

Planning Scheme Amendment C217ball – Ballarat 11 Waterways

Submissions Summary and Officer Responses

*Pursuant to S. 23(6) of the *Planning and Environment Act 1987*, is the submission, in the opinion of the planning authority, considered:

(a) frivolous or vexatious; or (b) wholly irrelevant to the amendment?

Submission No.	Submitter Type	Summary of Issues Raised	s. 23 (6)*	Officer Response
001	Individual landowner – residential	The submission objects to the application of proposed flood and stormwater overlays, citing concerns that they may not accurately reflect actual flood risk and could negatively impact property use, development potential and value. The submitter requests clearer justification of the modelling and property-specific assessment prior to applying overlays.	No	Council officers note that the submission raises concerns regarding whether the proposed flood and stormwater overlays accurately reflect flood risk affecting the property, and the potential implications for property use, development and value. Flood modelling for the amendment identifies flood behaviour under defined flood events and is not undertaken as a property-specific assessment. The submission's request for further clarification regarding modelling assumptions and accuracy is noted. Technical matters raised regarding flood modelling methodology and the basis of the mapping are addressed through a consolidated technical response from Council's flood modelling consultant, Water Technology. The purpose of the flood overlays is to manage flood risk for life, property and development and to ensure that future use and development appropriately responds to identified flood hazard. Matters relating to property valuation and future development do not of themselves negate the application of flood planning controls

				The submission is not resolved and is recommended for referral to an independent Planning Panel.
002	Individual landowner – residential	The submission objects to the extent of the proposed flood overlay affecting the property, noting that modelling indicates only shallow inundation and questioning whether the overlay accurately reflects site-specific conditions. The submitters seek confirmation of modelling accuracy and clarification of planning implications, including potential restrictions and future flood mitigation measures.	No	Council officers note that the submission raises concerns regarding whether the proposed flood overlay accurately reflects flood risk affecting the property, and the implications for property use, development potential and value. Flood modelling for the amendment identifies areas subject to inundation and flood conveyance under defined flood events. In this location, the proposed overlay reflects modelled flood behaviour associated with a defined drainage corridor, including areas of deeper inundation and flow concentration, rather than marginal or incidental flooding. The submission requests further clarification regarding the modelling assumptions and the basis for applying the overlay to the property. Technical matters raised regarding flood modelling methodology and the assessment of flood behaviour are addressed through a consolidated technical response from Council's flood modelling consultant, Water Technology. The submission is not resolved and is recommended for referral to an independent Planning Panel.
003	Individual landowner – residential	Incorrectly received letter as affected property when not in the overlay extents	No	The submission was resolved as following confirmation the property was not affected by the proposed planning overlays, and the submitter withdrew the submission.

004	Individual landowner – residential	The submission objects to the application of the flood overlay, citing previous flooding impacts at the property which are attributed to drainage and infrastructure issues rather than broader floodplain behaviour. The submitters suggest that improved maintenance and upgrading of stormwater drainage infrastructure could reduce flooding impacts and question the need for the overlay in this context.	No	Council officers note that the submission raises concerns regarding the causes of flooding affecting the property, including the extent to which inundation is influenced by local drainage infrastructure and maintenance, rather than broader floodplain behaviour. Flood modelling for the amendment identifies flood and overland flow behaviour under defined flood events, including the interaction between stormwater infrastructure and the surrounding catchment. Planning overlays are applied based on the resulting modelled flood behaviour and are not a substitute for, or dependent on, the maintenance or upgrade of drainage infrastructure. Technical matters raised regarding the performance of drainage infrastructure and the representation of these systems within the flood modelling are addressed through a consolidated technical response from Council's flood modelling consultant. The submission is not resolved and is recommended for referral to an independent Planning Panel.
005	Individual landowner – residential	The submission objects to the application of flood overlays, citing concerns that overlays impose unnecessary financial and planning burdens on property owners and may limit development and housing supply. The submitter suggests that Council should prioritise drainage upgrades, infrastructure improvements and engineering solutions to reduce flood risk, rather than applying planning controls.	No	Council officers note that planning overlays are applied to manage identified flood risk and inform future use and development of land, and do not replace the role of infrastructure planning and delivery. While drainage and infrastructure improvements may reduce flood risk over time, planning overlays remain necessary to manage risk under current and future conditions. The matters raised are not resolved and are recommended for referral to an independent Planning Panel.

006	Individual landowner – residential	The submission objects to the extent of the proposed flood overlays affecting the property, acknowledging some flood risk due to proximity to the creek but arguing that the overlay may extend beyond areas of genuine hazard. Concerns are raised regarding reliance on broad municipal modelling, potential over-application of controls, and impacts on future use, development potential and value of the mixed-use land.	No	Council officers note that the submission acknowledges some level of flood risk associated with proximity to the waterway but raises concerns regarding the extent of the proposed flood overlays and whether they extend beyond areas of genuine hazard. Flood modelling for the amendment identifies flood behaviour under defined flood events, including inundation, overland flow and connectivity within the broader flood system. The application of planning overlays reflects the resulting modelled flood extent, which may extend beyond areas of deeper inundation where land contributes to, or is connected within, the wider flood system. Technical matters raised regarding the flood modelling methodology and the translation of modelling outputs into statutory planning overlays are addressed through a consolidated technical response from Council's flood modelling consultant. The purpose of the flood overlays is to manage flood risk for life, property and development and to ensure that future use and development appropriately responds to identified flood hazard. Matters relating to property valuation and future development do not of themselves negate the application of flood planning controls The submission is not resolved and is recommended for referral to an independent Planning Panel.
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007	Individual landowner – residential	Submitter objects to the amendment as their property is elevated and slopes. Upgraded drainage has been constructed which addresses floodwater issues from these properties, so do not agree with the modelling. Have never observed any flooding over the last 22 years from the Yarrowee Creek waterway.	No	Council officers note that the submission raises concerns regarding the application of the proposed flood overlay, including the submitters' observations that the properties are elevated, slope away from the adjoining waterway, and have not experienced flooding during past rainfall events. Flood modelling for the amendment assesses flood behaviour under defined flood events and is not limited to observed historical flooding or individual site experience. Events of the magnitude assessed for planning purposes can exceed the capacity of standard urban drainage systems, including upgraded local drainage works, and result in overland flow paths not typically observed during more frequent rainfall events. The submission raises concerns regarding the relationship between the mapped flood extent and the physical characteristics of the properties. That relationship is noted. Technical matters relating to flood behaviour under defined flood events are addressed through a consolidated technical response from Council's flood modelling consultant. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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008	Individual landowner – residential	The submitter argues the flood modelling does not reflect actual site conditions, noting the land slopes away from waterways and is not within any natural drainage path, depression, or inundation area. They contend the modelling overgeneralises at a broad scale, incorrectly identifying properties that contribute to runoff as being subject to flooding. The submitter maintains that applying an overlay is disproportionate to the negligible risk and inconsistent with policy and requests a review and refinement of mapping based on more accurate, site-specific assessment.	No	Council officers note that the submission raises concerns regarding the application of the proposed flood overlay, including the submitter's view that the land slopes away from nearby waterways and is not located within a natural drainage path or area of concentrated inundation. Flood modelling for the amendment identifies areas subject to inundation under defined flood events, including areas of shallow flooding and overland flow that may not be readily apparent under more frequent rainfall conditions. In this location, the mapped flooding affecting the property is limited in extent and depth. The submission raises concerns regarding the proportionality of applying planning controls where flood impacts are limited and the perceived relationship between runoff-generating land and flood-affected land. The relationship between the mapped flood extent and the application of the overlay is noted. Technical matters raised regarding flood modelling methodology and the basis of the mapping are addressed through a consolidated technical response from Council's flood modelling consultant. The submission is not resolved and is recommended for referral to an independent Planning Panel.
