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| **Memorandum** |
| **Date: 11 October 2022** |
| **To : Western Regional Joint Regional Planning Panel , State Panel Members**  |
| **From: Marie Sutton, Edward River Council , Manager Development Services**  |
| **Subject: DA 124/21 , Seniors Living Precinct , Panel reference No PPSWES- 126** |
| **Reason for memorandum: To provide information re flood planning assessment for DA 124/21 against the Deniliquin LEP 2013** |

This is to provide information on the assessment against the Deniliquin LEP 2013 in relation to Flood Planning considerations for the proposed Seniors living Development

Council has considered the provisions of clause 5.21 as listed below and in particular sub clauses 5.21 , 2 (C ) and 5.21 3 ( C) and concludes that the development will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event on a flood due to the location of the site and the protection of the land afforded to it by the town levee system.

The subject land is protected by the South Deniliquin Levee system to a 1% flood occurrence + 500mm freeboard. There are no additional protection requirements or finished floor heights for this land and it is considered that the objectives and considerations contained in clauses 5.21 (1),(2),(3),relating to the flood planning have been satisfactorily met .

**Flood Planning, Clause 5.21 Deniliquin LEP 2013**

1)  *The objectives of this clause are as follows—*

*(a)  to minimise the flood risk to life and property associated with the use of land,*

*(b)  to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,*

*(c)  to avoid adverse or cumulative impacts on flood behaviour and the environment,*

*(d)  to enable the safe occupation and efficient evacuation of people in the event of a flood.*

*(2)  Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—*

*(a)  is compatible with the flood function and behaviour on the land, and*

*(b)  will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and*

*(c)  will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and*

*(d)  incorporates appropriate measures to manage risk to life in the event of a flood, and*

*(e)  will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.*

*(3)  In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—*

*(a)  the impact of the development on projected changes to flood behaviour as a result of climate* change,

(b)  the intended design and scale of buildings resulting from the development,

(*c)  whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,*

*(d)  the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.*



**Marie Sutton**

**Manager Development Services**