

Our Reference: [REDACTED]

09 February 2023

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NSW Department Planning and Environment

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[REDACTED] submissions to the Adopting 'special flood considerations' clause & Shelter-in-place guideline

Thank you for providing the opportunity for [REDACTED] to provide feedback on the Explanation of Intended Effects (EIE) for the Adopting 'special flood considerations' clause & Shelter-in-place guideline. This submission has been prepared by [REDACTED] and has not been [REDACTED]

We make following comments for your consideration:

1. Appendix A of the EIE excludes certain sensitive and hazardous land uses. This list aligns with our feedback provided in 2021.

However, if the decision is made to insert clause 5.22 into every Council LEP as per page 6 of the EIE, it is unclear whether this list becomes redundant. We would suggest clarity on the matter is provided to Council's who opted into the clause and made similar recommendations.

2. Further to the above regarding the potential for state-wide application of the clause, we recommend that Council retain the decision-making power on which sensitive and hazardous land-use types the clause would apply to if the proposed amendment to all LEP's occurs.

3. [REDACTED] and state-wide application of the clause, wither in LEPs or the Resilience and Hazards SEPP.

We welcome the steps the NSW Government is taking to consider risk to life in events up to the Probably Maximum Flood (PMF). Thank you again for the opportunity to provide feedback. We look forward to further discussion and clarity on the above matters.

Yours sincerely

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