

06/07/2017  
C178**SCHEDULE 1 TO CLAUSE 44.03 THE FLOODWAY OVERLAY**Shown on the planning scheme map as **FO1**.**BURRUMBEET CREEK CATCHMENT****1.0****Permit requirement**06/07/2017  
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A permit is not required for the following:

**Buildings and works on land subject to an existing planning permit, restriction or agreement**

- If land has been developed in accordance with a planning permit, restriction or Section 173 agreement requiring its ground surface level to be finished at least 300mm above the 100 year ARI flood level; and
- survey plans confirm that the ground surface level has been constructed in accordance with the requirements of a planning permit, restriction or subdivision; and
- any buildings and works do not lower the ground surface level or result in a finished floor level for a dwelling that is below 300mm above the 100 year ARI flood level.

**Replacement buildings**

- If the footprint of the replacement building(s) is the same or less than the original building(s); and
- if the floor level of the replacement building is finished at least 300 mm above the 100 year ARI flood level; and
- if the replacement building is on unenclosed foundations such as stumps or piers with open style cladding below floor level.

**External alterations to existing buildings**

- If the original building footprint remains the same.

**Extensions to existing habitable buildings**

- If the floor level of the extension is at least 300mm above the 100 year ARI flood level; or
- if 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 sq.m.

**Repairs and routine maintenance of existing fences**

- If the fence design and materials remain the same.

**New or replacement fence**

- If the fencing complies with Floodplain Management Authority guidelines for fencing in flood prone areas.

**Earthworks**

- If the earthworks do not change the rate of flow or the discharge point of water across a property boundary.

**Other buildings and works**

- A building which is open on all sides including a pergola, carport, domestic shed, animal enclosure, outbuilding, stockyard or agricultural shed with unenclosed foundations.
- A verandah or decking area with a floor raised on stumps or piers and with unenclosed foundations.
- Road works or works to any other access way (public or private) that:

- do not change the finished level of the road surface; or
- are limited to resurfacing of an existing road.
- Bicycle or pedestrian paths where there is no alteration in the natural ground level.
- Repairs and routine maintenance that do not affect the height, length, width or location of a levee or embankment.
- A rainwater tank with a capacity of not more than 4500 litres.
- A shed (including a pump shed) of less than 10sqm gross floor area.
- An in-ground domestic swimming pool or spa, and associated mechanical and safety equipment where:
  - the excavated spoil is removed from within the 100 year ARI floodplain; and
  - the perimeter edging of the pool is finished at natural ground level.

## 2.0

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### Application requirements

An application must be accompanied by plans and supporting documents (as appropriate and to the satisfaction of the responsible authority) which includes the information contained in any Local Floodplain Development Plan incorporated at Clause 81 of this scheme including:

- A Flood Risk Report in accordance with Clause 44.03-3 if it does not comply with the Burrumbeet Creek Catchment Local Floodplain Development Plan.

## 3.0

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### Decision Guidelines – Local Floodplain Development Plan

In addition to the Decision Guidelines in Clause 44.03-6 and Clause 65, before deciding on an application, the responsible authority must consider any Local Floodplain Development Plan relevant to the subject land and incorporated at Clause 81 of this scheme.

Local floodplain development plans incorporated at Clause 81 include the following:

- Burrumbeet Creek Catchment Local Floodplain Development Plan 2015.

## 4.0

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### Referral of applications

An application is not required to be referred to the relevant floodplain management authority pursuant to Section 55 of the Planning and Environment Act 1987 if the applicant satisfies the responsible authority that the provisions relating to referrals under Clause 66 are met.