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Proposed C217ball

SCHEDULE 1 TO CLAUSE 44.05 SPECIAL BUILDING OVERLAY

Shown on the planning scheme map as **SBO1**.

FLOODING FROM URBAN STORMWATER DRAINAGE SYSTEMS

1.0

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Flooding management objectives to be achieved

To identify land liable to urban stormwater flooding based on the applicable 1 per cent Annual Exceedance Probability (AEP) flood event, as determined by the City of Ballarat and the Floodplain Management Authority.

To prioritise human life and health and provide safety from flood hazard by ensuring that land use and development are compatible with local drainage conditions.

To ensure development responds appropriately to flood characteristics to minimise impacts on people, property, community infrastructure and the environment.

To ensure development maintains the free passage and temporary storage of floodwaters, minimises flood damage, and does not cause any significant rise in flood level or flow velocity.

2.0

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Statement of risk

Land affected by this schedule has been identified as subject to urban stormwater flooding during the applicable 1 per cent Annual Exceedance Probability (AEP) flood event, incorporating climate change effects to 2100. The extent of flooding varies across the overlay and may include areas of significant depth or velocity that present a hazard to people and property.

Stormwater flooding can be localised or widespread depending on storm intensity and drainage system capacity. Flooding has the potential to result in risk to:

- Human life and safety
- Property
- Public infrastructure and assets
- Public health through contaminated floodwaters
- The environment
- Economic and social cohesion of communities

Development may be incompatible with the flood hazard unless appropriate measures are implemented, including minimum floor levels, flood management design features, safe site access, and ensuring no off-site impacts such as increased flood levels or flow velocities.

3.0

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Permit requirement

A permit is not required to construct or carry out buildings and works as follows:

- Buildings and works on land subject to an existing planning permit, restriction or legal agreement in accordance with Section 173 of the Planning and Environment Act 1987 where:
 - The ground level of the approved development is to be finished at least 300 millimetres above the applicable 1% Annual Exceedance Probability (AEP) flood level; and
 - Survey plans are prepared by a licensed Land Surveyor confirming that the ground level of the completed development has been constructed in accordance with the requirements of a planning permit, restriction or legal agreement; and
 - Any buildings and works do not lower the natural ground level or result in a finished floor level for a building that is below 300 millimetres above the applicable 1% AEP level as determined by the City of Ballarat.

- Buildings and works that are the subject of a current planning permit application lodged before the approval date of this schedule, where natural ground levels remain unchanged and the finished floor levels of any proposed habitable buildings are at least 300 millimetres above the applicable 1% AEP flood level.
- Buildings and works for which a building permit has been issued before the approval date of this schedule, where a planning permit was not previously required.
- Buildings and works where a building surveyor was appointed to issue a building permit before the approval date of this schedule and has certified in writing that substantial progress was made on the design prior to that date. A building permit must be issued within 12 months of the approval date of this schedule.

4.0

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Application requirements

The following application requirements apply to an application for a permit under Clause 44.05, in addition to those specified in Clause 44.05 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A flood risk report must be prepared by a suitably qualified person that addresses the matters outlined in Clause 44.05-4 to the satisfaction of the Responsible Authority. The report must also:
 - Consider the most recent flood mapping and flood advice from the City of Ballarat for the impacted area; and
 - Demonstrate that safe access and egress for emergency services and occupants is achievable during the applicable 1% Annual Exceedance Probability (AEP) flood event, to the satisfaction of the City of Ballarat; and
 - Assess flood levels using the applicable 1% AEP event, including future climate scenarios as determined by the City of Ballarat.
- A site description including a site plan (drawn to scale), photographs or other relevant techniques, that accurately describes:
 - The difference in levels between the site and surrounding land.
 - The use of surrounding land and buildings.
 - Location of significant environmental values including flora, fauna and wetlands on the site and surrounding properties.
 - Internal driveways and access tracks, and adjoining roads and accessways.
 - Any other notable features or characteristics of the site.
- Elevations of all proposed buildings, drawn to scale and showing finished ground floor levels to Australia Height Datum, taken by or under the direct supervision of a licensed surveyor.

5.0

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Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 44.05, in addition to those specified in Clause 44.05 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Consider any written agreement between the City of Ballarat and the Floodplain Management Authority.
- Whether the proposed development (including building envelopes, entrances and exits, driveways and accessways) achieves acceptable levels of flood safety and responds appropriately to the flood characteristics of the site.

BALLARAT PLANNING SCHEME

- Whether the development minimises risk to human life and property and avoids off-site impacts such as increased flood levels or flow velocities.
- Whether safe access and egress for occupants and emergency services can be achieved during the applicable 1% AEP flood event.
- Whether community and emergency service facilities are located outside the applicable 1% AEP flood extent.