

Our Ref: DJL: L.T2430.005.docx

05 November 2024
McCloy Group
PO Box 2214
Dangar NSW 2309
Attention: Jeff Bretag

Dear Jeff

RE: PLANNING PROPOSAL FOR MONARCH'S RISE, KINGS HILL NSW**Background**

Torrent Consulting was engaged to provide flood risk management advice to support a proposed Planning Proposal for Monarch's Rise, Kings Hill (the Site). Specifically, the Planning Proposal will seek to achieve the following:

1. Align Zone MU1 - Mixed Use with the lot layout envisioned under the Concept Masterplan and DA Approval (DA16-2013-599-1),
2. Extend Zone MU1 - Mixed Use over land zoned C2 – Environmental Conservation (about 2,300sqm) adjoining Newline Road, which is not Flood Prone, and
3. Reduce the Minimum Lot Size of Zone MU1 Mixed Use from 400sqm to 300sqm to achieve housing diversity in and around the neighbourhood centre and park.

The existing and proposed rezoning boundaries are shown in Appendix A along with the Concept Masterplan and Mixed Use Indicative Subdivision Plan.

Correspondence from Port Stephens Council (22 August 2024 ref: File 38-2024-45-1) following an initial Rezoning Request Meeting has identified the following flood related considerations to be addressed:

- Confirm the revised development footprint in relation to flood prone land.
- Ensure the planning proposal addresses the requirements of Ministerial Direction 4.1 Flooding.

Existing Flood Information

Torrent Consulting prepared the Newline Road, Raymond Terrace Flood Risk Assessment (ref: R.T2430.001.02 dated 15/08/2023) on behalf of McCloy Group for the existing Stage 1 DA Approval (DA16-2013-599-1). The DA documentation included additional flood information in letter reports (ref L.T2430.002 dated 07/02/2024, ref L.T2430.003 dated 11/04/2024, and ref L.T2430.004 dated 28/05/2024) responding to Port Stephens Council (Council) requests for information.

The existing FRA included detailed modelling and mapping of the local catchment flooding conditions in addition to consideration of mainstream Williams River flood inundation extents as derived from existing Council studies and mapping.

The design 1% Annual Exceedance Probability (AEP) flood levels for the Site are derived from the established TUFLOW model applying the following design inputs:

- Design 1% AEP local catchment rainfall with a 20% climate change allowance to reflect Year 2100 planning horizon.
- Coincident Williams River flood level of 5.5m AHD (1% AEP event) representing Year 2100 condition incorporating increased rainfall and sea level rise allowance of 0.9m (based on Williamstown-Salt Ash FRMS (BMT WBM, 2017)).

The 1% AEP design flood conditions are shown in Figure 1 for the modelled catchment. A further detail of the mapping incorporating the proposed rezoning area and the approved DA is shown in Figure 2. The proposed rezoning area is outside of the 1% AEP Year 2100 planning horizon flood condition. Note the small area of inundation shown within the Planning Proposal area represents standing water in a small existing farm dam.

Response to Ministerial Direction 4.1 Flooding

Ministerial Direction 4.1 (the Direction) provides Direction on how to consider flooding implications when considering planning proposals on land identified within a flood planning area or below the probable maximum flood (extreme event).

The objectives of this Direction are as follows:

- ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and
- ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land.

Provisions within the Direction are included below with a specific response relevant to this Planning Proposal:

(1) A planning proposal must include provisions that give effect to and are consistent with:

- the NSW Flood Prone Land Policy,*
- the principles of the Floodplain Development Manual 2005,*
- the Considering flooding in land use planning guideline 2021, and*
- any adopted flood study and/or floodplain risk management plan prepared in accordance with the principles of the Floodplain Development Manual 2005 and adopted by the relevant council*

Response: The Planning Proposal area (and broader master Plan area) was incorporated in the FRA prepared for the existing DA approval. The FRA was prepared in accordance with the NSW Department of Planning and Environment's Flood Risk Management Manual (2023), Flood Impact and Risk Assessment guideline (2023) and existing Council flood information and related policy. (Note the Flood Risk Management Manual 2023 replaced the Floodplain Development Manual 2005, referenced in the Direction).