009	Individual landowner – residential	The submitter opposes the amendment proceeding in its current form, arguing that flood modelling for the Redan Creek area remains unresolved and has not been re-exhibited for community review, creating a gap in consultation. They raise concerns about the lack of property-specific data and clarity	No	Council officers note that the submission raises concerns regarding the adequacy of consultation, the application of the Land Subject to Inundation Overlay, and whether the flood modelling accurately reflects flood behaviour affecting the property. Flood modelling for the amendment identifies areas subject to inundation and overland flow under defined flood events. In this location, the proposed Land Subject to Inundation Overlay reflects modelled flood behaviour across a connected flood surface associated with the Redan Creek system. While modelled flood depths across the site are generally shallow, the landforms

		regarding flood impacts, as well as whether flooding is driven by natural conditions or Council infrastructure deficiencies. The submitter emphasises the financial and practical implications of the LSIO, including permits, insurance, and property value impacts. They request the amendment be deferred for affected properties until updated modelling is publicly reviewed, or alternatively that their land be excluded or the overlay modified to allow exemptions for minor works	part of the broader flood conveyance and storage area rather than representing an isolated or marginal flood extent. The submission raises questions regarding the influence of drainage infrastructure and whether flooding is driven by natural conditions or infrastructure constraints. Flood modelling for planning purposes considers combined flood and overland flow behaviour under defined events and does not distinguish flood risk solely on the basis of infrastructure performance or maintenance at a particular point in time. Technical matters raised regarding flood modelling methodology, infrastructure representation and the translation of modelling outputs into planning overlays are addressed through a consolidated technical response from Council's flood modelling consultant. The purpose of the flood overlays is to manage flood risk for life, property and development and to ensure that future use and development appropriately responds to identified flood hazard. Matters relating to property valuation and insurance outcomes do not of themselves negate the application of flood planning controls. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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010	Individual landowner – residential	The submission seeks removal of the property from the proposed flood overlay, noting that only a very small portion of the land is affected by extremely shallow inundation. The submitter considers the level of flood impact to be minimal and not sufficient to justify the application of the overlay.	No	Council officers note that the submission raises concerns regarding the application of the proposed flood overlay, noting that only a very small portion of the property is affected by extremely shallow inundation. It is acknowledged that the mapped flooding affecting the property is limited in area and depth. The submission raises concerns regarding whether the extent of the proposed overlay is proportionate to the level of flood impact identified. The relationship between the extent of mapped flooding and the application of the overlay is noted. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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011	Individual landowner – residential	Has lived here for 28 yrs and has experienced several floods, where house has been inundated due to drainage system not coping with the rapid volume of water (stormevent). Drainage infrastructure is not designed to accommodate heavy storm events. Drain under Carngham Rd overflows during rain events. Greenhalghs rd has water spilling into surrounding land. Drainage clearing and maintenance plays a significant role in the impacts of flooding in this area. Requests clarification as to whether recent drainage works, culvert capacities and conditions were conditions as part of the modelling. Consider the relationship between drainage management and planning controls being imposed on properties.	No	Council officers note that the submission raises concerns regarding flooding experienced at the property and the extent to which this is influenced by the performance, capacity and maintenance of local drainage infrastructure, including culverts and road drainage. Flood modelling for the amendment identifies flood and overland flow behaviour under defined rainfall events, including the interaction between stormwater infrastructure and the broader catchment. Planning overlays are applied based on the resulting modelled flood behaviour and are not a substitute for, or dependent on, the maintenance or upgrade of drainage infrastructure at an individual point in time. The submission raises questions regarding the representation of drainage infrastructure, including recent works and culvert capacities, within the modelling framework. These matters are addressed through a consolidated technical response from Council's flood modelling consultant. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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012	Individual landowner – residential	The submitter argues the amendment fails to demonstrate how broad flood modelling has been accurately translated to property-level controls, with insufficient consideration of site conditions and local drainage infrastructure. They contend the mapping shows only minimal flood impact and does not justify the application of the LSIO, which should apply only to land subject to meaningful inundation or flood function. The proposal is considered inconsistent with planning policy objectives, particularly responding to local conditions and evidence-based decision-making. They raise concerns about disproportionate impacts on development potential, property value and insurance, and request refinement of the modelling to exclude their property.	No	Council officers note that the submission raises concerns regarding the translation of broad flood modelling into property-level planning controls, including whether the application of the Land Subject to Inundation Overlay appropriately reflects meaningful inundation or flood function affecting the property. Flood modelling for the amendment identifies flood behaviour under defined flood events and informs the application of planning overlays based on inundation, overland flow behaviour and connectivity within the broader flood system, rather than solely on depth at an individual location. The submission raises concerns regarding the proportionality of applying the overlay where flood impacts are considered to be limited. Technical matters raised regarding flood modelling assumptions, the representation of local drainage infrastructure, and the methodology used to translate modelling outputs into statutory planning overlays are addressed through a consolidated technical response from Council's flood modelling consultant. The purpose of the LSIO is to ensure that future use and development appropriately responds to identified flood risk through planning controls, rather than to predetermine insurance outcomes or prevent development. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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013	Individual landowner – residential	The submission objects to the application of the flood overlay, stating that the identified flood depth of approximately 100mm is not significant enough to justify its inclusion. The submitters consider the level of risk to be minimal and do not support the application of planning controls on this basis.	No	Council officers note that the submission raises concerns regarding the application of the proposed flood overlay, noting that the identified flood depth affecting the property is shallow, in the order of approximately 100 millimetres. It is acknowledged that the mapped flooding affecting the property is limited in depth. The submission raises concerns regarding whether the application of planning controls is proportionate to the level of flood impact identified. The relationship between the extent of mapped flooding and the application of the overlay is noted. The submission is not resolved and is recommended for referral to an independent Planning Panel.
014	Individual landowner – residential	The submitter objects to the amendment, arguing that flooding affects only a small portion of their land at shallow depths (less than 100mm) and is located away from existing buildings. They contend that existing barriers and flood mitigation measures mean floodwaters are unlikely to impact the property, making the overlay disproportionate to the actual risk. They also question why flooding was not addressed during the [location] subdivision and argue that areas with minimal impact should not be included in the overlay.	No	Council officers note that the submission raises concerns regarding the application of the proposed flood overlay, noting that the mapped flooding affecting the property is limited in extent and shallow in depth (generally less than 100 millimetres) and is located away from existing buildings. It is acknowledged that the submission questions whether the level of flood impact identified is proportionate to the application of planning controls, and raises concerns regarding why flooding was not addressed at the time of the relevant subdivision. Flood modelling for the amendment assesses flood behaviour under defined flood events and does not revisit or re-assess past subdivision approvals or mitigation measures implemented at that time. The relationship between the extent of mapped flooding and the application of the overlay is noted. The submission is not resolved and is recommended for referral to an independent Planning Panel.

015	Individual landowner – residential	The submission objects to the application of the flood overlay, stating that flooding has not been observed at the property and that the modelling does not reflect actual site conditions. The submitter considers the identified flood risk to be overstated and raises concerns regarding impacts on the dwelling, as well as property value, insurance and future development opportunities.	No	Council officers note that the submission raises concerns regarding the accuracy of the flood modelling and whether the identified flood risk reflects actual conditions affecting the property. Flood modelling for the amendment identifies flood behaviour under defined flood events and informs the application of planning overlays based on inundation and overland flow. The proposed Floodway Overlay applies to the waterway along the eastern boundary of the property, with the Land Subject to Inundation Overlay affecting adjacent land. The overlays do not apply to the dwelling or primary access areas and are limited to land associated with the waterway corridor. Technical matters raised regarding flood modelling accuracy, site conditions and the extent of flood risk are addressed through a consolidated technical response from Council's flood modelling consultant. The purpose of the flood overlays is to manage flood risk for life, property and development and to ensure that future use and development appropriately responds to identified flood hazard. Matters relating to property valuation, insurance outcomes and development opportunities do not of themselves negate the application of flood planning controls. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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016	Individual landowner – residential	Submitter opposes the amendment and inclusion of their property and surrounding sites in the flood modelling for [location]. Recent subdivision has changed the site levels, altering the flow of rainwater into a new swale drain and the drainage under the new road effectively removes the ephemeral waterway. The flood studies have not accounted for the SD design works addressing flood impacts. Believe it is based on earlier information on the site which is incorrect and the Sd lots should be removed from the proposed overlay	No	Council officers note that the submission raises concerns regarding the application of the proposed flood overlay in light of recent subdivision works at [location], including changes to site levels, drainage design and the treatment of localised flow paths. The submission contends that these subdivision works have addressed flood impacts and that the flood modelling underpinning the amendment does not fully reflect the current site conditions. Flood modelling for the amendment identifies flood behaviour under defined flood events and informs planning controls based on modelled inundation and overland flow at a broader scale, rather than on individual site modifications or subdivision design responses alone. Technical matters raised regarding the representation of subdivision works, updated ground conditions and drainage infrastructure within the flood modelling are addressed through a consolidated technical response from Council's flood modelling consultant. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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017	Individual landowner – residential	The submission objects to the application of the flood overlay, noting that only a small portion of the property is affected by shallow inundation (approximately 100mm). The submitter considers this level of impact to be insignificant and not representative of flood risk, and raises concerns regarding potential impacts on future development, insurance and property-related costs. The submitter requests removal of the property from the overlay.	No	Council officers note that the submission raises concerns regarding the application of the proposed flood overlay, noting that only a small portion of the property is affected by shallow inundation, in the order of approximately 100 millimetres. It is acknowledged that the mapped flooding affecting the property is limited in area and depth. The submission raises concerns regarding whether the application of planning controls is proportionate to the level of flood impact identified. The relationship between the extent of mapped flooding and the application of the overlay is noted. The purpose of the flood overlays is to manage flood risk for life, property and development and to ensure that future use and development appropriately responds to identified flood hazard. Matters relating to property valuation, insurance outcomes and future development do not of themselves negate the application of flood planning controls The submission is not resolved and is recommended for referral to an independent Planning Panel.
