

From: [REDACTED]
To: [Strategic Planning](#)
Cc: [REDACTED]
Subject: Submission – C217Ball- Ballarat Planning Scheme Amendment – Ballarat 11 Waterways
Date: Saturday, 16 May 2026 9:25:30 AM

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Submission – Ballarat Planning Scheme Amendment – Ballarat 11 Waterways

Submitter name: [REDACTED]

Postal address: [REDACTED]

Affected address: [REDACTED]

16 May 2026

Dear Manager Strategic Planning,

I am writing to formally object to the proposed Ballarat Planning Scheme Amendment as it affects my property at [REDACTED]. Under the Amendment, my property would be placed within a Land Subject to Inundation Overlay (LSIO) linked to Redan Creek. I am opposed to this, and I want to explain why I think the Amendment should not proceed – at least not in its current form – as it applies to this property and to Redan Creek-affected properties more broadly.

My objection is not a general opposition to flood planning. I understand why councils need to keep flood mapping current, and I accept that there are legitimate reasons to update overlays where the science genuinely supports it. My concern is that the science here – specifically the Redan Creek modelling – is not yet settled, and it is not appropriate to lock a permanent planning control into the scheme on the basis of data that Council itself has acknowledged needs further work.

1. The Redan Creek flood model was already identified as needing refinement – and that work has not been re-exhibited

During the earlier community engagement process, the City of Ballarat received submissions that raised concerns about the accuracy of the flood modelling for Redan Creek. In direct response to those submissions, Council publicly confirmed that the Redan Creek model (along with the Canadian Creek model) was being refined.[1]

What has not happened since is any re-exhibition of the revised model. Affected property owners on Redan Creek – including me – have never been given the opportunity to review the updated modelling and respond to it before it gets embedded permanently in the planning scheme. That is a significant procedural gap. The community had one shot at the original data; the model changed in response to what people said; and now we are being asked to accept the result without seeing it.

An LSIO is not a temporary flag. Once it is in the planning scheme, it affects every planning permit, every insurance renewal, and every vendor statement for this property going forward. That kind of permanent consequence should be based on modelling the community has had a fair chance to scrutinise. It has not been, and that alone is a reason to defer the Amendment for Redan Creek properties until the revised model is properly exhibited.

2. I have not been given the property-level data I need to assess whether the overlay is justified

The notice I received tells me my property is affected. It does not tell me by how much, in what way, or where it sits within the flood extent. Before this Amendment proceeds to a panel – or before Council adopts it – I am requesting the following specific information for 108 Hampden Street:

The modelled flood depth at the property in a 1-in-100 year (1% AEP) event;
The modelled flood velocity at or near the property boundary;
Whether the property is classified as flood fringe, flood storage, or within an active flow path; and
The specific LSIO schedule, including any exemptions proposed for minor works.

This is not an unreasonable question. The Victorian Planning Provisions distinguish meaningfully between different flood classifications, and the appropriate overlay type and permit exemptions differ accordingly.[2] Without knowing where my property sits in that hierarchy, neither I nor any expert I engage can properly assess whether the LSIO is the right tool, or whether the data supports its application to this site at all.

3. If flooding near Redan Creek is partly caused by council's own infrastructure, that should be addressed before controls are imposed on private landowners

At the Planning Delegated Committee meeting in December 2025, a number of Redan Creek residents raised the argument that the flooding identified in the modelling is driven at least in part by inadequate or poorly maintained council stormwater infrastructure – not purely by natural catchment behaviour.[3]

This matters because if the inundation risk at my property is substantially a function of infrastructure Council controls rather than inherent flood hazard, it raises a fairness question: why should a private landowner bear the ongoing planning and financial burden of an LSIO when the problem could be addressed upstream through capital works?

I am asking Council to clearly explain, in its response to submissions, how much of the modelled flood risk for Redan Creek properties is attributable to natural catchment and rainfall characteristics versus the capacity and condition of Council-maintained drainage infrastructure. If infrastructure is a material contributor, flood mitigation works should be prioritised alongside – or ahead of – the imposition of planning overlays.

4. The practical consequences for this property are real and should not be underestimated

I want to be honest about why this matters to me beyond the planning technicalities. An LSIO on this property will have direct, ongoing financial consequences:

Insurance: The overlay will be recorded on the insurance industry's National Flood Database.[4] Insurers use this data independently of actual flood history, meaning premiums are likely to increase even if the property has never flooded. I have not been provided with any analysis of the expected insurance impact on Redan Creek properties, and I think Council should address this in its response to submissions.

Renovations and works: Once the LSIO applies, a planning permit will be required for buildings and works that currently need no permit at all.[5] Every future application would need to be referred to the Corangamite CMA as the relevant floodplain authority.[6] This introduces cost and delay for what might otherwise be straightforward home

improvements. The exemptions in the LSIO schedule matter enormously here, and I have not been able to confirm what exemptions are proposed for this overlay.

Resale and marketability: The overlay will appear on any section 32 vendor statement. Buyer's agents and property professionals in Victoria have noted that LSIO properties face reduced buyer appetite, slower capital growth, and greater difficulty selling in softer markets.[7] While I understand that planning panels have sometimes declined to give this argument decisive weight, the impact is real and I think it deserves honest acknowledgement.

What I am asking for

My preferred outcome is one of the following, in order of preference:

Defer the Amendment as it applies to [REDACTED] and all Redan Creek-affected properties, until the revised Redan Creek flood model has been re-exhibited and affected owners have had a genuine opportunity to respond to it.

Exclude 108 Hampden Street from the LSIO boundary, having regard to the acknowledged modelling uncertainty and the absence of property-specific flood data provided during exhibition.

If the overlay does proceed, amend the LSIO schedule to include broad and meaningful exemptions from the permit trigger for minor works – including extensions under 50m², carports, sheds, pergolas, fencing and like-for-like replacement – consistent with protections available under SBO schedules in comparable councils.[5]

I am requesting to be heard at any Planning Panel Hearing convened for this Amendment, and I ask that my submission be considered in Council's deliberations before any referral to a panel.

Thank you for the opportunity to make a submission.

Yours sincerely,

[REDACTED]
Email: [REDACTED]

Phone: [REDACTED]