(2) A planning proposal must not rezone land within the flood planning area from Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Employment, Mixed Use, W4 Working Waterfront or Special Purpose Zones.

Response: The proposed rezoning boundaries are located outside of the flood planning area.

(3) A planning proposal must not contain provisions that apply to the flood planning area which:

- (a) permit development in floodway areas,*
- (b) permit development that will result in significant flood impacts to other properties,*
- (c) permit development for the purposes of residential accommodation in high hazard areas,*
- (d) permit a significant increase in the development and/or dwelling density of that land,*
- (e) permit development for the purpose of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate,*
- (f) permit development to be carried out without development consent except for the purposes of exempt development or agriculture. Dams, drainage canals, levees, still require development consent,*
- (g) are likely to result in a significantly increased requirement for government spending on emergency management services, flood mitigation and emergency response measures, which can include but are not limited to the provision of road infrastructure, flood mitigation infrastructure and utilities, or*
- (h) permit hazardous industries or hazardous storage establishments where hazardous materials cannot be effectively contained during the occurrence of a flood event.*

Response: The Planning Proposal area is located outside of the flood planning area and accordingly is consistent with the above provisions.

(4) A planning proposal must not contain provisions that apply to areas between the flood planning area and probable maximum flood to which Special Flood Considerations apply which:

- (a) permit development in floodway areas,*
- (b) permit development that will result in significant flood impacts to other properties,*
- (c) permit a significant increase in the dwelling density of that land,*
- (d) permit the development of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate,*
- (e) are likely to affect the safe occupation of and efficient evacuation of the lot, or*
- (f) are likely to result in a significantly increased requirement for government spending on emergency management services, and flood mitigation and emergency response measures, which can include but not limited to road infrastructure, flood mitigation infrastructure and utilities.*

Response: Port Stephens Council LEP 2013 includes Clause 5.22 Special Flood Considerations. The proposed concept master plan does not include any sensitive or hazardous development type as defined in Clause 5.22. However, given the Planning Proposal area lies within the PMF extent, the provisions relating to flood emergency management require consideration.

The Williams River PMF extent covers part of the lower portion of the Planning Proposal area as shown in Figure 2, with a limited number of future lots impacted. In accordance with the above provisions, the Planning Proposal provides for the safe occupation and evacuation of these flood prone areas noting:

- Significant flood warning time is afforded to the Site for major flooding of the Williams River and Hunter River. The Hunter Region is serviced by a number of water level gauges which are used for flood forecasting and warning services provide by the BoM, including the Williams River at Dungog and Hunter River at Raymond Terrace.
- The BoM service level specification (BoM, 2013) provides for target lead warning times at flood warning gauges. The target warning lead time is the minimum lead time that will be provided before the height, or the flood class level given is exceeded. The Dungog gauge has a target warning lead time of 3 hours for gauge levels exceeding the minor flood level threshold of 4.9 m noting the corresponding PMF level is 15.4m. The Raymond Terrace gauge has a target warning lead time of >18 hours for gauge levels exceeding the major flood level threshold of 3.5 m noting the corresponding PMF level is 9.8m AHD.
- Both pedestrian and vehicular access over a short distance to flood free area (above the PMF extent) is readily available for all impacted lots.

Given the limited area of inundation up to the PMF extent within the Planning Proposal area, the available flood warning time, and short distance to flood free area, the Planning Proposal effectively manages flood risk in accordance with the above provisions.