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018	Individual landowner – residential	The submission objects to the inclusion of the property within the amendment, noting that the land is not affected by the mapped flood extent. The submitter considers that the overlay has been incorrectly applied to the property and should be removed.	No	Council officers note that the submission raises concerns regarding the inclusion of the property within the proposed flood overlay, noting that the mapped flood extent does not directly affect the land. It is acknowledged that the modelled flood extent does not extend into the property. The inclusion of a small portion of land within the overlay can occur as a result of mapping methodology, including smoothing and generalisation of modelled extents to define continuous and functional planning boundaries. The submission raises concerns regarding the relationship between mapped flood extent and overlay boundaries. That relationship is noted. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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019	Individual landowner – residential	The submission objects to the application of the LSIO across the entire property, noting that the mapped inundation is shallow (generally less than 100mm) and there is no history of flooding. The submitter considers the mapping does not accurately reflect site levels or the limited risk to the elevated dwelling. Concerns are raised regarding impacts on insurance, property value and future development, and the submitter requests refinement of the overlay boundary and access to supporting modelling information.	No	Council officers note that the submission raises concerns regarding the application of the Land Subject to Inundation Overlay across the property, noting that the mapped inundation is shallow (generally less than 100 millimetres), that there is no history of flooding, and that the existing dwelling is elevated above the mapped flood level. It is acknowledged that the mapped flooding affecting the property is limited in depth and that the dwelling is not directly affected. The submission raises concerns regarding the proportionality of applying the overlay across the entire site and the relationship between mapped flood extent, site levels and the existing development. The relationship between the extent of mapped flooding and the application of the overlay is noted. Technical matters raised regarding flood modelling methodology and access to supporting information are addressed through a consolidated technical response from Council's flood modelling consultant. The purpose of the flood overlays is to manage flood risk for life, property and development and to ensure that future use and development appropriately responds to identified flood hazard. Matters relating to property valuation, insurance outcomes and future development do not of themselves negate the application of flood planning controls. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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020	Individual landowner – residential	The submitter objects to the amendment, arguing it imposes significant and unaffordable costs on residents, particularly through increased insurance, despite no history of flooding and the risk being based on a highly unlikely 1-in-100-year event - it is not fair. They believe flood issues observed in the area are unrelated to the Yarrowee River, question the need to plan for hypothetical hazards, and contend efforts should instead focus on addressing existing, demonstrated problems	No	Council officers note that the submission raises concerns regarding the perceived level of flood risk, the likelihood of flooding and the potential financial impacts associated with the application of planning controls. Flood modelling for the amendment identifies flood behaviour under defined rainfall events, including areas of inundation associated with waterways. It is acknowledged that the property is located adjacent to a waterway and is affected by mapped flood extents. The absence of observed historical flooding does not preclude the potential for flooding under the defined storm events used for planning purposes. The submission raises concerns regarding fairness, perceived risk and potential impacts on insurance and property costs. These matters are noted. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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021	Individual landowner – residential	The submission objects to the application of flood overlays to the property, arguing that floodwater cannot affect the site given its location within the upper catchment and raising concerns that Council may be directing stormwater flows onto the land. The submitter does not support the application of a flood overlay and considers the rationale unclear and unjustified.	No	Council officers note that the proposed Floodway Overlay and Land Subject to Inundation Overlay relate to the defined waterway along the northern boundary of the site and adjacent land associated with the waterway corridor, rather than the entirety of the property. It is noted that the flood overlays do not extend across the full site. The dwelling and the majority of the land are not affected by the proposed overlays, which are limited to land adjoining the waterway where flood risk has been identified. The submission raises concerns regarding the interpretation of overlay mapping and perceived impacts on the property. Planning overlays are applied to manage identified flood risk associated with waterways and overland flow corridors and do not imply that floodwaters affect all areas within a title. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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022	Individual landowner – residential	The submission objects to the application of the flood overlay to the property, noting that only a small portion of the land at the rear is affected by shallow inundation (less than 100mm). The submitter indicates that the rear of the property has been built up above the mapped flood level and contends that the proposed overlay overstates the actual flood risk. The submitter requests that the overlay be removed from the property	No	Council officers note that the submission raises concerns regarding the application of the proposed flood overlay, noting that only a small portion of the property at the rear is affected by shallow inundation (generally less than 100 millimetres) and that the rear of the site has been built up above the mapped flood level. It is acknowledged that the mapped flooding affecting the property is limited in area and depth and confined to the rear of the site. The submission raises concerns regarding whether the application of planning controls is proportionate to the level of flood impact identified and the relationship between mapped flood extent and current site levels. The relationship between the extent of mapped flooding and the application of the overlay is noted. Technical matters raised regarding flood modelling methodology and the representation of site levels are addressed through a consolidated technical response from Council's flood modelling consultant. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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023	Technical consultant	The submission, lodged on behalf of a landowner, objects to the application and extent of flood overlays affecting a large bushland site containing a waterway through its centre. The submitter raises extensive technical concerns regarding flood modelling inputs and assumptions, including drainage infrastructure representation, climate change scenario selection, terrain resolution, roughness classification of waterbodies, and the translation of modelling outputs into statutory planning overlays. The submitter requests that the proposed overlays be deferred, withheld or remodelling undertaken prior to their application.	No	Council officers note that the flood study was undertaken to inform emergency management, catchment management and statutory planning controls, and that flood overlays are applied to land identified as subject to inundation or performing a flood conveyance or storage function. The subject land is a large, predominantly undeveloped site containing a defined waterway running through its centre. The submission raises detailed technical matters relating to flood modelling methodology and assumptions, including the representation of drainage infrastructure, terrain resolution, waterbody roughness, climate change scenario selection and the translation of modelling outputs into statutory planning overlays. Technical matters relating to the submission were reviewed by Council's flood modelling consultant. The technical review confirmed that the modelling approach adopted for the Canadian Creek and Tributaries study, including the representation of drainage infrastructure in the Elsworth Street area, treatment of terrain resolution and waterbodies, and application of climate change scenarios, is appropriate for municipal-scale flood risk assessment and consistent with industry best practice. The review also confirmed that key drainage structures influencing flood behaviour in the vicinity of the site were included in the model and that acknowledged modelling limitations do not invalidate the results for planning purposes. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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024	Individual landowner – residential	The submission objects to the proposed application of additional flood overlays, noting that a proposed Special Building Overlay partially affects the property and that mapped flood risk is minimal and shallow. The submitter raises concerns regarding the cumulative impact of multiple proposed overlays, questions the transparency and accuracy of the flood modelling, and considers further controls unnecessary given the limited extent and depth of inundation.	No	The submission raises concerns regarding the application of flood overlays, including interaction with heritage controls, shallow modelled flood depths, drainage and infrastructure responsibility, and potential property impacts. Heritage overlays and flood overlays serve different planning purposes and are not duplicative. Heritage controls manage heritage significance and built-form outcomes, while flood overlays manage flood risk and development response in areas subject to inundation. Where a proposed Special Building Overlay applies, it is intended to manage overland flow risk and has been refined to exclude very shallow modelled inundation (less than approximately 5 cm). Each overlay applies based on distinct planning considerations. Technical matters raised, including flood modelling benchmarks, drainage infrastructure representation, and the translation of modelling outputs into planning overlays, are addressed through a consolidated technical response from Council's flood modelling consultant. The issues raised are not resolved and are recommended for referral to an independent Planning Panel.
