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Santina Camroux  
Director Resilient Places  
Department of Planning and Environment

By email: [resilience.planning@planning.nsw.gov.au](mailto:resilience.planning@planning.nsw.gov.au)

Dear Santina,

### **Special Flood Considerations Clause and Shelter-in-place guideline**

Thank you for the opportunity to comment on the Department of Planning and Environment's (Department) proposed special flood considerations clause (special clause) and the shelter-in-place guideline (guideline).

#### **Special Flood Considerations Clause**

The City of Sydney (City) considered the optional special clause when the Flood Prone Lands Package was released in 2021 for public comment. It was concluded the special clause would not be of benefit in the local area because:

- relevant planning and emergency management recommendations of the City's adopted Floodplain Risk Management Plans (FRMPs) are already effectively implemented through existing policies; and
- the optional clause may create an expectation that additional flood planning reports would be required to support planning proposals, creating additional work for proponents and Council planning staff that is not warranted by the level of flood risk in the LGA.

The City notes it is not affected by the exhibited Explanation of Effect (EIE) that inserts the special clause into the local environmental plans of 32 councils who elected to 'opt-in'.

The City does not support the proposal to extend the application of the clause state-wide, noting the advice it provided in 2021 and reasserting that in many areas across the state flood risk is being effectively managed under the mandatory flood clause and appropriate development controls.

In the event the clause is introduced, it is recommended that it be included in State Environment Planning Policy (Resilience and Hazards) 2021. This will support a consistent approach across the state, including state-wide mapping of flood prone areas on the Department's mapping portal.

### **Shelter-in-place guideline**

The City supports the proposed guideline however recommends its relevance to inner urban settings be improved.

Due to the highly impervious nature of a dense urban area and the relatively small size of drainage catchments in the City, flood behaviour in the local area is typically of short duration i.e., "flash flooding".

The combination of densely populated residential and commercial areas, and short duration flooding, makes large scale horizontal evacuation impractical in many cases. These flood characteristics are described in the City's adopted Woolloomooloo Floodplain Risk Management Study and Floodplain Risk Management Plan, which suggest shelter-in-place as an evacuation option for further consideration.

While the City is generally supportive of this guideline, a distinction should be drawn between mainstream and overland flooding to better guide when shelter-in-place may be appropriate in urban redevelopment precincts. The draft guideline currently suggests that shelter-in-place is unacceptable for all urban redevelopment precincts.

Where the primary flood mechanism is overland flow, large parts of the road network will act as floodways in the probable maximum flood (PMF). Preventing urban redevelopment in all such areas will effectively make large parts of urban areas unable to be redeveloped and this will prevent delivery of housing and employment targets.

If you would like to speak with a council officer about this matter please contact Gibran Khouri, Specialist Planner on 9265 9774 or at [gkhouri@cityofsydney.nsw.gov.au](mailto:gkhouri@cityofsydney.nsw.gov.au)

Yours sincerely,



**Graham Jahn** AM LFRAIA Hon FPIA  
**Director**  
City Planning | Development | Transport