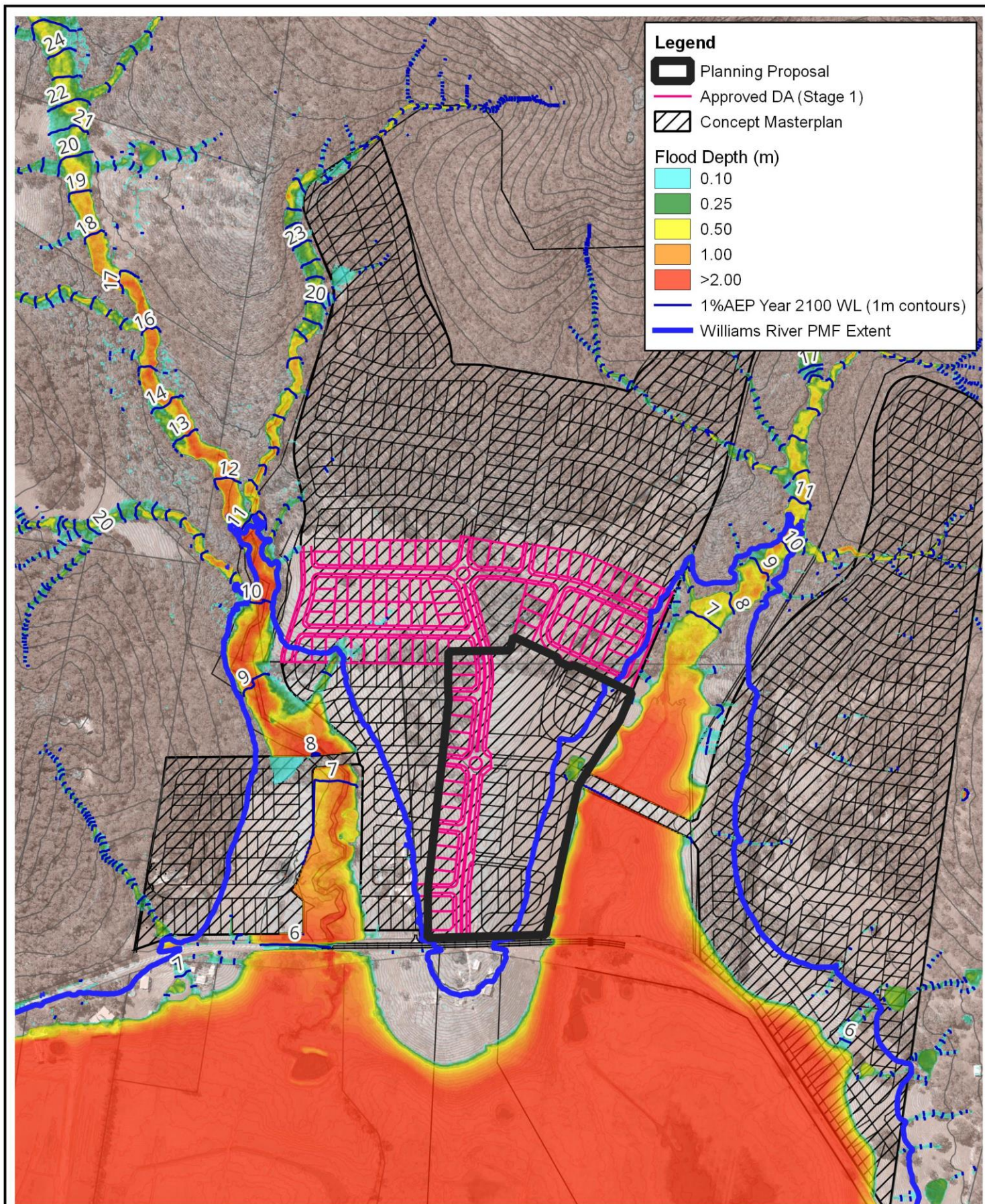
We trust that this letter report meets your requirements. For further information or clarification please contact the undersigned.

Yours faithfully

Torrent Consulting



Darren Lyons
Principal Water Resources Engineer
MIEAust CPEng RPEQ



Title:

Design 1% AEP Year 2100 (1% AEP Williams R.) Post-Development Conditions

0 200 400 m

approx. scale

Figure:

1

Information shown on this figure is compiled from numerous sources and may not be complete or accurate. Torrent Consulting cannot be held responsible for the misuse or misinterpretation of any information and offers no warranty guarantees or representations of any kind in connection to its accuracy or completeness. Torrent Consulting accepts no liability for any loss, damage or inconvenience caused as a result of reliance on the information.

