

27/08/2009  
C21**SCHEDULE 1 TO THE DESIGN AND DEVELOPMENT OVERLAY**Shown on the planning scheme map as **DDO1****POTENTIALLY FLOOD-PRONE AREAS****1.0**19/01/2008  
VC37**Design objectives**

To define areas of urban and rural land which are known or reasonably suspected to be affected by flooding or drainage problems.

To provide a discretionary control mechanism for preventing inappropriate development from occurring on land affected by flooding or drainage problems.

To set design and development parameters which will regulate development and help safeguard life and property, pending the determination of appropriate flood plain management strategies.

To ensure that development maintains the free passage of any likely flood waters and is compatible with local drainage conditions.

**2.0**27/08/2009  
C21**Buildings and works**

A permit is required to construct or carry out works, except for:

- Works carried out by a municipal council or a public authority for the purpose of providing drainage improvements;
- Works in accordance with plans prepared to the satisfaction of the responsible authority for the installation of underground services, provided they do not alter the topography of the land;
- The erection of telephone or power lines;
- The erection of post and wire or post and rail fencing; and
- Works carried out by or on behalf of Central Highlands Water for the construction of a the Landsborough Water Supply Upgrade Project on land bordered by Wattle Creek Road and Ararat-St Arnaud Road, Landsborough.

Every application for a permit to develop land must be accompanied by information satisfactory to the responsible authority which demonstrates within reason and with the benefit of the best available information that the development will not be endangered by flooding and will not exacerbate flooding problems on adjoining or nearby lands.

**3.0**19/01/2008  
VC37**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The results of any field surveys or flood plain modelling studies which have been carried out for the area.
- Any draft or final flood plain management plan for the area, prepared in accordance with best practice principles.
- The degree to which the site of any proposed buildings or works may be subject to inundation or drainage difficulty.
- The likely velocity and depth of flood flows.

- The likely danger to occupants of a proposed building if the site or access way to it is flooded.
- The feasibility or desirability of works being carried out to protect (either entirely or partially) any proposed building from inundation by flood.
- Whether the proposed development could be located on an alternative site which is likely to have a lesser flood hazard.
- The design of footings or any building, and the level of internal floors to help ensure that drainage likely to be caused by flooding is minimised.
- Any comments of a relevant waterway management authority or catchment management authority constituted under Water Act 1989 or any other Act.
- The desirability of requiring the land owner to enter into an agreement under Section 173 of the Act, to provide for off-site infrastructure or to provide legal indemnities to any person or organisation against circumstances arising from the grant of a permit.