the appropriate WRC plan (listed in Appendix 2).

**5.3.3** Public works (for example, road bridge) or community facilities (for example, picnic facilities) may be permitted within the floodway, subject to advice from the WRC that such public works or development can be designed and located in a manner so as to minimise flood risk, property damage and obstruction to river flood flow.

**5.3.4** Notwithstanding Clauses 5.3.1, 5.3.2 and 5.3.3 of this policy, dwellings are considered acceptable on the existing lots located on Culeenup, Yunderup and Ballee Islands, and at the western end of Culeenup Road and Pericho Close within the Murray River floodway, subject to a minimum habitable floor level of 0.15 metres above the relevant 1 in 100 year flood level on the appropriate WRC plan (listed in Appendix 2).

**5.3.5** Development applications within the flood fringe will be subject to a minimum habitable floor level of 0.50 metres above the 1 in 100 year flood level on the appropriate WRC plan (listed in Appendix 2) to provide adequate protection from major floods.

**5.3.6** Notwithstanding Clause 5.3.5 of this policy, development within the flood fringe of the Murray River, as defined by the appropriate WRC plan (listed in Appendix 2) shall be subject to the following minimum habitable floor levels:

- i) in the case of development on lots created before the adoption of the relevant WRC plan, 0.15 metres above the relevant 1 in 100 year flood level on the appropriate WRC plan (listed in Appendix 2); and
- ii) in the case of development on lots created after the adoption of the relevant WRC plan, 0.50 metres above the appropriate 1 in 100 year flood level on the appropriate WRC plan (listed in Appendix 2).

**5.3.7** Development of land adjacent to the Peel Inlet and Harvey Estuary, but not affected by the floodplains shown on Figure 1, will be subject to a minimum habitable floor level of 2.20 metres AHD to provide adequate protection from major floods.

## 6.0 Referral and Applications

**6.1** The WAPC and relevant local governments, when preparing amendments to the Peel Region Scheme, local government schemes and amendments, that include land partly or wholly within the areas of land subject to this policy, shall consult the WRC and have due regard to its advice and recommendations.

**6.2** The WAPC, prior to determining applications for subdivision on land partly or wholly within the areas of land subject to this policy, shall consult the WRC and have due regard to its advice and recommendations.

**6.3** Local governments, prior to determining applications for development on land within the floodway, and where considered necessary in regard to development within the flood fringe, shall consult the WRC and have due regard to its advice and recommendations.





**6.4** In providing advice on scheme amendments, development and subdivision applications, the WRC will have regard to the following:

- i) the site and floor level of any proposed development;
- ii) landfill associated with any proposed development;
- iii) whether any proposed development is likely to impede flood flows and the obstructive effect of the development on major river flood flows;
- iv) whether any proposed development is likely to be affected by flooding, having regard to frequency, duration and depth of flood flows;
- v) possible structural and potential flood damage; and
- vi) any potential difficulty in providing evacuation routes during floods.

## **7.0 Implementation**

**7.1** The policy will be implemented by the WAPC and relevant local governments. The policy will have due regard to advice received from the WRC on floodplain management issues, through the:

- i) administration of the Peel Region Scheme;
- ii) administration of local government town planning schemes and advice provided to the Minister for Planning and Infrastructure regarding proposals to prepare or amend town planning schemes; and
- ii) subdivision and development control process.

**7.2** The defined floodplains, including floodway and flood fringe areas shown on Figure I, will be updated and extended following future flood studies for the rivers within the Peel Region Scheme area.

**7.3** The WAPC will, after the policy has been in operation for a period of five full years, or sooner if appropriate, undertake a review of the policy and, if necessary, amend it.

# Appendix 1

## Definitions

**"Dwelling"** means a building or portion of a building being used or intended, adapted or designed to be used for the purpose of human habitation on a permanent basis by -

- a single person;
- a single family; or
- no more than six persons who do not comprise a single family.

**"Inner Peel Region Structure Plan"** means the final *Inner Peel Region Structure Plan* published by the WAPC, December 1997.

**"Local Government"** shall have the same meaning as given to the term in and for the purposes of the *Local Government Act 1995*.

**"State Planning Framework"** means the Statement of Planning Policy No. 8 made under Section 5AA of the *Town Planning and Development Act, 1928 (as amended)* which sets out the State planning policies, strategies and guidelines of the State which apply to land use planning and development in Western Australia.

**"State Planning Strategy"** means the *State Planning Strategy* published by the WAPC, December 1997.



## Appendix 2

### **Floodplain Mapping and Floodplain Management Strategies Applicable to the Defined Floodplains for the Peel Region Scheme Area**

#### **Murray River**

PWDWA 51796 - West Murray Area (1983)

PWDWA 54586 - Ravenswood Bridge to Blythewood (1983)

WAWA AA67 - North Yunderup Floodway - Culeenup Road (1985)

#### **Serpentine River**

WAWA BL06 - Peel Inlet to South Western Highway (1991)

#### **Mandurah Channel**

PWDWA 52725 - Mandurah (1984)

