

Submission on Clause 5.22 Special flood consideration

Dear Sir/Madam

RE: City of Parramatta Council Submission – Flood Prone Land Package 2023:  
Clause 5.22 Special flood consideration

Thank you for the opportunity to prepare a submission in relation to the package of materials exhibited by the Department of Planning and Environment in relation to the proposed amendment to include Clause 5.22 Special flood consideration in either all NSW council LEPs, or the Resilience and Hazards SEPP.

This submission on the proposed amendments has been prepared by officers of the City of Parramatta Council and has not been endorsed by the City of Parramatta Council.

It is the view of Officers that Clause 5.22 Special flood consideration be included as a mandatory provision in an LEP, and not the Resilience and Hazards SEPP, because it allows councils the opportunity to work with the Department to identify and address any unforeseen conflicts with existing flood consideration clauses, and any future amendments to these clauses arising from local flood studies and supporting plans of management..

Council's area-specific Clause 7.9 Floodplain risk management in Parramatta LEP 2011 arose from:

- A risk assessment as part of the review of the Floodplain Risk Management Plans as part of the preparation of the Parramatta CBD Planning Proposal and the need to balance growth with managing risks to life and property.
- The view of the author of Council's Floodplain Risk Management Plans updated was that the 'planning proposal presents a tolerable flood risk to life and property if the recommendations made within this report, with regard to amendments to the FPL, DCP revisions and other flood risk management measures, are implemented', with one of the suggested measures being a new LEP clause that deals with evacuation matters.
- The management of flood risk and stormwater within the Parramatta CBD was noted in the NSW DPE's Plan Finalisation report – PP-2020-2616 for the Parramatta CBD as a key consideration throughout the plan making process and resulting in the inclusion of Clause 7.9 in Amendment No 56 PLEP 2011.

Therefore, in the circumstance that Clause 5.22 becomes a mandatory clause in councils LEP, Council officers request that the Department liaise with Council about the integration of Clause 5.22 with the recently finalised Clause 7.9 Floodplain risk management in Parramatta LEP 2011, which applies to the Parramatta CBD and deals with evacuation for occupants of buildings within flood areas up to the Probable Maximum Flood.

If you have any enquires regarding this submission, please contact Janelle Scully,  
Land Use Planning Manager, Strategic Land Use Planning  
[jscully@cityofparramatta.nsw.gov.au](mailto:jscully@cityofparramatta.nsw.gov.au).