

Flooding Overlays

Land Subject to Inundation (LSIO) & Special Building Overlay (SBO)

What you need to know about the Special Building Overlay (SBO) and Land Subject to Inundation Overlay (LSIO)

What is a Special Building Overlay (SBO)?

The Special Building Overlay (SBO) is a planning scheme control (Overlay) developed to identify land that is liable to flooding from overland flow paths from the urban stormwater drainage system in a 1 in 100 year flood event. Melbourne Water and Council have conducted comprehensive surveys of the urban drainage system within most of the municipality to identify where the SBO should be placed.

What is an Land Subject to Inundation Overlay (LSIO)?

The Land Subject to Inundation Overlay (LSIO) is a planning scheme control (Overlay) that affects land that is subject to flooding associated with an open watercourse or open drainage system, during a severe storm of 1 in 100 year intensity.

What is an overland flow path?

An overland flow path is an above ground section of our drainage system and generally affects low lying and natural drainage path areas. Overland flows occur when the maximum capacity of the underground piped drains has been reached and the drainage system can no longer cope with excess run off from heavy rainfall. The excess run off then travels along the overland flow paths.

Why has a SBO or LSIO been applied to subject land?

The purpose of the SBO and LSIO is to ensure that future developments maintain the free passage and temporary storage of floodwaters, minimize flood damage, are compatible with the flood hazard and local drainage conditions, and will not cause a significant rise in flood level or flow velocity.

Why is a Planning Permit required?

Planning Permits are required to ensure new developments are protected from flooding and that they do not adversely affect other properties through a rise in flood levels or flow velocities.

When is a Planning Permit required?

If your property is in an SBO or LSIO a Planning Permit will generally be required to:

- Construct a building including new dwellings, shops and offices or to construct or carry out works including a fence and all ground level extensions to existing dwellings and buildings.

Is my proposal exempt from a Planning Permit under SBO or LSIO?

Exemptions to Planning Permit requirements are detailed in the SBO or LSIO controls. Contact the Kingston Planning Department to see if your proposal is exempt from a Planning Permit.

How do I know if a SBO or LSIO affects my property?

You may visit, www.kingston.vic.gov.au/Property-Development/Planning/Help-Me-Plan and this site will provide you with the information you require or contact the Kingston Planning Department on 9581 4130 or drop into our Planning and Building Counter on Level 1, 1230 Nepean Highway Cheltenham open from 8.30am to 5pm Monday to Friday.

What if it only affects part of my property, do I still require a permit?

A planning permit is required for buildings and works which are to be carried out within the affected area unless your proposal is exempt under the SBO or LSIO. Links to the overlay can be found at www.kingston.vic.gov.au/Property-Development/Planning/Help-Me-Plan, if your property is found to be in an SBO or LSIO.

tip 

To help process your planning application efficiently go to Melbourne Water first and get your plans approved.

How do I find out the properties flood level?

Contact the Kingston Planning Department to determine if the flood level for your property has been set by Council on 9581 4130. If this is the case you may put in a request for Property Information - Regulation 326 (2), to Council and we can confirm the flood levels in writing. To obtain this information you must fill in a form available on our website www.kingston.vic.gov.au/Property-Development/Building/Council-Building-Forms. If you require Melbourne Water Flood Levels please contact either Landata on 1300 730 000 or SAI Global on 9679 7517 to obtain a Flood Level Certificate.

Should I contact Council before making an application?

You are encouraged to contact Council or Melbourne Water if your property is affected by either the SBO or LSIO to discuss and review your proposal and obtain further advice prior to submitting an application to Council.

An application to construct or carry out works or an application to amend a permit does not have to be referred to the floodplain management authority if the application is accompanied by relevant floorplan management authority's written approval. The written approval must:

- Be granted not more than three months prior to lodging the planning application with the responsible authority
- Must state the applicable flood level and any required floor levels.

What do I need to provide when making a Planning Application?

An application for buildings and works within a SBO or LSIO must contain the following information:

1. A completed Application for Planning Permit Form.
2. A full and current copy of Certificate of Title (no older than 90 days) including details of any covenants referred to on the Title. This can be obtained from the Titles Office who can be contacted on the internet at www.land.vic.gov.au
3. Provision of a full set of plans (3 copies) drawn to scale which show:
 - a. The boundaries and dimensions of the site
 - b. Relevant ground levels to AHD, taken by a Land Surveyor
 - c. The layout, size and use of existing and proposed buildings and works including vehicle-parking areas.
 - d. Finished floor Levels of existing and proposed buildings to AHD.
4. Applicable statutory planning fee
5. Written approval from the floodplain management authority (optional).

Refer above for information on flood levels and reference levels.

VicSmart Applications for Special Building Overlays - SBO's.

VicSmart is a streamlined process for straightforward planning permit applications. It sets specific information requirements, assessment processes and decision guidelines so these types of applications can be processed quickly.

You are eligible to apply for a VicSmart application if your application is within an SBO and you wish to;

- construct a building,
- construct or carry out works,
- Subdivide land into two lots,
- Subdivide an existing building,
- Realign the common boundary between two lots all.

Your plans must be approved by Melbourne Water prior to lodging a VicSmart application within an SBO. If you are unsure whether your application qualifies, please discuss with the Planning Team.

Information about the VicSmart process and how to prepare your application is available from Council's Planning Team or by visiting www.kingston.vic.gov.au/planning/VicSmart. A range of guides, checklists and forms are available.

If you do not qualify for VicSmart, your application will follow the standard planning assessment process. Please note applications within an LSIO can not be processed through VicSmart.

Further information

If you would like further information or assistance, please contact our Planning team:

 **Online** kingston.vic.gov.au/planning

 **In person** **Cheltenham Office**
1230 Nepean Highway
Cheltenham VIC 3192
8.30am - 5pm, Monday to Friday

 **Telephone** 9581 4131

 **Email** info@kingston.vic.gov.au

 **Translation service:**

 **131 450**
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