

--/--/---
Proposed C135sgip

SCHEDULE 1 TO CLAUSE 44.03 FLOODWAY OVERLAY

Shown on the planning scheme map as **FO1** or **RFO1**.

HIGHER RISK FLOODING AREAS

1.0 Floodway objectives to be achieved

--/--/---
Proposed C135sgip

To avoid the potential flood risk to life, health and safety associated with development.

To ensure that development will not cause any significant rise in flood level or flow velocity.

2.0 Statement of risk

--/--/---
Proposed C135sgip

None specified.

3.0 Permit requirement

--/--/---
Proposed C135sgip

A permit is not required for any of the following:

Buildings

- A new dwelling in a Township or Low Density Residential Zone in the townships of Port Welshpool, Sandy Point, Tarwin Lower and Venus Bay provided the finished floor level of the habitable building and associated on-site wastewater system is above the applicable floor levels set by the relevant floodplain management authority.
- A single replacement dwelling that meets the following criteria:
 - The floor level is above the applicable floor levels set by the relevant floodplain management authority, and
 - The new dwelling is constructed within the building footprint:
 - of the existing dwelling or
 - of a dwelling damaged or destroyed after 1 January 2016.
- A non-habitable building (other than a building associated with the use of land for industry or for a public or commercial use) with a gross floor area less than 20 square metres. A non-habitable building is a building that has no habitable rooms.
- A non-habitable building (other than a building associated with the use of land for industry or for a public or commercial use) provided the finished floor levels are above the applicable floor levels set by the relevant floodplain management authority.

Building Extensions

- A ground floor extension to an existing habitable building (including a dwelling) provided the proposed floor level is at or above the highest point of the existing floor level and the gross floor area of the extension does not exceed 20 square metres.
- An upper storey extension to an existing building within the existing building footprint.
- An extension to a non-habitable building (other than a building associated with the use of land for industry or for a public or commercial use) provided the finished floor levels are above the applicable floor levels set by the relevant floodplain management authority.

Other Buildings & Works

- An agricultural farm building, or agricultural structure, that is permanently open on all sides (no walls).
- A pergola or open sided carport (no walls) associated with a dwelling.

- An open sided deck (no walls) associated with an existing dwelling that has a floor area no greater than 20 square metres.
- A verandah (no walls) associated with an existing dwelling that has a floor area no greater than 20 square metres.
- A rainwater tank with a capacity of not more than 10,000 litres.
- A rainwater tank associated with an existing dwelling, or the agricultural use of land, provided that the footprint of all rainwater tanks does not exceed 20 square metres.
- An in-ground swimming pool/spa (including plant equipment and safety features normal to a pool/spa) associated with a dwelling.
- A mast, antenna, power pole or light pole.
- A disabled access ramp.
- Windmills and solar units in association with the use of land for Agriculture.

Fence

- A replacement fence of the same materials as an existing fence, in the same location.

Works

- Works ancillary to an existing building, including landscaping and pathways that do not alter the existing surface profile by more than 150 mm.
- Works associated with roads, roadsides or any other access way (public or private) that do not alter the existing surface level by more than 150mm.
- Works associated with roads, roadsides or any other access ways carried out by a public authority that have received written consent from the relevant floodplain management authority.
- Earthworks associated with Crop raising.
- Works associated with dams with less than 3000 cubic metres capacity, where no fill is imported to the site and where no embankment is proposed above natural ground level.
- Works associated with vine or horticultural trellises or watering systems.
- Routine and maintenance works that do not affect the height, length or location of a levee, embankment.
- On Rural Living, Rural Conservation, Farming or Rural Activity Zone land, earthworks involving the receipt, importation, stockpiling or placement of not more than 100 cubic metres of fill.

Public Authorities

- Buildings and works undertaken by Gippsland Ports associated with jetties, boardwalks, landings, beach nourishment, swing moorings, navigational aids, beacons and signs.
- Works associated with bicycle pathways and trails undertaken by or on behalf of South Gippsland Shire Council that do not alter the existing surface level by more than 150mm.
- Buildings and works undertaken by or on behalf of Parks Victoria in accordance with a park management plan approved by the floodplain management authority, or where the buildings and works have otherwise received written consent from the relevant floodplain management authority.

4.0

---/---
Proposed C135sgip

Application requirements

The following application requirements apply to an application for a permit under Clause 44.03, in addition to those specified in Clause 44.03 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority and relevant floodplain management authority (unless otherwise agreed in writing):

- The flood risk report specified in Clause 44.03-4 must be prepared by a suitably qualified person to the relevant floodplain management authority's satisfaction.
- Location context plan of the subject site and its surrounds showing access to settlements not flood affected, the boundaries and dimensions of the site, surrounding uses and services and the layout of existing and proposed buildings and works.
- Elevation plans showing natural ground level, finished ground level and the floor levels of any proposed buildings in relation to Australian Height Datum.
- A detailed site plan with 0.5m contour intervals showing the layout of existing and proposed buildings and works, including cut and fill and any on-site wastewater management system (including system type), watercourses and access roads, including proposed internal access roads.
- For all plans: Drawn to scale with relevant ground levels, to Australian Height Datum (AHD), taken by or under the direction or supervision of a licensed land surveyor.
- For all plans: The 1 per cent Annual Exceedance Probability (AEP) (100 year Average Recurrence Interval flood level or 1 in 100 year flood level) from the relevant floodplain management authority. The flood level information must not be more than six months old.

5.0

--/--
Proposed C135sglp

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 44.03, in addition to those specified in Clause 44.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the proposal avoids risk to life and property.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- Alternative design or flood proofing responses.
- The susceptibility of the development to flooding and flood damage.
- The potential risk to life, health and safety associated with the development. Flood risk factors to consider include:
 - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
 - The flood warning time available.
 - Tidal patterns.
 - Coastal inundation and erosion.
 - Climate changes impacts.
 - Sea level rise.
 - Impact of flood event and isolation on occupants including operation of on-site wastewater management systems and access to services.
 - Scale of proposal including number of occupants and if they will reside permanently including overnight.
 - Vulnerability of occupants.
 - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.

SOUTH GIPPSLAND PLANNING SCHEME

- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- The effect of the development on river, marine and coastal health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality, estuaries and sites of scientific significance.