

REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE



REPORT TO COMMITTEE

Department:	Infrastructure & Regulation
Submitted by:	Manager of Town Planning & Regulation
Reference:	2.16.03.08
Subject:	Planning Proposal: Uralla Flood Planning Map – Division Decision

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Objective:	To have the community satisfied with land use control.
Strategy:	Consult with the public on proposed amendments to planning instruments.
Action:	Monitor and review Council's Local Environmental plan and other strategic and supporting planning documents.

SUMMARY:

The purpose of this report is to recommend that Council seek a Gateway Determination from NSW Planning and Environment (P&E), requesting to place the Uralla Flood Planning Map Planning Proposal on public exhibition.

The purpose of the Planning Proposal is to include an additional Flood Planning Map in the Uralla Local Environmental Plan (URALLA LEP) 2012 that identifies land within a "flood planning area". The proposed mapping was derived from the Rocky and Uralla Creeks Flood Study. The proposed Flood Planning Map relates to the Uralla town area and will be included in the Map Index and statutory mapping that is part of the URALLA LEP 2012.

OFFICER'S RECOMMENDATION:

That the Committee recommend to Council that:

- (1) the Planning Proposal to seek inclusion of the flood planning areas as per the Rocky and Uralla Creeks Study be forwarded to NSW Planning and Environment for a Gateway Determination;
- (2) the General Manager be given delegated authority to make any minor alterations requested by NSW Planning and Environment; and
- (3) the Planning Proposal be advertised as per the provisions of Section 57 of the *Environmental Planning & Assessment Act, 1979* once a Gateway Determination has been issued.

REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE

COMMITTEE'S RECOMMENDATION:

That:

- (1) the Planning Proposal to seek inclusion of the flood planning areas as per the Rocky and Uralla Creeks Study be forwarded to NSW Planning and Environment for a Gateway Determination;
- (2) the General Manager be given delegated authority to make any minor alterations requested by NSW Planning and Environment; and
- (3) the Planning Proposal be advertised as per the provisions of Section 57 of the *Environmental Planning & Assessment Act, 1979* once a Gateway Determination has been issued.

BACKGROUND:

The Rocky and Uralla Creeks Flood Study prepared by Paterson Consultants Pty Ltd in 2014 was adopted by Council on 23 June 2014.

Findings of the Flood Study included the identification of the "Flood Planning Area" for the Uralla and Rocky Creeks (within the Uralla town area) based on the 1% AEP flood extent plus 0.5 m (500mm) freeboard.

Land identified as "Flood Planning Area" on the "Flood Planning Map" triggers the need for an assessment of whether the proposed development:

- is compatible with the flood hazard of the land; and
- may adversely impact on flood affectation of other development or properties; and
- incorporates appropriate measures to manage risk to life from flood; and
- is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses; and
- is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.

REPORT:

A Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* in relation to a proposed amendment to Uralla Local Environmental Plan (URALLA LEP 2012).

The purpose of the Planning Proposal is to include an additional Flood Planning Map in the URALLA LEP that identifies land within a "Flood Planning Area". The proposed mapping was derived from the Rocky and Uralla Creeks Flood Study. The Flood Study was prepared in accordance with the NSW Floodplain Development Manual and was adopted by Council 23 June 2014. The proposed Flood Planning Map relates to the Uralla town area and will be included in the Map Index and statutory mapping that is part of the URALLA LEP 2012.

There is already a similar Flood Planning Map included in the URALLA LEP for the town area of Bundarra.

It is requested that Council resolves to forward the Planning Proposal and the background study, the Uralla and Rocky Creek Flood Study, 2014, to NSW Planning and Environment for a Gateway

REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE

determination and approval to place the Planning Proposal and draft LEP amendment (mapping) on Public Exhibition.

KEY ISSUES:

- The Planning Proposal involves the inclusion of an additional Flood Planning Map in the Uralla Local Environmental Plan 2012.
- The Planning Proposal does not involve any amendments to the written LEP.
- The Planning Proposal is derived from an adopted flood study.
- The draft LEP amendment (the mapping) will provide a clear illustration of land affected by the 1% AEP flood extent.

CONCLUSION:

It is recommended that Council seek a Gateway Determination from NSW Planning and Environment (P&E) to place the Planning Proposal on public exhibition. The Planning Proposal is a relatively minor amendment to the LEP, as it only involves a mapping amendment based on the recommendations of a Council adopted flood study.

There is already a similar Flood Planning Map included in the URALLA LEP for the town area of Bundarra.

COUNCIL IMPLICATIONS:

1. **Community Engagement/ Communication (per engagement strategy)**
The Planning Proposal will be placed on Public Exhibition as per the requirements of the Gateway Determination issued by NSW Planning & Environment.
2. **Policy and Regulation**
Environmental Planning and Assessment Act 1979
NSW Floodplain Development Manual
3. **Financial (LTFP)**
Nil
4. **Asset Management (AMS)**
Nil
5. **Workforce (WMS)**
Nil
6. **Legal and Risk Management**
The proposed Flood Planning Map will provide clear and accessible information for the community to determine which land is identified as a "Flood Planning Area".
7. **Performance Measures**
Nil
8. **Project Management**
Nil

Elizabeth Cumming
Manager of Town Planning & Regulation

REPORTS FROM THE ENVIRONMENT, DEVELOPMENT & INFRASTRUCTURE COMMITTEE

Prepared by staff member:	Manager of Town Planning & Regulation
TRIM Reference:	U12/6915
Approved/Reviewed by Manager:	Director of Infrastructure & Regulation
Department:	Infrastructure & Regulation
Attachments:	J. Draft Planning Proposal

Item 7
REF NO: 2.16.03.07
Draft Drought Management Plan
20.3/15 MOVED (Cr Field / Cr Crouch)

That:

Council adopt the draft Drought Management Plan and place on the Council website and advertise in Council's newsletter for public comment for 28 days.

CARRIED

Item 8
REF NO: 2.16.03.08
Planning Proposal: Uralla Flood Planning Map – Division Decision
21.03/15 MOVED (Cr Ward / Cr M Dusting)

That:

1. the Planning Proposal to seek inclusion of the flood planning areas as per the Rocky and Uralla Creeks Study be forwarded to NSW Planning and Environment for a Gateway Determination;
2. the General Manager be given delegated authority to make any minor alterations requested by NSW Planning and Environment; and
3. the Planning Proposal be advertised as per the provisions of Section 57 of the *Environmental Planning & Assessment Act, 1979* once a Gateway Determination has been issued.

For: Crs Pearce, Crouch, K Dusting, M Dusting, Field, Geldof, Strutt, Ward

Against: Nil

Absent: Cr Cooper

CARRIED

Item 9
REF NO: 2.16.03.09
Planning Proposal Boundary Adjustment Clause and Rural Detached Dual Occupancy Dwellings – Division Decision
22.03/15 MOVED (Cr Crouch / Cr Field)

That:

1. the Planning Proposal for Boundary Adjustments and Detached Dual Occupancy Dwellings for Certain Rural and Environmental Zoned Land be forwarded to NSW Planning and Environment for a Gateway Determination,
2. the General Manager be given delegated authority to make any minor alterations requested by NSW Planning and Environment; and
3. the Planning Proposal is advertised as per the provisions of Section 57 of the *Environmental Planning & Assessment Act, 1979* once a Gateway Determination has been issued.

For: Crs Pearce, Crouch, K Dusting, M Dusting, Field, Geldof, Strutt, Ward