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025	Individual landowner – residential	The submission objects to Planning Scheme Amendment C217ball on the basis of potential impacts on property value and the timing of the amendment. The submitter raises concerns that the outcomes of the City of Ballarat CBD Flood Mitigation Investigation Project are not yet publicly available and argues that further planning controls should not be applied until that work is completed.	No	Council officers note that the flood study underpinning Planning Scheme Amendment C217ball has been undertaken to identify flood risk under defined flood events and inform emergency management, catchment management and statutory planning controls. The proposed Floodway Overlay applies to parts of the site affected by modelled inundation associated with the adjacent waterway, including areas with depths greater than 100 millimetres. The submission raises concerns regarding potential impacts on property value and the timing of the amendment relative to future CBD flood mitigation investigations. Planning overlays are applied based on identified flood risk under current conditions and are not delayed pending future infrastructure projects, which may be subject to funding, design and delivery timeframes. The purpose of the flood overlays is to manage flood risk for life, property and development and to ensure that future use and development appropriately responds to identified flood hazard. Matters relating to property valuation, insurance outcomes and the timing of future mitigation works do not of themselves negate the application of flood planning controls. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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026	Individual landowner – residential	The submission objects to the application of the proposed Land Subject to Inundation Overlay, citing concerns regarding increased insurance costs, reduced property value, and perceived inconsistency with past development approvals. The submitter questions why flooding has not previously been identified despite the property being developed with Council approval and requests clarification on whether Council intends to undertake flood mitigation works to address the identified risk.	No	Council officers note that the proposed Land Subject to Inundation Overlay applies to land identified as subject to inundation under defined flood events, informed by updated flood modelling. The property is located adjacent to a waterway and is affected by modelled inundation across the site, with flood depths generally ranging between 100 and 300 millimetres. The absence of previously identified flood controls or observed flooding does not preclude the identification of flood risk through updated studies and contemporary modelling. Planning Scheme Amendments such as C217ball are intended to incorporate the best available information to manage current and future flood risk, including where land has been previously developed. The submission raises concerns regarding insurance impacts, property value, and the timing of flood mitigation works. Planning overlays are applied to manage risk to life and property and to inform future use and development. They are not based on individual insurance outcomes, nor are they delayed pending future infrastructure or maintenance works, which are subject to separate funding and delivery processes. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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027	Individual landowner – residential	The submission objects to the accuracy of flood mapping shown on Map 31 relating to the upper reaches of Warrenheip Creek, stating that the mapped flood levels are incorrect. The submitter does not identify a specific property within the submission but reiterates a previously raised objection to the modelling and mapping of flooding in this area.	No	The submission raises concerns regarding the accuracy of flood mapping associated with the upper reaches of Warrenheip Creek. While no specific property is identified within the submission, Council officers understand that the submitter owns land in the vicinity of the mapped flood extents referred to in Map 31. Council officers note that flood mapping has been prepared using contemporary modelling to identify flood risk under defined flood events and inform statutory planning controls. The mapping in this area indicates flooding associated with the Warrenheip Creek corridor, with modelled flood depths varying across the floodplain. Concerns regarding the accuracy of flood levels and overlay boundaries constitute technical matters relating to flood modelling and mapping methodology. These matters are addressed through a consolidated technical response from Council's flood modelling consultant. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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028	Individual landowner – residential	Opposes the amendment stating that a site visit should be undertaken which should prove the site sits above the flood line modelled. Believes the modelling has not accurately assessed the depth of the gully which leading into Canadian Creek, actual ground surveys should be done. The gully is large in scale and has the ability to hold a lot of water before discharging to lower floodplain areas near Trezise Lane. The has not been any issues with flooding since the 1980s, the gully easily holding rainwaters.	No	Council officers note that the flood modelling underpinning Planning Scheme Amendment C217ball identifies flood risk associated with defined waterways and their immediate floodplain corridors. On this site, the proposed Floodway Overlay applies to the watercourse along the western boundary of the land, rather than across the entirety of the property. It is acknowledged that the submission appears to assume that the flood overlay affects the whole site. However, the proposed overlay is confined to land associated with the waterway corridor where flood conveyance and inundation have been identified and does not extend across the remaining portions of the property. The submission raises concerns regarding the accuracy of local flood levels and topography. Flood modelling assesses potential flood behaviour under defined events using best available terrain and drainage data and is not limited to historical observations of flooding. Concerns regarding modelling accuracy constitute technical matters addressed through a consolidated technical response from Council's flood modelling consultant. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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029	Individual landowner – residential	The submission objects to the inclusion of a small portion of the property within the proposed flood inundation overlay, arguing that the affected area is minimal and does not reflect practical flood risk. The submitter considers the mapping to be inaccurate and raises concerns regarding impacts on property value, planning approvals and fairness.	No	Council officers note that the submission raises concerns regarding the inclusion of a small portion of the property within the proposed flood overlay, noting that the mapped inundation affecting the site is shallow (generally less than 100 millimetres) and limited in extent. It is acknowledged that the flood impact identified is confined to a minor area of the property. The submission raises concerns regarding whether the application of planning controls is proportionate to the level of flood impact identified. The relationship between the extent of mapped flooding and the application of the overlay is noted. The purpose of the flood overlays is to manage flood risk for life, property and development and to ensure that future use and development appropriately responds to identified flood hazard. Matters relating to property valuation and future development do not of themselves negate the application of flood planning controls. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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030	Individual landowner – residential	The submission raises broader concerns regarding the scope of the flood study, the application of flood overlays across the municipality, the use of modelling rather than observed flooding, and potential implications for future planning decisions. The submitter does not identify ownership of land directly affected by the proposed overlays but questions the overall approach and evidentiary basis of the amendment.	No	The submission raises strategic and policy-level concerns regarding flood modelling, overlay application and the broader planning approach to flood risk management. No specific property owned by the submitter is identified as being affected by the proposed flood overlays. The purpose of Planning Scheme Amendment C217ball is to implement updated flood information arising from contemporary flood modelling to inform statutory planning controls across multiple waterways. The amendment is applied to land identified as subject to flood risk and is not dependent on ownership or occupation by the submitter. Matters raised regarding modelling methodology, scope of flood information and the translation of modelling into planning overlays are addressed through the consolidated technical response from Council's flood modelling consultant and the overall assessment of submissions. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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031	Individual landowner – residential	The submission objects to the inclusion of the property within the proposed flood overlay, noting that only very small areas of shallow inundation (less than 100 mm) are identified and that floodwaters would not reach the dwelling. The submitter raises concerns regarding property value, resale, insurance impacts and fairness, and requests that the property be removed from the amendment.	No	Council officers note that the submission raises concerns regarding the application of the proposed flood overlay, noting that only very small areas of the property are affected by shallow inundation (less than 100 millimetres) and that floodwaters would not reach the existing dwelling. It is acknowledged that the mapped flooding affecting the property is limited in area and depth. The submission raises concerns regarding whether the application of planning controls is proportionate to the level of flood impact identified. The relationship between the extent of mapped flooding and the application of the overlay is noted. The purpose of the flood overlays is to manage flood risk for life, property and development and to ensure that future use and development appropriately responds to identified flood hazard. Matters relating to property valuation and insurance outcomes do not of themselves negate the application of flood planning controls The submission is not resolved and is recommended for referral to an independent Planning Panel.
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032	Individual landowner – residential	The submission opposes Planning Scheme Amendment C217ball based on observed flooding conditions along Bradby Avenue, Mount Clear, adjacent to Canadian Creek. The submitter states that recent flood events did not result in overbank flooding or impacts to properties along this section of the creek and considers the proposed overlays to be inconsistent with observed conditions. The submission refers to a street location rather than a specific affected property.	No	The submission raises concerns regarding the mapping of flood risk along a section of Canadian Creek adjacent to Bradby Avenue. No specific property address is identified as being affected within the submission. Council officers note that flood modelling is undertaken to assess potential flood behaviour under defined events and is not limited to observed historical flooding. Planning overlays are applied based on modelled flood extents to manage flood risk along waterways and their associated floodplains. The submission relies on observations from recent flood events and historical experience. While this information is noted, flood modelling assesses a broader range of potential flood scenarios and incorporates future risk considerations. Concerns regarding the accuracy of flood mapping constitute technical matters relating to modelling and are addressed through a consolidated technical response from Council's flood modelling consultant. The submission is not resolved and is recommended for referral to an independent Planning Panel.
033	Referral authority	Central Highlands Water (CHW), as a referral authority, advises that it has reviewed Planning Scheme Amendment C217ball and has no objection. CHW notes that the proposed flood overlays may affect land or infrastructure it owns or operates but confirms that existing planning scheme exemptions under Clause 62 of the Victorian Planning Provisions adequately enable the ongoing operation and	No	Council officers note Central Highlands Water's submission and acknowledge its advice that the proposed Floodway Overlay and Land Subject to Inundation Overlay will not adversely affect the operation or maintenance of water and sewer infrastructure, given the exemptions provided under Clause 62 of the Victorian Planning Provisions. The submission raises no objection to Planning Scheme Amendment C217ball. The submission is noted.

		maintenance of water and sewer infrastructure.		
034	Individual landowner – residential	The submission objects to the application of flood overlays to the property, arguing that the mapped flood contours are inaccurate and do not reflect actual site levels following development. The submitter contends that substantial earthworks and construction have elevated the land above the adjacent creek level, that flood risk is overstated, and that the proposed overlays may negatively affect property value and insurance.	No	Council officers note that flood modelling has been undertaken using contemporary techniques to identify flood risk associated with defined waterways and their adjacent flood affected land under a 1% annual exceedance probability event. The property is affected by proposed flood overlays associated with flood behaviour along the adjoining waterway. It is acknowledged that the mapped inundation affecting the property is limited in extent, but in some locations modelled flood depths exceed shallow levels. Planning overlays are applied based on modelled flood behaviour and mapping conventions rather than solely on finished floor levels or site works undertaken after development. The submission raises concerns regarding topographic representation, flood depths and the accuracy of modelling inputs. These are technical matters relating to flood modelling and terrain data and are addressed through a consolidated technical response from Council's flood modelling consultant. The purpose of the flood overlays is to manage flood risk for life, property and development and to ensure that future use and development appropriately responds to identified flood hazard. Matters relating to property valuation and insurance outcomes do not of themselves negate the application of flood planning controls The submission is not resolved and is recommended for referral to an independent Planning Panel.

