

# Floodplain Development Manual

the management of flood liable land

April 2005



New South Wales Government

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## FOREWORD

The primary objective of the NSW Government's Flood Prone Land Policy is to reduce the impact of flooding and flood liability on individual owners and occupiers of flood prone property, and to reduce private and public losses resulting from floods. At the same time, the policy recognises the benefits flowing from the use, occupation and development of flood prone land.

The policy promotes the use of a merit approach which balances social, economic, environmental and flood risk parameters to determine whether particular development or use of the floodplain is appropriate and sustainable.

In this way the policy avoids the unnecessary sterilisation of flood prone land. Equally it ensures that flood prone land is not the subject of uncontrolled development inconsistent with its exposure to flooding.

The policy highlights that primary responsibility for floodplain risk management rests with councils, which are provided with financial and technical support by the State Government. The Commonwealth has also historically shown a willingness to be involved by providing financial assistance to local government in partnership with the State Government.

This manual has been prepared in accordance with the NSW Government's Flood Prone Land Policy. It guides councils in the development and implementation of detailed local floodplain risk management plans to produce robust and effective floodplain risk management outcomes. The manual also outlines the technical assistance provided by the State Government throughout the floodplain risk management process.

The manual is concerned with the management of the consequences of flooding as they relate to the human occupation of the floodplain for both urban development and agricultural production. It addresses flood risk in full recognition of the fact that management decisions taken in respect of the human occupation of the floodplain need to satisfy the social and economic needs of the community as well as being compatible with the maintenance or enhancement of the natural ecosystems that the floodplain sustains.

In 1986 the NSW Government released the first Floodplain Development Manual to assist consent authorities to deal with flood liable land. It represented the practical expression of the Government's merit based Flood Prone Land

Policy which had been introduced in 1984 to overcome the sterilisation of floodplains resulting from rigorous planning controls introduced in the 1977 Environment and Planning Circular No.15.

The 1986 manual was very successful in assisting local councils in their management of the use and development of flood prone land. In 2001, a revised Floodplain Management Manual was prepared to update the 1986 manual to make it consistent with a series of improvements to both policy and practice which has been introduced in the intervening period. Specifically the 2001 manual emphasised the need:

- to explicitly consider the full range of flood sizes up to and including the probable maximum flood (PMF) when developing a floodplain risk management plan;
- to recognise existing, future and continuing flood risk on a strategic rather than on an ad hoc individual proposal basis;
- for local councils, with support from State Government, to manage local overland flooding in a similar manner to riverine flooding; and
- to promote the preparation and adoption of local flood plans (prepared under the guidance of SES) that address flood readiness, response and recovery.

In 2003 major changes were made to the composition of agencies with responsibilities for floodplain risk management. In particular the creation of the Department of Infrastructure, Planning and Natural Resources means that one agency now has responsibility for both land use planning and natural resource functions on the floodplain.

This necessitated changes to the 2001 Manual and provided an opportunity, in light of experience with the 2001 Manual, to further clarify the intent of the policy. In particular, this clarification will reduce the potential for inconsistent interpretation by consent authorities, particularly with respect to the interaction between the determination of flood planning levels and the consideration of rare floods up to the PMF.

The 2005 Floodplain Development Manual replaces the 1986 Floodplain Development Manual as the NSW Government's Manual relating to the management of flood liable land in accordance with Section 733 of the Local Government Act 1993.

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## LIST OF ABBREVIATIONS

|                      |   |
|----------------------|---|
| 1986 Manual          | 1986 Floodplain Development Manual                                      |
| 2001 Manual          | 2001 Floodplain Development Manual: the management of flood liable land |
| AAD                  | Annual Average Damages  |
| AEP                  | Annual Exceedance Probability   |
| AHD                  | Australian Height Datum   |
| ARI                  | Average Recurrence Interval   |
| AWRC                 | Australian Water Resources Council                                      |
| BoM                  | Bureau of Meteorology   |
| CMA                  | Catchment Management Authority  |
| CMB                  | Catchment Management Board  |
| Council              | can be read as including councils and other consent authorities         |
| DCP                  | Development Control Plan  |
| DEC                  | Department of Environment and Conservation                              |
| DISPLAN              | Local Disaster Plan   |
| DIPNR                | Department of Infrastructure, Planning and Natural Resources            |
| DPI                  | Department of Primary Industries  |
| EP&A Act             | Environmental Planning and Assessment Act, 1979                         |
| EPAR                 | Environmental Planning and Assessment Regulation, 2000                  |
| EPI                  | Environmental Planning Instruments including SEPPs and LEPs             |
| ESD                  | Ecologically Sustainable Development                                    |
| FPL                  | Flood Planning Level  |
| LEP                  | Local Environmental Plan  |
| LG Act               | Local Government Act, 1993  |
| Local Policy         | Local flood risk management policy                                      |
| Management Committee | Floodplain Risk Management Committee                                    |
| Management Plan      | Floodplain Risk Management Plan   |
| Management Study     | Floodplain Risk Management Study  |
| Manual               | Floodplain Development Manual, 2005                                     |
| NP&W Act             | National Parks and Wildlife Act, 1974                                   |
| NSW                  | New South Wales   |
| NVC Act              | Native Vegetation Conservation Act, 1997                                |
| PMF                  | Probable Maximum Flood  |
| PMP                  | Probable Maximum Precipitation  |
| Policy               | NSW Government's Flood Prone Land Policy                                |
| SEPP                 | State Environmental Planning Policy                                     |
| SES                  | State Emergency Service   |
| TSC Act              | Threatened Species Conservation Act, 1995                               |
| Water Act            | Water Act, 1912   |
| Water Management Act | Water Management Act, 2000  |
| 149(2)               | Section 149 part 2 of the Environmental Planning and Assessment Act     |
| 149(5)               | Section 149 part 5 of the Environmental Planning and Assessment Act     |