

From: [REDACTED]
To: [Strategic Planning](#)
Subject: Flood Planning: Ballarat Planning Scheme Amendment C217ball
Date: Friday, 29 May 2026 3:44:32 PM
Attachments: [20260528 Signed objection.pdf](#)

Your attachments have been security checked by Mimecast Attachment Protection. Files where no threat or malware was detected are attached.

Attached is my objection to the above.

My email address is [REDACTED]

I would appreciate your acknowledgement of my email.

Regards

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] Vic 3055

28 May 2026

City of Ballarat - Strategic Planning
Wadawurrung Country
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Email: strategicplanning@ballarat.vic.gov.au

Dear Sirs

Flood Planning: Ballarat Planning Scheme Amendment C217ball

I have joint ownership of the [REDACTED], a property impacted by the proposed amendment, with my [REDACTED]

I oppose the proposed amendment to the planning regulations as currently drafted. My comments address the draft amendments and not the report of the Floodplain Management Authority given the time has passed for comments on the report the amendments are based.

I am uncertain what you require in the identification of the "amendment number".

I provide the following comments in relation to contents of the draft ***Schedule 2 to clause 44.03 Shown on the planning scheme map as FO2***

Statement of Risk – clause 2

Proposed Wording

Floodway areas experience frequent inundation by fast flowing and, in some locations, deep floodwaters during flood events, presenting a high hazard to life, property and infrastructure. Development or works within flood ways can obstruct the passage of floodwaters, reduce flood conveyance and storage capacity, and increase flood depths and velocities both onsite and on adjacent land, resulting in increased flood risk, damage and safety hazards.

Commentary / Explanation

The wording apply a generalised observation rather than reflecting the intent of the projected study of as possible but uncertain flood projections estimated that may or may not result from a 1 in a 100 year event.

The Reports from that accompanied the various maps shows a possible impact of an exceptional event of infrequent and indeterminate in impact. The wording under Statement of Risk should

reflect this actuality. Generalised wording would misrepresent the event generating the variation to the planning regulations.

Suggested Replacement Wording clause 2

Although floodway areas can experience inundation the extent of such inundations and impact on property is uncertain and subject to conjecture notwithstanding modelling that is developed based on the possibility of occurrence. It is only when weather events occur at extremity that actual impact as to floods, damage and safety hazards become known. As a result of the uncertainty of the impact event ascribed to the Ballarat township and surrounding areas of a one in a hundred-year event for the purpose of this Schedule such an event is to be ascribed by the Melbourne Bureau of Meteorology, or its equivalent if it ceases to exist.

In if such an ascribed event is said to have occurred, if the Floodplain Management Authority does not provide to the City of Ballarat a report within 12 months of the event as to the event a comparison of report of the event impact against the projections this Regulation will lapse.

Council upon receipt of the report has four months to consider a report by the Floodplain Management Authority to consider and invite public comment to amend the impacted area previously identified in the report previously prepared by Floodplain Management Authority that has previously been provided and upon which this Regulation have been based upon.

Permit Requirement – clause 3

The first clause relating to existing planning permit contain subsequent requirements that are contradictory. It is requiring that previously approved plans to be finished at least 1% above the annual exceedance probability (AEF) flood level and that there is no lower than 1% of AEF but the survey plans prepared by a Land Surveyor that the construction meets the previously approved plans which most likely would have been approved without consideration of the each of the AEP requirements.

These clauses required amendment to facilitate commercial certainty based on what has been approved; they do not at the moment.

The items in the is clause appear to be a “shopping list” rather than relating to the maps that were provided. For example, “a trough associated with agriculture”. That appears not to be relevant to the to the maps provided but perhaps it has been inserted due to the uncertainty of land use notwithstanding the maps provided.

Application requirements – clause 4

This proposed clause is directed towards, requiring “a that flood risk report prepared by a suitably qualified person that addresses the matters outlined in Clause 44.03-4 to the satisfaction of the Responsible Authority”. It then details the matters to be considered in the report including Assess flood levels using the applicable 1% AEP event, including future climate scenarios as determined by the relevant Floodplain Management Authority.”

From information available it appears that the Floodplain Management Authority does analysis does not detail specificity of the property impacted but rather, provides a general indication of only that is likely to left up to interpretation of the relevant person at the Floodplain Management Authority.

Perhaps this is a lesser issue that initially appears if any person seeking to build on a relevant property ascertains from the Floodplain Management Authority the boundary on which construction can be provided and this is included in the plans submitted to the Council together with the relevant report from the appointed professional.

I provide the following comments in relation to contents of the ***draft Schedule 2 to clause 44.04 "Land subject to inundation overlay", the latter being related to planning scheme map LSI02***

Statement of Risk – clause 2

My comment is the same as stated for clause 2 in the Schedule 2 to clause 44.03 Shown on the planning scheme map as FO2

Suggested Replacement Wording clause 2

Although floodway areas can experience inundation the extent of such inundations and impact on property is uncertain and subject to conjecture notwithstanding modelling that is developed based on the possibility of occurrence. It is only when weather events occur at extremity that actual impact as to floods, damage and safety hazards become known. As a result of the uncertainty of the impact event ascribed to the Ballarat township and surrounding areas of a one in a hundred-year event for the purpose of this Schedule such an event is to be ascribed by the Melbourne Bureau of Meteorology, or its equivalent if it ceases to exist.

In if such an ascribed event is said to have occurred, if the Floodplain Management Authority does not provide to the City of Ballarat a report within 12 months of the event as to the event a comparison of report of the event impact against the projections this Regulation will lapse.

Council upon receipt of the report has four months to consider a report by the Floodplain Management Authority to consider and invite public comment to amend the impacted area previously identified in the report previously prepared by Floodplain Management Authority that has previously been provided and upon which this Regulation have been based upon.

My observations in relation to draft Schedule 2 to clause 44.03 Shown on the planning scheme map as FO2 also are relevant for this draft clause.

Regards


