

27-33 North Rocks Road, North Rocks

Section 117 Directions Assessment, Direction 4.3 – Flood Prone Land

The assessment below provides an assessment of Section 117 of the *Environmental Planning and Assessment Act 1979* (the Act) Directions for local planning as related to the Planning Proposal for the site located at 27-33 North Rocks Road, North Rocks (site). The assessment below is based on the flood assessment report titled, "*Flood Impact Report for the proposed development at: 27-33 North Rocks Road, North Rocks*", prepared by HKMA Engineers. This report has been submitted with and supports the current Planning Proposal on the subject site.

Table 1 – Assessment of Section 4.3 Flood Prone Land under Section 117C Directions

No.	Direction	Assessment	Compliance
(4)	A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).	The proposal is consistent with the NSW Flood Prone Land Policy and Floodplain Development Manual.	Y
(6)	A planning proposal must not contain provisions that apply to the flood planning areas which:		
(a)	permit development in floodway areas	The proposed buildings within the development are above the 1% AEP flood zone plus a 500mm freeboard.	Y
(b)	permit development that will result in significant flood impacts to other properties,	The proposal does not generate any significant adverse flood impacts to other properties. The proposal ensures that the existing flood behaviour is maintained for the site and Darling Mills Creek. The flood assessment report states that, "...the proposed building is entirely outside the 1% AEP flood zone which means the flood behaviour at the site will be consistent with the floor regime for this portion of the catchment.	Y

No.	Direction	Assessment	Compliance
		<i>The proposed setbacks to the site and the protection of the Riparian Zone will ensure that flood characteristics are maintained."</i>	
(c)	permit a significant increase in the development of that land,	The site and proposed future development has been subject to detail contextual and engineering assessment to determine the most appropriate location of buildings on site, orientation of buildings, size of footprints of buildings, access to the site for pedestrians and vehicles, and assessment of surrounding built form and the proposal's relationship with James Ruse Drive. The assessment found that the current proposal offers the most appropriate density and built form on the site without generating any significant adverse environmental impacts such as flooding, ecology and overshadowing to adjoining neighbours.	Y
(d)	are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or	The proposal does not include any works that would substantially increase the requirement for government spending on flood mitigation measures, infrastructure or services.	Y
(e)	permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.	The proposed development is subject to a development application on the site.	Y

No.	Direction	Assessment	Compliance
(7)	A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).	A site specific Development Control Plan (DCP) supports the Planning Proposal that includes flood controls that are consistent with existing The Hills Shire Council flood planning controls. The proposed DCP has been assessed and supported by Council.	Y
(8)	For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).	The proposal is consistent with the NSW Flood Prone Land Policy and Floodplain Development Manual.	Y