

20 January 2023

Department of Planning and Environment
Locked Bag 5022
Parramatta NSW 2124

Via: NSW Planning Portal

Dear Sir/Madam

Explanation of Intended Effect: Special Flood Considerations Clause

Thank you for the opportunity to provide feedback on the Explanation of Intended Effect: Special Flood Considerations Clause. Council acknowledges the devastating impacts of the 2021 and 2022 NSW floods across communities and the importance of considering flood risk up to and beyond the 1% AEP flood event in planning decisions, especially for sensitive and hazardous development.

Council welcomes the NSW Government's proposal to insert the 'special flood considerations' clause provided in the Standard Instrument–Principal Local Environmental Plan into the Georges River Local Environmental Plan (GRLEP) 2021. GRLEP 2021 commenced on 8 October 2021 and replaced the planning controls of the former Hurstville LEP 2012 and Kogarah LEP 2012.

Council staff have previously been in contact with the Department's Resilience Planning team about the special flood considerations clause and have indicated Council's support of the clause to manage flood risk between the flood planning area and probable maximum flood. However, due to the timing of Council's own flood work program, including the completion of studies and risk assessments for the Hurstville, Mortdale and Peakhurst Wards, Council did not previously nominate to insert the special flood considerations clause as part of the Department's work. This was to enable the clause to be added at a later date so that it could be applied in a consistent manner across the whole LGA. It is intended to insert this clause into the GRLEP via a separate planning proposal as part of the first 'housekeeping' amendment to GRLEP 2021 which is currently being prepared.

The earliest the clause can be adopted is following the adoption of the Overland Flow Floodplain Risk Management Study and Plan, which is expected to be finalised in mid 2023 (indicative).

Please note that in order to make a submission within the exhibition timeframe, this submission has not been reported to or endorsed by the elected Council. Should you require any further information, please contact Council's Manager Catherine McMahon on 9330 6260.

Yours faithfully



Andrew Spooner
Acting Director Environment and Planning