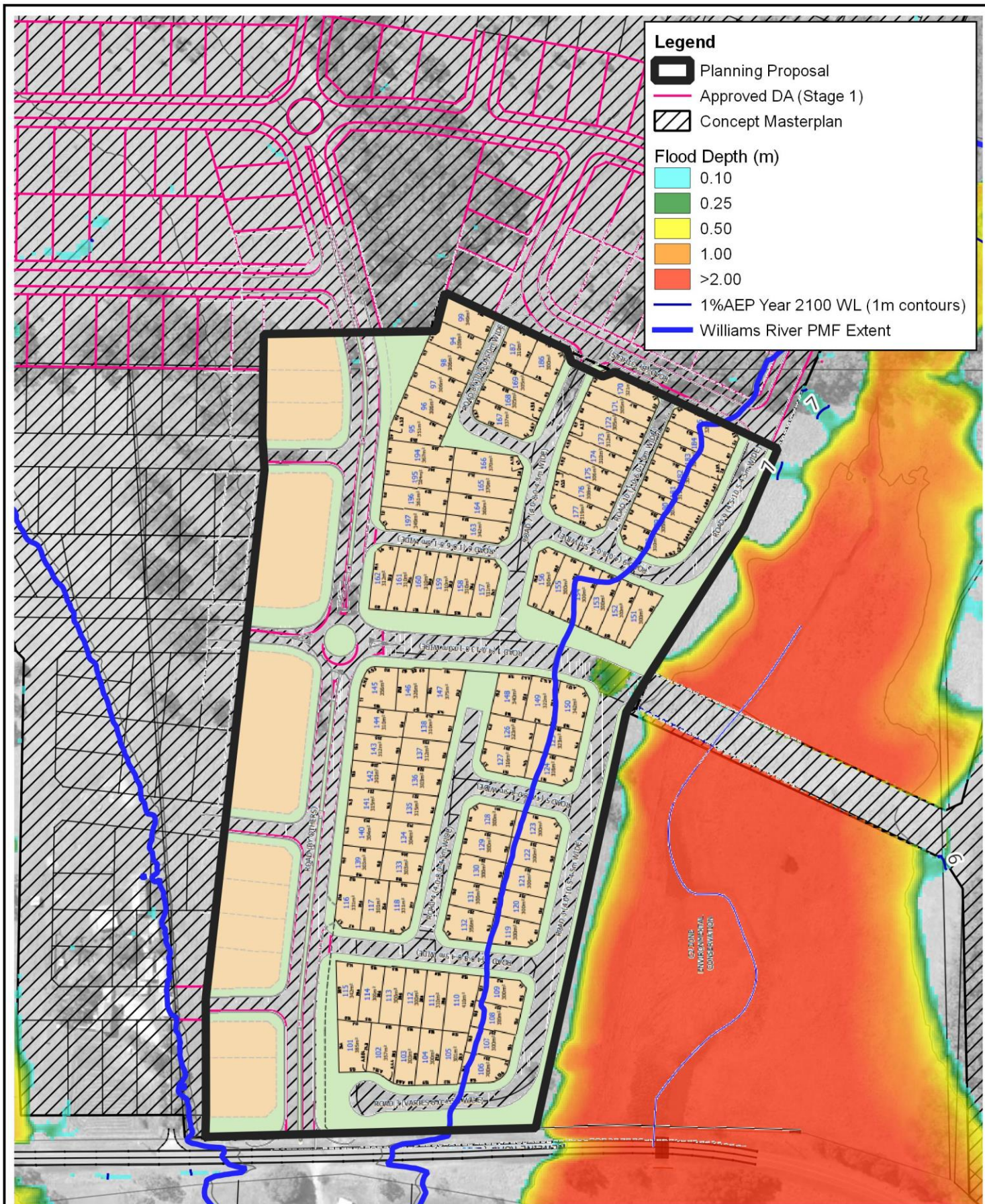
Revision:

A

Filepath:

Z:\Projects\T2430 Newline Rd Kings Hill\GIS\T2430_041_242017_Des1%_2100CC_PlanningProposal.ggz





Title:

Indicative Mixed-Use Subdivision and Design 1% AEP Year 2100 Flood Condition

Figure:

2

Information shown on this figure is compiled from numerous sources and may not be complete or accurate. Torrent Consulting cannot be held responsible for the misuse or misinterpretation of any information and offers no warranty guarantees or representations of any kind in connection to its accuracy or completeness. Torrent Consulting accepts no liability for any loss, damage or inconvenience caused as a result of reliance on the information.

