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SCHEDULE TO CLAUSE 44.03 FLOODWAY OVERLAY

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

FLOODWAYS

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Floodway objectives to be achieved

None specified.

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Statement of risk

- Damage to assets due to flooding.
- Increased flood damage due to reduced storage of floodwaters as a result of development.
- Risk to life and property due to flooding.

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Permit requirement

A permit is not required to:

Buildings

- Construct a replacement building on land in an existing urban area (excluding non-habitable outbuildings) where:
 - The finished floor level is at or above the Nominal Flood Protection Level specified in written advice by the relevant floodplain management authority.
 - The footprint of the replacement building is the same or less than the original building, to the satisfaction of the relevant floodplain management authority.
 - A replacement building is constructed within 3 years from the removal of a dwelling from the site or in accordance with written advice from the responsible authority.
 - The underfloor area of the building will not restrict the free passage of floodwater, to the satisfaction of the relevant floodplain management authority.
 - Safe access to the building by emergency services is adequate during a 1 per cent AEP flood event to the satisfaction of the relevant floodplain management authority.
- Construct an upper storey extension to an existing building within the existing building footprint.
- Construct the following:
 - A non-habitable building with a floor area that does not exceed 20 square metres.
 - A building or structure with permanently open sides.
 - A rainwater tank associated with an existing dwelling, provided the footprint of all rainwater tanks associated with the dwelling does not exceed 20 square metres.
 - A mast, antenna, satellite dish, power pole, light pole or telecommunication tower.
 - A pergola, carport, deck, veranda or in-ground swimming pool associated with an existing dwelling, provided that it does not impede the flow of floodwaters, to the satisfaction of the relevant floodplain management authority.
 - A disabled access ramp.
 - Open type fence (excluding paling fencing, sheet metal fence, brick and concrete walls) and maintenance to existing fence.

Works

- Carry out works ancillary to an existing building, including landscaping and pathways, that do not alter the ground level by more than 150 millimetres.
- Carry out earthworks in accordance with a whole farm plan approved by the responsible authority and the relevant floodplain management authority.
- Carry out works on an open sports ground that does not alter the ground level by more than 150 millimetres, with no grandstands or raised view areas, playgrounds, open-sided picnic shelters and barbecues, and minor works associated with a park.
- Carry out earthworks in a rural zone that do not obstruct or impact on natural flow paths, drainage lines or flood flows and that do not raise the ground level of the land by 150 millimetres.
- Carry out works associated with dams with less than 3,000 cubic metres capacity, where no fill is imported to the site and where no embankment is proposed above ground level.
- Carry out works associated with vine or horticulture trellises or watering systems.
- Carry out routine and maintenance works that do not affect the height, length or location of a levee, embankment or road.
- Carry out road works or works to any roadside, pathway or access way (public or private), including construction of driveways, vehicle crossovers, footpaths or bicycle paths if:
 - The change to ground level of the land is less than 150 millimetres or
 - The relevant floodplain management authority has advised in writing that the impact on flood storage will be negligible and the flow path will not be obstructed.

Buildings and works

- Buildings and works carried out by a Water Corporation to maintain and replace infrastructure related to sewer and water supply that do not alter ground levels.

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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:

- Written advice from the relevant floodplain management authority which assesses the viability of the proposed development and specifies the Nominal Flood Protection Level as appropriate.
- A plan, drawn to scale, which shows:
 - A location plan showing the boundaries and dimensions of the site, surrounding uses and the layout of existing and proposed buildings and works.
 - Elevation plans showing the natural ground level, finished ground level and the floor levels of any proposed buildings and works in relation to Australian Height Datum, taken by or under direction of a licenced surveyor where requested by the responsible authority or relevant floodplain management authority.
 - The 1 per cent AEP flood level as specified in written advice by the relevant floodplain management authority where development is proposed for inland waterways.
 - Any additional information required and requested in writing by the relevant floodplain management authority.

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Decision guidelines

None specified.