035	Individual landowner – residential	The submission objects to the application of the proposed Land Subject to Inundation Overlay to the property, arguing that the flood modelling does not accurately reflect actual site levels, roadway design and local drainage conditions. The submitters contend that their dwelling is elevated above surrounding infrastructure, that inundation is unlikely, and that the LSIO would have negative impacts on insurance and property value.	No	Council officers note that flood modelling has been undertaken to identify land subject to inundation under defined flood events and to inform statutory planning controls. The proposed Land Subject to Inundation Overlay applies across the property, which is located adjacent to a waterway and affected by modelled flooding under those events. It is acknowledged that the mapped flood depths affecting the site are generally shallow, typically less than 100 millimetres. However, the application of the LSIO reflects the identification of flood risk across affected land and is not based solely on finished floor levels, driveway design or local drainage features. The submission raises concerns regarding the accuracy of topographic representation, drainage behaviour and modelling assumptions. These matters are technical in nature and relate to flood modelling and terrain data and are addressed through a consolidated technical response from Council's flood modelling consultant. The purpose of the LSIO is to ensure that future use and development appropriately responds to identified flood risk through planning controls, rather than to predetermine insurance outcomes or prevent development. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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036	Individual landowner – residential	The submitter acknowledges the need for flood overlays but argues the proposed modelling overstates risk and does not reflect historical conditions or local drainage performance. They contend it relies too heavily on theoretical assumptions and insufficiently considers site-specific factors such as infrastructure and topography. They raise concerns about impacts on property values, development restrictions and insurance, and request a detailed review, site-specific assessment, and potential amendment or removal of the overlay.	No	Council officers note that flood modelling has been undertaken to identify land subject to inundation under defined flood events and to inform statutory planning controls. The property is located adjacent to a waterway and is substantially affected by proposed Floodway and Land Subject to Inundation Overlays based on modelled flood behaviour. While the submission refers to observed flooding conditions, flood modelling assesses potential flood behaviour under defined events using best available data and is not limited to historical experience alone. The application of the proposed overlays reflects the identification of flood risk associated with the adjoining waterway and its floodplain. The submission raises concerns regarding modelling accuracy, drainage behaviour and flood extent. These matters are technical in nature and relate to flood modelling methodology and assumptions and are addressed through a consolidated technical response from Council's flood modelling consultant. The purpose of the proposed flood overlays is to manage flood risk to life and property and to ensure that future use and development appropriately responds to identified flood hazard. Matters relating to property valuation, insurance outcomes and future development do not of themselves negate the application of flood planning controls The submission is not resolved and is recommended for referral to an independent Planning Panel.
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037	Individual landowner – residential	Objects to the proposed flood overlay, arguing the modelling does not reflect site-specific conditions, particularly a deep, concreted tributary onsite that reduces flood risk on their property - has this been properly factored in? They raise concerns that downstream bottlenecks, including a small drain on Crown land and undersized pipes at Water Street will cause stormwater to backup onto their boundary and other properties - has this been properly modelled? They request the modelling be updated to reflect this infrastructure and seek investigation into drainage capacity, potential upgrades, and maintenance responsibilities.	No	Council officers note that flood modelling has been undertaken to identify flood risk associated with defined waterways and drainage corridors under defined flood events. The property is located adjacent to a waterway and is affected by proposed Floodway and Land Subject to Inundation Overlays based on modelled flood behaviour. The submission raises concerns regarding the representation of site-specific conditions, including the presence of a concreted tributary section and the performance of downstream drainage infrastructure. Flood modelling assesses potential flood behaviour under defined events and is not limited to localised infrastructure modifications, historical observations or assumed maintenance conditions. Concerns regarding modelling accuracy, drainage capacity and the translation of modelling outputs into overlay boundaries are technical matters and are addressed through a consolidated technical response from Council's flood modelling consultant. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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038	Individual landowner – residential	concerned about the impact the amendment will have on their property relating to insurance, value of property, ability for resale and changes to infrastructure. Purchased property based on due diligence, informed no flooding issues based on drainage design handling all rain events. Who will compensate them if the flooding has not been addressed properly? Council should improve the drain capacity to address the bottleneck and backup of water during a flood event.	No	Council officers note that a Special Building Overlay is proposed to apply to part of the property to manage identified overland flow risk under defined flood events. The property is affected by predominantly shallow inundation, generally around 100 millimetres in depth, with a small, localised area of greater depth affecting the driveway and carport area. The submission raises concerns regarding drainage infrastructure performance, insurance impacts and property value. Planning overlays are applied to manage identified flood risk through land use and development controls and do not replace the role of infrastructure provision, maintenance or upgrade, which is addressed through separate capital works and asset management processes. Concerns regarding the cause and behaviour of flooding, including the interaction between drainage infrastructure and overland flow, are technical matters relating to flood modelling and infrastructure capacity and are addressed through a consolidated technical response from Council's flood modelling consultant. The purpose of the proposed Special Building Overlay is to ensure that future development appropriately responds to identified overland flow risk rather than to predetermine insurance outcomes or prevent reasonable use of land. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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039	Individual landowner – residential	Objects to the LSIO2 overlay affecting their property arguing it may overstate flood risk as there not been any evidence of inundation during rain events previously. Believe flooding is unlikely to be a consequence of just natural river flood behaviour but also deficiencies in local drainage infrastructure. They raise concerns about the proposed overlays impacting on property values, land use options, insurance costs, development opportunities and will increase construction costs. Council should upgrade/instal proper drainage infrastructure to deal with the problem, not impose planning controls which affect property owners. They request a detailed local review, refinement of overlay boundaries, and consideration of drainage upgrades and site-specific conditions before finalising the amendment.	No	Council officers note that flood modelling has been undertaken to identify land subject to inundation under defined flood events to inform statutory planning controls. The property is partially affected by the proposed Land Subject to Inundation Overlay, with mapped inundation concentrated at the front south-western portion of the lot where flood depths exceed 100 millimetres. The submission raises concerns regarding the contribution of local drainage and road infrastructure to inundation behaviour and whether the modelling appropriately distinguishes between natural waterway flooding and overland stormwater flow within the road reserve. Planning overlays are applied based on modelled flood behaviour and do not replace the role of infrastructure planning, delivery or upgrade, which is addressed through separate asset management and capital works programs. Concerns regarding flood behaviour, drainage performance and the extent of overlay mapping are technical matters relating to flood modelling assumptions and infrastructure interaction and are addressed through a consolidated technical response from Council's flood modelling consultant The purpose of the Land Subject to Inundation Overlay is to ensure that future use and development responds appropriately to identified flood risk rather than to predetermine insurance outcomes or remove reasonable development opportunities. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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040	Individual landowner – residential	Objects to the LSIO2 overlay on their property, arguing it is fundamentally incorrect and that the land cannot flood due to its elevated hillside position and natural drainage toward the creek. They distinguish between minor stormwater runoff and true flooding, claiming the mapped inundation extent is exaggerated and could be resolved through simple drainage works. They raise concerns about significant impacts on insurance, property value, and development, and request removal of the LSIO designation.	No	Council officers note that flood modelling has been undertaken to identify land subject to inundation and overland flow under defined flood events in order to inform statutory planning controls. The property is affected by proposed Floodway and Land Subject to Inundation Overlays associated with flood behaviour and overland flow paths within the adjoining waterway catchment. The submission distinguishes between stormwater runoff and flood behaviour and contends that the land cannot be inundated due to its elevated hillside position. Flood modelling for planning purposes considers both floodplain inundation and overland flow behaviour under defined events and does not rely solely on observed flooding or assumptions regarding individual drainage discharges. Concerns regarding whether mapped inundation reflects stormwater discharge, overland flow paths, topography and drainage infrastructure interaction are technical matters relating to flood modelling assumptions and interpretation. These matters are addressed through a consolidated technical response from Council's flood modelling consultant. The purpose of the Land Subject to Inundation Overlay is to ensure that future use and development appropriately responds to identified flood and overland flow risk and does not predetermine insurance outcomes or require engineering responses outside the planning framework. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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041	Individual landowner – residential	The submission objects to the proposed Special Building Overlay affecting the rear portion of the property, noting that modelled inundation is very shallow (generally less than 100 mm) and does not affect the dwelling, which is elevated above the mapped flood level. The submitter considers the level of risk to be minimal and argues that catchment-scale modelling is not appropriate for delineating flood risk at the margins of mapped areas.	No	Council officers note that the submission raises concerns regarding the proposed Special Building Overlay affecting the rear portion of the property, noting that the mapped inundation is very shallow (generally less than 100 millimetres) and does not affect the existing dwelling, which is elevated above the mapped flood level. It is acknowledged that the mapped flooding affecting the property is limited in area and depth and confined to the rear of the site. The submission raises concerns regarding the appropriateness of applying planning controls at the margins of mapped flood areas where inundation is minimal. The relationship between the extent of mapped flooding and the application of the Special Building Overlay is noted. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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042	Individual landowner – residential	The submission objects to the proposed flood overlays on the basis that the modelling relies on a worst-case climate change scenario (1% AEP RCP 8.5) without presenting alternative scenarios or current-day flood risk. The submitters consider this approach insufficiently transparent and raise concerns regarding the potential financial implications for landowners, including insurance and property value impacts.	No	Council officers note that flood modelling has been undertaken to identify flood risk associated with defined waterways, flood conveyance corridors and flood storage areas under defined flood events. The property is affected by a proposed Floodway Overlay and is located adjacent to a waterway, with flood behaviour influenced by the presence of downstream flood storage and conveyance areas, including a retarding basin to the south. The submission raises concerns regarding the climate change scenarios adopted for the exhibited mapping and the absence of alternative scenario presentation. The flood study has been prepared using contemporary guidance and modelling assumptions to assess future flood risk and inform long-term land use planning, particularly where flood behaviour may change over time. Concerns regarding the selection of climate change scenarios, flood depths and the interpretation of flood risk are technical matters relating to flood modelling methodology. These matters are addressed through a consolidated technical response from Council's flood modelling consultant. The purpose of the proposed Floodway Overlay is to manage flood conveyance and hazard associated with deeper and more frequent inundation and to ensure that future use and development appropriately responds to identified flood risk. Matters relating to property valuation and insurance outcomes do not of themselves negate the application of flood planning controls The submission is not resolved and is recommended for referral to an independent Planning Panel.
