

SCHEDULE 2 TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as **LSIO2**.

FLOODING FROM YALUK (WATERWAYS – WADAWURRUNG LANGUAGE) YARROWEE RIVER CATCHMENT**1.0 Land subject to inundation objectives to be achieved**

None specified

2.0 Statement of risk

Flooding poses significant risks, leading to potential property damage, safety hazards and environmental impacts. Development in these areas can obstruct floodwaters, reduce flood storage and increase flood levels, exacerbating risks. The City of Ballarat seeks to mitigate these risks and ensure community safety and resilience.

3.0 Permit requirement

A permit is not required to construct or carry out buildings and works that do not obstruct flood flows, or alter natural ground levels, or comply with any relevant design guidelines or advice from the Floodplain Management Authority 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 Floodplain Management Authority.
- Replacement Buildings provided:
 - The footprint of the replacement building(s) is the same or less than the original building(s); and
 - The finished floor levels of any replacement building is at least 300 millimetres above the applicable 1% AEP level; and
 - The replacement building is on unenclosed foundations such as stumps or piers with open style cladding below the finished floor level.
- External alterations to existing buildings, if the original building footprint remains the same.
- Ground level extensions to existing buildings where:
 - The floor level of the extension is at least 300 millimetres above the applicable 1% AEP level; or
 - The floor level of the extension is not lower than the existing floor level and the gross floor area of the extension is no greater than 20 square metres.

- Upper-level extensions to existing buildings if there is no increase in the ground floor building footprint and the extension does not require a new or altered on-site wastewater treatment system.
- Repairs and routine maintenance of existing fences provided the location, design and materials remain the same.
- New or replacement fencing if the fence is at least 50% permeable to allow for the passage of flood waters up to the applicable 1% AEP flood level and complies with any relevant Floodplain Management Authority design guidelines for fencing in flood prone areas.
- Earthworks:
 - Works associated with roads, roadsides or any other access ways (public or private) carried out by a public authority that has received the written consent of the relevant Floodplain Management Authority;
 - Minor earthworks or landscaping that do not raise the natural ground level.
 - Minor earthworks, including earthworks that raise the natural ground level, on land that is above the applicable 1% AEP flood level as advised in writing by the relevant Floodplain Management Authority within 12 months of the commencement of the works.
 - Repairs and routine maintenance that do not affect the originally designed height, length or location of a levee or embankment.
- Other buildings and works
 - A building which is open on all sides and built at natural ground level.
 - A verandah or decking area with a floor raised on stumps or piers and with unenclosed foundations.
 - A trough associated with agriculture.
 - A freestanding advertising or business sign, power pole, light pole or antenna.
 - A boardwalk, provided it is elevated and constructed 300 millimetres above the applicable 1% AEP flood level, to the satisfaction of the relevant Floodplain Management Authority.
 - An informal outdoor recreation area or outdoor recreation facility that maintains natural ground levels, excluding building and works not otherwise exempted by this schedule.
 - Road works or works to any other access way (public or private) that do not change the finished level of the road surface or drainage infrastructure.
 - Bicycle or pedestrian paths where there is no alteration in the natural ground level.
 - A domestic rainwater tank provided the tank is on a stand more than 300 millimetres above the applicable 1% AEP flood level and which allows for the free passage of floodwater.
 - A shed (including a pump shed) of less than 10 square metres gross floor area.
 - An in-ground domestic swimming pool or spa and associated mechanical and safety equipment (excluding fencing not in accordance with the 'New or replacement fence' provision above) in association with an existing building used for accommodation, where:
 - the excavated soil is removed from within the applicable 1% AEP floodplain; and
 - the perimeter edging of the pool and finishing surfaces are a maximum of 150mm above existing ground level.

- Buildings and works that are the subject of a current planning permit application lodged before the approval date of Amendment C217ball, 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 Amendment C217ball, 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 Amendment C217ball 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 Amendment C217ball.

4.0 Application requirements

The following application requirements apply to an application for a permit under Clause 44.04, in addition to those specified in Clause 44.04 and elsewhere in the scheme. These must accompany an application, as appropriate, to the satisfaction of the Responsible Authority, unless the Responsible Authority determines a particular requirement is not relevant:

- A flood risk report must be prepared by a suitably qualified person and must address the matters outlined in Clause 44.04-4 to the satisfaction of the Responsible Authority. The report must also:
 - Consider the most recent flood mapping and flood advice from the relevant Floodplain Management Authority for the impacting waterway(s); and
 - Demonstrate that safe access and egress for emergency services and occupants is achievable during the applicable 1% AEP flood event, to the satisfaction of the relevant Floodplain Management Authority; and
 - Assess flood levels using the applicable 1% AEP event, including future climate scenarios as determined by the relevant Floodplain Management Authority.
- A site description, which includes a site plan (drawn to scale), photographs or any other relevant technique, that accurately describes:
 - The boundaries, dimensions, shape, size, orientation and elevation of the site.
 - Relevant existing and proposed ground levels of the site, to Australian Height Datum taken by or under the direct supervision of a licensed land surveyor and the difference in levels between the site and surrounding land.
 - Location, layout, size and use of existing and proposed buildings and works on the site and on surrounding land.
 - Details of all existing and proposed buildings and works, including finished site levels and floor levels to Australian Height Datum, taken by or under the direct supervision of a licensed surveyor.
 - 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.

This information may not be required for:

- A single dwelling on a lot.
- Minor earthworks.

5.0 Decision guidelines

- None Specified