

Resilience Planning Team
Department of Planning and Environment
PARRAMATTA NSW 2124

10 February 2023

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Flood planning – Explanation of Intended Effects exhibition – Special flood considerations clause

I refer to the Department of Planning and Environment's (the Department's) current exhibition of an Explanation of Intended Effect (EIE) that proposes to introduce a special flood considerations clause (clause 5.22 of the Standard Instrument – Principal Environmental Plan) to manage new development in areas that could be at risk during floods.

Council advised the Department in 2021 that its preferred position was not to include the special flood consideration clause in its LEPs prior to the completion of a review of the city's flood modelling. Council's flood studies harmonisation project is currently underway and the results of the flood modelling will be available later this year.

Council's position remains that it should have the flexibility to amend its Local Environmental Plans (LEPs) by inserting any special flood considerations clause based on the findings of the flood studies harmonisation project. The proposed option outlined in the EIE of compulsorily inserting the clause into all council LEPs is not supported. Council needs to be certain about where the special flood considerations clause should apply to manage public risk and provide transparency in its decision-making processes. Council supports the amendment of the 32 LEPs of councils that have self-nominated to participate in the proposed self-amending State Environmental Planning Policy (SEPP) to adopt the special flood considerations clause.

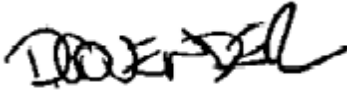
The EIE's alternative proposal to insert the special considerations clause into the Resilience and Hazards State Environmental Policy (SEPP) is also not supported. Council believes that all matters relating to flooding require a local planning response with all local planning controls located in one local planning instrument. The EIE proposal would unnecessarily split the flood planning controls between council LEPs and the SEPP.

Housekeeping amendments are also proposed in the EIE and include the removal of flood planning maps where they are no longer referenced in council LEPs. I request that the Department include the Ryde LEP 2014 in the house keeping amendments of the EIE and remove the remaining four Ryde LEP 2014 flood planning maps listed in the Appendix. The Department removed most of the flood planning maps as part of its flood planning amendments in 2021.



If there are any matters raised in this submission that require clarification or more information, please contact Terry Agar on 9952 8259 or terrya@ryde.nsw.gov.au

Yours sincerely



Dyalan Govender
Executive Officer City Places

Appendix: Flood planning maps to be removed from Ryde LEP 2014

Map Types	Map Sheet ID number	Date of Application
FLD_001	6700_COM_FLD_001_010_20140227 (454 kb)	12 Sep 2014 to date
FLD_002	6700_COM_FLD_002_010_20140120 (800 kb)	12 Sep 2014 to date
FLD_004	6700_COM_FLD_004_010_20140120 (480 kb)	12 Sep 2014 to date
FLD_005	6700_COM_FLD_005_010_20140120 (471 kb)	12 Sep 2014 to date