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043	Individual landowner – residential	The submission objects to Planning Scheme Amendment C217ball on the basis of perceived impacts on property value and contends that flood planning controls should have been applied at the time of subdivision rather than retrospectively. The submitter raises concerns regarding fairness and seeks clarification regarding Council responsibility and compensation.	No	Council officers note that flood overlays are applied based on contemporary flood modelling to manage identified flood and overland flow risk under defined flood events. The proposed Special Building Overlay applies across the property to manage overland flow risk, with modelled inundation depths varying across the site and reaching up to approximately 200 millimetres in some locations. The submission raises concerns regarding property value, fairness and the timing of the application of planning controls relative to past subdivision approvals. Planning Scheme Amendments are a statutory mechanism for updating planning controls over time as new information becomes available and are not limited to application at the time of subdivision or development. Planning overlays are applied to manage risk to life and property and to inform future use and development of land. Matters relating to compensation, insurance outcomes or retrospective application of controls are not matters regulated through the planning scheme. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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044	Individual landowner – residential	The submission objects to the application of the proposed Special Building Overlay affecting the rear of the property, arguing that the flood mapping does not accurately reflect local land contours and drainage behaviour associated with the rear laneway drain. The submitter considers that the mapping incorrectly indicates inundation of higher land on Queen Victoria Street rather than lower-lying areas within the laneway, and requests review of the mapping to reflect actual site levels.	No	Council officers note that a Special Building Overlay is proposed to apply to the rear portion of the property to manage identified overland flow risk associated with the rear laneway drainage corridor. The proposed overlay reflects mapped overland flow paths and shallow inundation under defined flood events. The submission raises concerns regarding the accuracy of the mapped inundation pattern and whether it appropriately reflects local land contours, finished ground levels and the presence of a bluestone drainage channel within the rear laneway. Flood modelling for planning purposes assesses overland flow behaviour under defined events and applies mapping conventions that may extend beyond the physical limits of visible drainage features. Concerns regarding localised land levels, drainage behaviour and the translation of overland flow modelling into planning overlay boundaries are technical matters relating to flood modelling methodology. These matters are addressed through a consolidated technical response from Council's flood modelling consultant. The purpose of the proposed Special Building Overlay is to ensure that future development appropriately responds to identified overland flow risk rather than to reflect detailed site-specific engineering solutions or drainage upgrades. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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045	Planning or Building consultant	Raises concerns with the amendment, extent of the proposed overlays over the site, the strategic justification and assumptions, technical reports and the impacts to landowners. Appears the flood study relies on outdated assumptions and modelling. Council should revisit the findings to ensure they are reflective of current development conditions and constraints. the study adopts overly conservative assumptions which are not balanced to achieve a net community benefit. Assumptions relating to climate change needs to be carefully reviewed. The proposed extent of overlay will constrain and limit development potential of land which is zoned for commercial opportunities. This will impose planning requirements including additional technical reports, cost burden on landowners.	No	Council officers note that the subject land is affected by proposed flood overlays informed by the Ballarat 11 Waterways Flood Study. The Land Subject to Inundation Overlay applies to these properties, with a small area of the Floodway Overlay affecting the south-eastern front corner of the site where flood conveyance has been identified. The submission raises concerns regarding the extent and strategic justification of the proposed overlays, including the assumptions underpinning the flood study, the application of climate change parameters and the potential implications for future development of commercially zoned land. Flood modelling for the amendment identifies flood behaviour under defined events and informs the application of planning overlays based on inundation, overland flow and flood conveyance. Technical matters raised regarding modelling methodology, climate change assumptions and the translation of modelling outputs into planning overlays are addressed through a consolidated technical response from Council's flood modelling consultant. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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046	Individual landowner – residential	The submission objects to the proposed Floodway and Land Subject to Inundation Overlays affecting the property, noting that only a very small area of shallow inundation is identified along the frontage, while deeper inundation is mapped toward the rear of the site. The submitter challenges the reliance on 1% AEP modelling and the certainty of projected impacts, raises concerns regarding the wording of the proposed overlay schedules and Statements of Risk, and considers that the controls do not adequately reflect uncertainty in flood behaviour.	No	Council officers note that the property is affected by proposed flood overlays informed by contemporary flood modelling undertaken to identify flood risk under defined flood events. The Land Subject to Inundation Overlay applies along the frontage of the site where only a limited area of shallow inundation is identified, while both the Land Subject to Inundation Overlay and Floodway Overlay apply toward the rear of the property where deeper flood inundation, conveyance and storage functions are present. The submission raises concerns regarding the certainty of flood modelling, the use of a 1% annual exceedance probability design event, and the wording of the proposed overlay schedules and Statements of Risk. The proposed schedules reflect the standard provisions of the Victorian Planning Provisions and set out how flood risk is to be recognised and managed in planning decisions, including through the identification of flood hazard and requirements for buildings and works within affected land. Technical matters raised regarding flood modelling assumptions, projected flood behaviour, and the translation of modelling outputs into overlay schedules and risk statements are addressed through a consolidated technical response from Council's flood modelling consultant. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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047	Individual landowner – residential	The submission objects to the inclusion of the property within the proposed Land Subject to Inundation Overlay, noting that only a very small portion of the site is affected by shallow inundation and that the dwelling is significantly elevated and located well clear of the mapped flood extent. The submitters consider the application of the overlay to be disproportionate to the level of flood impact and raise concerns regarding ongoing impacts on insurance, planning controls and property value.	No	Council officers note that the submission raises concerns regarding the inclusion of the property within the proposed Land Subject to Inundation Overlay, noting that only a very limited area at the boundary of the site is affected by shallow inundation, generally less than 100 millimetres in depth. It is acknowledged that the dwelling is located well clear of the area of modelled inundation and that the mapped flood impact affecting the property is limited in extent and depth. The submission raises concerns regarding the proportionality of applying planning controls where flood impact is minimal. The relationship between the extent of mapped flooding and the application of the overlay is noted. The purpose of the flood overlays is to manage flood risk for life, property and development and to ensure that future use and development appropriately responds to identified flood hazard. Matters relating to property valuation, insurance outcomes and future development do not of themselves negate the application of flood planning controls The submission is not resolved and is recommended for referral to an independent Planning Panel.