Revision:

A

Filepath:

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0 60 120 m



approx. scale

N

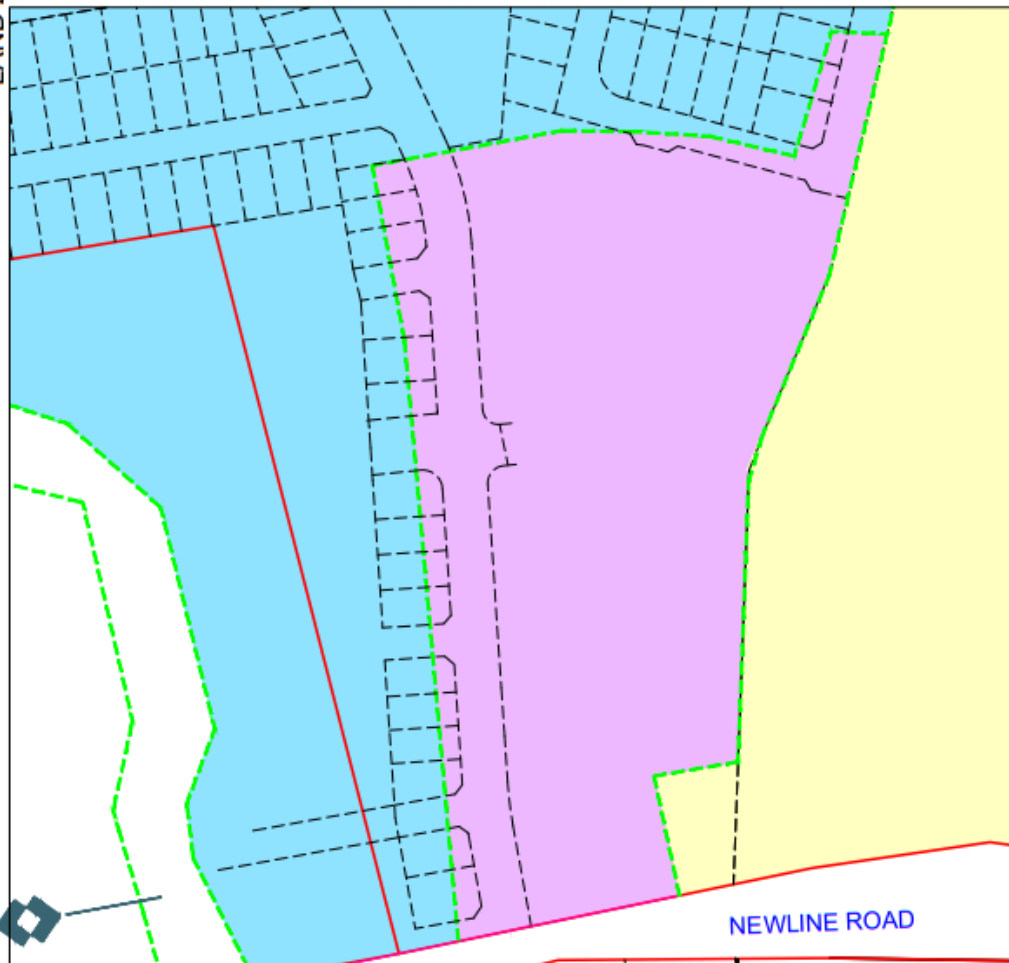


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CONSULTING

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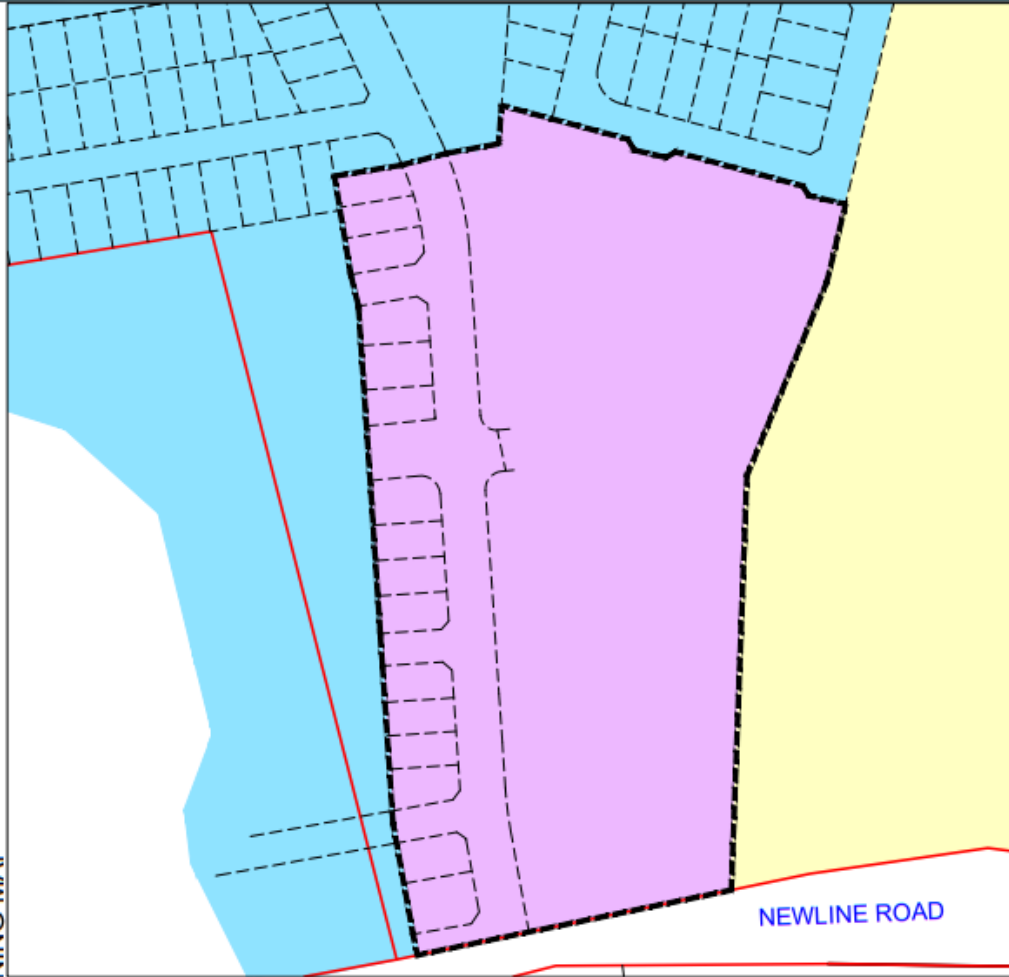
APPENDIX A – Planning Proposal Details

PORT STEPHENS LOCAL ENVIRONMENTAL PLAN 2013 LAND ZONING MAP



CURRENT LAND ZONING

- EXISTING B4 ZONING
- EXISTING E2 ENVIRONMENTAL CONSERVATION
- EXISTING B4 MINIMUM LOT SIZE 400m²
- EXISTING ZONE BOUNDARY
- EXISTING R1 GENERAL RESIDENTIAL



