

26/04/2018
C221**SCHEDULE 1 TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY**

Shown on the planning scheme map as **LSIO1**.

FLOODING FROM WATERWAYS (DEPTHS UP TO AND INCLUDING 350 MILLIMETRES)**1.0 Permit requirement**26/04/2018
C221

A permit is not required to construct a building or construct or carry out works as follows:

- 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 level to be finished at least 300 millimetres above the 100-year ARI (average recurrence interval) flood level; and
- survey plans confirm that the ground 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 level or result in a finished floor level for a dwelling that is below 300 millimetres above the 100-year ARI flood level.

Extensions and alterations to existing buildings

- An extension to an existing building (not including an outbuilding associated with a dwelling), provided the floor level of the proposed extension is not less than the existing floor level and the gross floor area of the extension does not exceed 40 square metres.
- An upper storey extension to an existing building if there is no increase in the ground floor footprint.
- An extension to an outbuilding associated with a dwelling where the floor level is at least 150 millimetres above the 1 per cent AEP (Annual Exceedance Probability) flood level.

New and replacement buildings

- A replacement single dwelling if it is constructed to at least 300 millimetres above the 1 per cent AEP flood level.
- A non-habitable building (including an outbuilding associated with a dwelling) with a floor area of less than 10 square metres.
- An outbuilding associated with a dwelling where the floor level is at least 150 millimetres above the 1 per cent AEP flood level.
- An agricultural or farm building with permanent openings, such as a hay shed, cattleyard, covered horse stable or other yards.
- An agricultural shed (other than one used for industrial, retail or office purposes) for the storage of farm machinery, storage of farm vehicles or a workshop associated with a rural use in a rural zone with a floor area of not more than 200 square metres.
- A relocatable building associated with a caravan park where the floor level is at least 300 millimetres above the 1 per cent AEP flood level.

Other buildings and works

- An open style fence if constructed in accordance with the definition of open style fence in the *Bendigo Local Floodplain Development Plan*, February 2018.

- A replacement fence in the same location and of the same type and materials as the existing fence.
- A rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level of not more than 800 millimetres above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800 millimetres above ground level.
- A carport.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot, and associated open style security fencing, where the perimeter edging of the pool or spa is constructed at ground level and excavated material is moved outside the 1 per cent AEP flood extent.
- A curtain style fence for a tennis court if constructed in accordance with the requirements of the *Bendigo Local Floodplain Development Plan*, February 2018.
- A sportsground, racecourse or recreation area (with no permanent grandstand or raised viewing area).
- A mast, antenna, or light poles.
- A pump shed.
- Earthworks associated with the construction of a dam, where no fill is imported to the site, the dam is not constructed on a waterway, the dam does not exceed 3 megalitres in capacity and there is no embankment.

Works

- Landscaping, driveways, and vehicle cross overs associated with a dwelling, if there is less than a 50 millimetre change to existing ground levels, or if the relevant floodplain management authority has agreed in writing that the flow path is not obstructed.
- Roadworks, footpaths or bicycle paths carried out by a public authority if there is less than a 50 millimetre change to existing ground levels, or if the relevant floodplain management authority has agreed in writing that the flow path is not obstructed.