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048	Technical consultant	The submission, prepared by an engineering consultant on behalf of landowners, objects to the application and extent of proposed flood overlays affecting land within an approved residential subdivision. The submission raises detailed technical concerns regarding flood modelling inputs and assumptions, including the representation of drainage infrastructure, terrain data and climate change scenarios. The submitter contends that these matters result in an overstatement of flood extent and requests that the proposed overlays be amended or removed to reflect as-constructed conditions.	No	Council officers note that the submission raises detailed technical matters relating to flood modelling inputs and assumptions, including the representation of drainage infrastructure, terrain data and climate change scenarios underpinning the proposed flood overlays. The submission identifies recent subdivision works and associated drainage infrastructure within the Rivergum Rise Estate and contends that these changes are not fully reflected in the flood modelling used to inform the exhibited overlay extents. Technical matters relating to the submission were reviewed by Council's flood modelling consultant. The technical review confirmed that the flood modelling methodology adopted for the Bonshaw Creek catchment is appropriate for municipal-scale flood risk assessment and that the exclusion of recently constructed internal drainage infrastructure is unlikely to materially alter flood behaviour under the 1% annual exceedance probability event used to define the planning controls. The review also acknowledged that civil works completed since the underlying terrain data was captured may influence the location of overland flow paths and that, in this context, refinement of the planning control layers may be appropriate without the need for full re-modelling. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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049	Developer	Integra objects to the application and extent of proposed flood overlays affecting multiple parcels of land within an identified growth area. The submission raises detailed technical concerns regarding the flood modelling inputs and assumptions, including the omission of existing and planned drainage infrastructure, reliance on a conservative climate change scenario, and the translation of modelling outputs into Floodway and Land Subject to Inundation Overlay extents. The submitter contends that these matters overstate flood risk and result in disproportionate planning controls and seeks review and refinement of the proposed overlays.	No	Council officers note that the submission raises detailed technical matters relating to flood modelling inputs and assumptions underpinning the proposed flood overlays. These include the representation of existing and planned drainage infrastructure, terrain data, climate change scenarios and the translation of modelling outputs into Floodway and Land Subject to Inundation Overlay extents. The submission identifies constructed and proposed drainage infrastructure and flood mitigation measures within the surrounding catchment and contends that these may not be fully reflected in the modelling used to inform the exhibited overlay extents. Technical matters relating to the submission were reviewed by Council's flood modelling consultant. The technical review confirmed that the modelling methodology adopted for the Kensington Creek catchment is appropriate for municipal-scale flood risk assessment and that the exclusion of unconstructed drainage infrastructure is appropriate for defining statutory planning controls. The review also confirmed that the inclusion of planned infrastructure would not materially alter flood behaviour under the 1% annual exceedance probability event used to define the overlays. Where post-construction drainage works or alterations to flood mitigation infrastructure can be verified, refinement of the planning control layers may be considered without the need for full re-modelling. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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050	Technical consultant	The submission raises concerns regarding whether drainage infrastructure associated with a nearby subdivision was included in the flood modelling that informs the proposed flood overlays. The submitter seeks clarification that local drainage inputs were appropriately accounted for and questions the accuracy of the mapping if this infrastructure was not included.	No	Council officers note that the submission raises concerns regarding whether drainage infrastructure associated with a nearby subdivision was included in the flood modelling used to inform the proposed flood overlays. This matter was reviewed by Council's flood modelling consultant. The technical review confirmed that stormwater drainage infrastructure associated with the nearby subdivision was incorporated into the hydraulic model using available civil drainage plans. The review also confirmed that where the underlying terrain data pre-dated subdivision construction, supplementary digital elevation information was used to accurately represent finished ground levels. The proposed flood overlays reflect modelled flood behaviour having regard to the inclusion of this drainage infrastructure, along with other relevant catchment inputs and assumptions applied consistently across the municipality. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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051	Planning or Building consultant	The submission objects to the extent of the proposed flood overlay, noting that the mapped flooding affecting the property is shallow and limited in extent. The submitter considers that the overlay extends further into the property than the identified flood extent and is disproportionate to the level of flood impact, and requests that the overlay be amended to more accurately reflect the mapped flooding.	No	Council officers note that the submission raises concerns regarding the extent of the proposed flood overlay, noting that the mapped flooding affecting the property is shallow and limited in extent, with only a small area of inundation identified at the boundary, generally less than 100 millimetres. It is acknowledged that the proposed Floodway Overlay extends beyond the mapped flood extent as a result of mapping conventions and generalisation applied to define continuous and functional planning boundaries. The submission raises concerns regarding the proportionality of the overlay extent relative to the level and extent of flooding identified. The relationship between the extent of mapped flooding and the application of the overlay is noted. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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052	Individual landowner – residential	The submission objects to the extent and location of the proposed Land Subject to Inundation Overlay affecting the property, particularly in relation to the representation of flow paths associated with a neighbouring dam and local drainage patterns. The submission, supported by an independent engineering review, contends that flood behaviour across the site is not accurately represented, including the direction of flow onto the property and the extent of inundation identified uphill of an existing pond. The review suggests that local topographic features may not be fully captured in the modelling, resulting in an overstatement of inundation extent in some areas. The submission acknowledges that parts of the site may be subject to inundation but seeks refinement of the overlay to better reflect site conditions.	No	Council officers note that flood modelling identifies land subject to inundation under defined flood events and informs the application of the Land Subject to Inundation Overlay. The mapping indicates that inundation affects parts of the property, primarily toward the frontage and around an existing dam, with the dwelling located outside the mapped flood extent. The submission raises concerns regarding the representation of local flow paths, including interaction with neighbouring infrastructure, and the extent of inundation across the site. It is also asserted that local topographic features may influence the extent and direction of flood behaviour. These matters have previously been considered by Council's flood modelling consultant, in response to earlier submissions relating to the site. This included review of updated modelling inputs associated with surrounding development and refinement of inflow conditions within the broader catchment. That review confirmed that parts of the site, including the northeastern portion around the dam, remain subject to inundation under the modelled event. Notwithstanding this, the submission raises ongoing concerns regarding the relationship between the extent of mapped flooding and the application of the overlay, particularly where inundation is shallow or influenced by localised terrain features. This relationship is noted, particularly in relation to the extent of inundation in areas influenced by localised terrain features. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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053	Individual landowner – residential	The submission objects to the application of the Land Subject to Inundation Overlay to the property, on the basis that the flood modelling may not reflect current site conditions. The submitter advises that significant earthworks have been undertaken on the land, resulting in the site being raised relative to surrounding areas, and considers that the modelling may not accurately represent the current flood risk to the dwelling and building envelope. The submission seeks a review of the modelling in light of site-specific conditions and requests that the property be excluded from the overlay if the level of flood risk is no longer applicable.	No	Council officers note that flood modelling identifies land subject to inundation and overland flow under defined flood events and informs the application of planning overlays. The Land Subject to Inundation Overlay affecting the property is associated with a modelled overland flow path that extends through the surrounding area and across multiple properties. The submission raises concerns that site-specific earthworks and changes to finished surface levels may not be fully reflected in the modelling and may influence the level of flood risk affecting the property, particularly in relation to the dwelling and building envelope. Flood modelling for planning purposes is undertaken using the best available topographic and drainage information at the time of modelling and is applied consistently across the municipality. The application of the overlay reflects modelled flood behaviour across the broader site and is not solely dependent on whether existing buildings are subject to inundation, but also on the role of land within the overland flow system. The submission raises matters relating to site-specific levels and local conditions which may influence the interaction between modelled flood behaviour and on-site conditions. These matters are noted. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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054	Individual landowner – residential	The submission acknowledges the importance of contemporary flood modelling and supports the intent of the amendment but raises concerns regarding the extent of the proposed Floodway Overlay and Land Subject to Inundation Overlay affecting the property. The submitter identifies potential implications for the ongoing operation and future expansion of an existing accommodation business, including permit requirements, increased costs and constraints on renovations and development. The submission seeks clarification regarding the modelled flood behaviour affecting the property, the basis for applying both overlays, and the extent to which future development and investment can be supported within the overlay areas.	No	Council officers note that the property is affected by both the proposed Floodway Overlay and Land Subject to Inundation Overlay, which together reflect the modelled flood behaviour across the site, including areas of flood conveyance and broader inundation under defined flood events. The Floodway Overlay applies to parts of the site associated with deeper and more active flow paths, where floodwaters are conveyed across the land. The Land Subject to Inundation Overlay applies more broadly to areas identified as subject to inundation, including areas of shallower flooding. The submission raises concerns regarding the extent of the overlays and their implications for the ongoing use and future development of the property, including the operation of an existing accommodation business. The submission also seeks clarification regarding flood levels, hazard and planning requirements associated with the overlays. The matters raised regarding the application of both overlays and their implications for development are noted. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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055	Individual landowner – residential	The submission raises concerns regarding the use of a 1% AEP 2100 climate change scenario (worst-case) in the flood modelling, arguing that this may overstate flood risk and result in overlays being applied more broadly than warranted. The submitter seeks further technical clarification regarding the modelling approach and the basis for applying the overlays at this scale.	No	Council officers note that the submission raises concerns regarding the flood modelling approach, including the use of a 1% annual exceedance probability event incorporating projected climate change conditions, and whether this may result in an overstatement of flood risk. Flood modelling for the amendment uses defined design events to assess flood behaviour and inform the application of planning controls. The submission raises concerns regarding the perceived level of risk and the broader implications for development. These matters are noted. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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056	Individual landowner – residential	The submission, prepared by an engineering consultant on behalf of the landowner, raises detailed technical concerns regarding the flood modelling underpinning the amendment, particularly the exclusion of a key downstream receiving waterway from the study area. The submission contends that the omission of this waterway results in uncertainty regarding downstream boundary conditions, including the potential for backwater effects and interactions between converging catchments affecting flood behaviour on the subject land. Further concerns are raised regarding the calibration of the flood models in the absence of local flow data, and the consistency of climate change scenarios applied between the flood modelling and associated drainage infrastructure planning. The submission seeks clarification and resolution of these matters before the overlay mapping is finalised.	No	Council officers note that the submission raises detailed technical matters relating to the flood modelling that underpins the proposed flood overlays. These include the scope of the flood study, the representation of downstream receiving waterways and boundary conditions, model calibration, and the application of climate change scenarios across related planning frameworks. The submission identifies concerns regarding the exclusion of a downstream receiving waterway from the exhibited flood study and the potential influence of downstream conditions and interacting catchments on flood behaviour affecting the subject land. These matters were reviewed by Council's flood modelling consultant. The technical review confirmed that the modelling framework adopted for the Ballarat 11 Waterways Flood Study is appropriate for municipal-scale flood risk assessment and statutory planning controls, including the treatment of drainage, terrain and climate change assumptions. Council also notes that additional modelling of the downstream receiving waterway is currently being undertaken as part of a broader strategic floodplain management program. This work will inform Council's ongoing understanding of flood behaviour within the wider catchment but does not invalidate the flood mapping used to inform the exhibited planning controls. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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057	Individual landowner – residential	The submission, prepared on behalf of the landowner of a commercial property, objects to the proposed amendment and the application of flood overlays affecting the subject land. The submission does not provide detailed grounds for objection at this stage and indicates that further information may be provided.	No	Council officers note that the submission objects to the proposed amendment and the application of flood overlays affecting the subject land but does not provide detailed grounds for the objection. In the absence of specific issues or supporting information, no changes to the proposed overlays are recommended on the basis of this submission. The submission is not resolved and is recommended for referral to an independent Planning Panel.