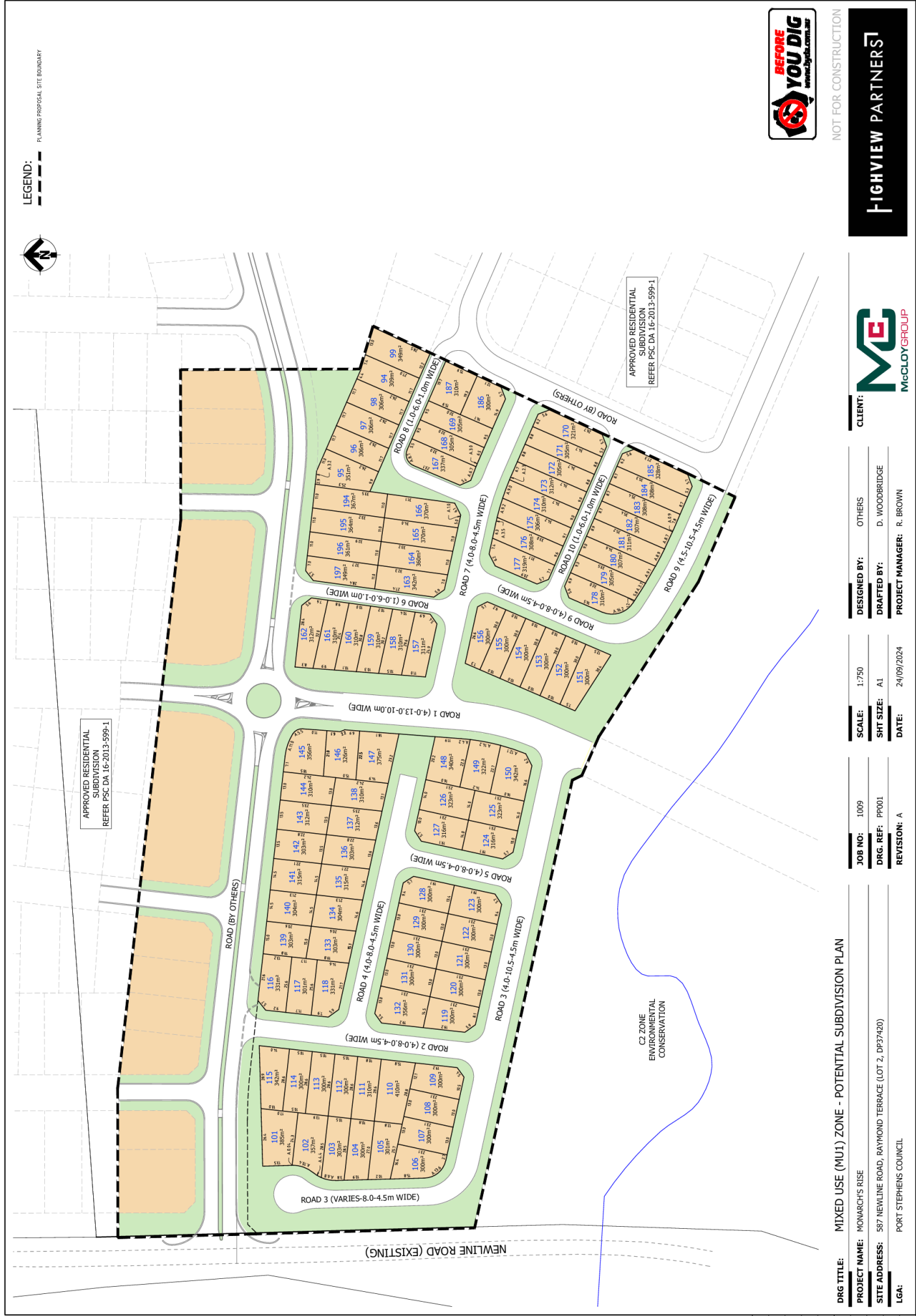
PROPOSED LAND ZONING

- PROPOSED B4 ZONING
- PROPOSED E2 ENVIRONMENTAL CONSERVATION
- PROPOSED B4 MINIMUM LOT SIZE 300m²
- PROPOSED ZONE BOUNDARY
- PROPOSED R1 GENERAL RESIDENTIAL

TITLE: PROPOSED SUBDIVISION KINGS HILL (MONARCH'S RISE)
NEWLINE ROAD KINGS HILL
ZONING MAP

Date:	16.07.24	Scale:	1:2500 A3	Designed:	KU	Project No:	HD354
Cad Ref:	HD354 r7 rezoning map						
No	7	Amendment		Drawn		Revision	7
						Drawing No	HD10
							Date

High Definition Design Pty Ltd
KEVIN URAINE 0412005981



LEGEND:



PLANNING PROPOSAL SITE BOUNDARY

APPROVED RESIDENTIAL SUBDIVISION REFER PSC DA 16-2013-599-1

APPROVED RESIDENTIAL SUBDIVISION REFER PSC DA 16-2013-599-1

DRG TITLE: MIXED USE (MU1) ZONE - POTENTIAL SUBDIVISION PLAN
PROJECT NAME: MONARCH'S RISE
SITE ADDRESS: 587 NEWLINE ROAD, RAYMOND TERRACE (LOT 2, DP27420)
LGA: PORT STEPHENS COUNCIL

JOB NO: 1009
DRG. REF: PP001
REVISION: A
SCALE: 1:750
SHT SIZE: A1
DATE: 24/09/2024

DESIGNED BY: OTHERS
DRAFTED BY: D. WOODBRIDGE
PROJECT MANAGER: R. BROWN

CLIENT: NGE McCLOYGROUP

NOT FOR CONSTRUCTION

HIGHVIEW PARTNERS