058	Individual landowner – residential	The submission raises concerns regarding the flood modelling approach, specifically the use of a 1% annual exceedance probability event incorporating a 2100 climate change scenario, which is considered to be overly conservative and speculative. The submitter expresses concern regarding the broader implications of this approach for development, including potential impacts on housing supply.	No	Council officers note that the submission raises concerns regarding the flood modelling approach, including the use of a 1% annual exceedance probability event incorporating projected climate change conditions, and whether this represents a conservative assessment of flood risk. Flood modelling for the amendment uses defined design events to assess flood behaviour and inform the application of planning controls. Technical matters raised regarding the selection of design events, the application of climate change assumptions and the resulting assessment of flood risk are addressed through a consolidated technical response from Council's flood modelling consultant. The submission is not resolved and is recommended for referral to an independent Planning Panel.
059	Development industry representative	The submission, prepared by the Urban Development Institute of Australia (Victoria), raises detailed strategic and technical concerns regarding the amendment and the flood	No	Council officers note that the submission raises a range of strategic and technical matters relating to the amendment and the flood modelling that underpins the proposed flood overlays. These include the currency and completeness of modelling inputs, representation of drainage infrastructure and terrain, modelling assumptions and resolution, and the application of climate change scenarios.

		modelling that underpins the proposed overlays. The submission questions the currency and completeness of the modelling inputs, including the representation of drainage infrastructure and terrain data, and raises concerns regarding the application of modelling assumptions and resolution. Further concerns are raised regarding the use of a 1% annual exceedance probability event incorporating a 2100 climate change scenario as the primary basis for defining overlay extents, and the consistency of this approach with current policy, legislative requirements and emerging climate science. The submission also raises broader issues regarding the potential economic and development implications of the overlays, including impacts on housing supply, land values and development feasibility. The submission seeks deferral of the amendment pending further modelling, data		The submission also raises broader matters relating to statutory requirements, policy considerations and the potential economic and development implications of the proposed overlays. Technical matters relating to the flood modelling were reviewed by Council's flood modelling consultant. The technical review confirmed that the modelling methodology, data inputs and assumptions adopted for the Ballarat 11 Waterways Flood Study are appropriate for municipal-scale flood risk assessment and consistent with industry best practice. The review also confirmed that drainage infrastructure and terrain data were incorporated to the extent practicable, that the modelling has been subject to multiple third-party reviews over its development, and that the use of the RCP 8.5 climate change scenario for the 2100 design horizon is consistent with contemporary guidance for long-term planning controls. Planning overlays are applied to ensure that flood risk is appropriately considered in land use and development, in accordance with State policy and contemporary guidance for floodplain management. The purpose of the flood overlays is to manage flood risk for life, property and development and to ensure that future use and development appropriately responds to identified flood hazard. Matters relating to property valuation and future development do not of themselves negate the application of flood planning controls. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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		refinement and assessment of impacts.		
060	Individual landowner – residential	The submission raises concerns regarding the accuracy of the flood mapping affecting the property, noting that the site has been subject to recent infill development and changes to finished surface levels that may not be reflected in the topographic data used in the modelling. The submission contends that the extent of the mapped inundation may be overstated and seeks review of the mapping based on current site conditions.	No	Council officers note that flood modelling identifies land subject to inundation under defined flood events and informs the application of planning overlays. The mapped flooding affecting the property is limited in extent and shallow in depth, generally in the order of 100 millimetres. The submission raises concerns regarding the representation of current site levels and whether recent infill development and associated earthworks are fully reflected in the topographic data used to inform the modelling. The relationship between modelled flood behaviour and current site conditions is noted, particularly where localised changes to levels may influence the extent of shallow inundation across individual properties. The submission is not resolved and is recommended for referral to an independent Planning Panel.

061	Referral authority	The submission from Heritage Victoria does not object to the amendment but provides advice regarding the protection of historical archaeological sites and heritage places. The submission notes the potential presence of known and unrecorded archaeological features within Ballarat and requests that heritage considerations are taken into account in the design and implementation of any flood mitigation works or associated infrastructure. The submission also highlights the requirements of the Heritage Act 2017 in relation to approvals for works affecting heritage places and the management of unexpected archaeological discoveries.	No	Council officers note the advice provided by Heritage Victoria regarding the protection of historical archaeological sites and heritage places. The matters raised relate to the implementation of flood mitigation measures and associated works, which will be subject to the requirements of the Heritage Act 2017 and other relevant statutory approval processes, including where works may affect known or previously unidentified archaeological sites. These requirements operate independently of the application of planning scheme overlays and would be addressed as part of any future works or development. The submission is noted.
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062	Referral authority	The submission from the Corangamite Catchment Management Authority (CMA), as the floodplain management authority, supports and endorses Amendment C217ball. The CMA advises that the Ballarat 11 Waterways Flood Study has been undertaken using industry best practice methodology and best available information, and that the resulting mapping appropriately reflects flood hazard, including the projected impacts of climate change. The submission notes the CMA's ongoing role in floodplain management and its support for the introduction of updated flood mapping into the planning scheme.	No	Council officers note the support and endorsement of the Corangamite Catchment Management Authority as the floodplain management authority. The submission confirms that the flood modelling underpinning the amendment has been undertaken using industry best practice methodology and best available information and supports the application of updated flood overlays to reflect identified flood risk. The submission is noted.
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063	Individual landowner – residential	The submission objects to the extent of the proposed Special Building Overlay affecting the property, noting that the available flood mapping indicates only shallow inundation along the street frontage. The submitter considers that the overlay extends across the entire property and building footprint in a manner that is disproportionate to the mapped flood extent and seeks further clarification regarding the modelling assumptions, flood behaviour and basis for the proposed overlay.	No	Council officers note that flood modelling identifies land subject to inundation under defined flood events and informs the application of planning overlays. The mapped flooding affecting the property is limited in extent and depth, with shallow inundation generally identified along the frontage in the order of 100 millimetres. It is acknowledged that the proposed Special Building Overlay extends beyond areas of mapped shallow inundation as a result of mapping conventions and generalisation applied to define continuous and functional flood extents across the broader area. The submission raises concerns regarding the proportionality of the overlay extent relative to the level and extent of flooding identified. The relationship between the extent of mapped flooding and the application of the overlay is noted, particularly where inundation is limited in area and depth across individual properties. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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064	Individual landowner – residential	Haven Home Safe objects to the application of the proposed flood overlay to its existing social housing properties, citing concerns about increased insurance, compliance costs and impacts on asset value and financial sustainability. The submission emphasises that these dwellings are established and provide essential community housing for vulnerable residents, and that additional planning controls could affect the ongoing management and delivery of social housing. Haven requests removal or modification of the overlay for these properties, or further consultation to address potential social and financial impacts.	No	Council officers note that the submission raises concerns regarding the application of flood overlays to existing social housing properties, including potential impacts on operating costs, asset values, and the ongoing provision and management of social and affordable housing. Council officers acknowledge the important role of social housing in the community. However, planning overlays are applied on the basis of identified flood risk to land and are not linked to land ownership or tenure. The purpose of the flood overlays is to ensure that flood risk is appropriately considered for all affected land, including existing development, and to inform future buildings and works. The mapping identifies varying levels of flood risk across the listed properties, reflecting different local conditions. The submission raises broader social and economic considerations associated with the application of planning controls to existing housing assets. These matters are noted. The purpose of the flood overlays is to manage flood risk for life, property and development and to ensure that future use and development appropriately responds to identified flood hazard. Matters relating to property valuation, insurance outcomes and future development do not of themselves negate the application of flood planning controls The submission is not resolved and is recommended for referral to an independent Planning Panel.
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065	Individual landowner – residential	The submission objects to the extent of the proposed Land Subject to Inundation Overlay affecting properties in the Whitefield Street / Esmond Street area. The submitter, a long-term resident, raises concerns that the exhibited mapping does not reflect observed flooding behaviour, noting that water movement in the area appears to be influenced by informal drainage paths, road conditions and limited stormwater infrastructure rather than natural floodplain processes. The submission also questions whether the extent of inundation identified may be influenced by infrastructure limitations and modelling assumptions, including the use of projected climate change scenarios, and requests further localised assessment and consideration of potential drainage improvements prior to finalising the overlay.	No	Council officers note that the submission raises concerns regarding the extent of the proposed Land Subject to Inundation Overlay and the relationship between modelled flood behaviour and observed local conditions. The submission identifies that water movement within the area may be influenced by local topography, road conditions and stormwater infrastructure, and queries whether these factors contribute to the extent of inundation identified in the modelling. These matters have previously been considered by Council's flood modelling consultant, including at a local level, with the modelling and adopted inputs confirmed as appropriate. Flood modelling for the amendment identifies areas subject to inundation under defined flood events and is undertaken at a catchment scale using the best available topographic and drainage information. The resulting mapping reflects potential flood behaviour, including overland flow paths, which may occur across both natural and modified environments. The submission also raises matters relating to modelling assumptions and the consideration of future climate conditions in identifying flood risk. These inputs are applied across the study to inform the assessment of flood behaviour. The relationship between modelled flood behaviour and local site conditions is noted. The submission is not resolved and is recommended for referral to an independent Planning Panel.
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