

Your ref: PP2024-2100

Our ref: DOC25/366532

Colin Kane
Acting General Manager
Greater Hume Council

Via Planning Portal PP-2024-2110 REF-3672

Dear Colin

Subject: Planning Proposal PP2024-2110 - 197 Urana Street Jindera rezoning

Thank you for your referral received 6 May 2025 seeking advice from the Regional Delivery Division (RD) of the NSW Department of Climate Change, Energy, the Environment and Water.

RD has statutory responsibilities relating to biodiversity and flood risk management. The Gateway Determination requires Council to consult with RD on flood risk management. We have reviewed the documents supplied and provide the following advice, further detailed in **Attachment A**.

Flood Risk Management

The proponent has prepared a flood impact and risk assessment (FIRA) to support the planning proposal. The FIRA indicates that the flood risks associated with the planning proposal, up to the 1% annual exceedance probability (AEP) design flood event, can be managed by adopting minimum floor levels and modifying the existing Council drain at the southern boundary of the site.

However, the FIRA does not demonstrate how the site can safely accommodate seniors housing up to the Probable Maximum Flood (PMF) event including mitigation measures, which was a Gateway Condition issued by the Department of Planning, Housing and Infrastructure dated 9 April 2025.

While further assessment is needed, the information in the FIRA indicates this condition can likely be satisfied for the current proposal. RD considers further assessment can occur at the development application stage, when more detailed design information is available to inform the assessment.

Therefore, RD is satisfied that the planning proposal can be finalised, provided that any future development application is supported by a revised FIRA which:

- incorporates a detailed design of the proposed development
- demonstrates how the site can safely accommodate seniors housing up to the PMF event
- demonstrates that the flood impacts to neighbouring properties are not worsened beyond the impacts demonstrated in the *Additional Flood Modelling for 197 Urana Street, Jindera* (GHD, 2024).

RD also recommends that the safe management of residents during flood events at the subject site should be discussed with, and supported by, the NSW State Emergency Service.

If you have any questions about this advice, please contact Kade Small, Senior Floodplain Officer, via planning.southwest@environment.nsw.gov.au or 02 6051 2244.

Yours sincerely



Andrew Fisher

4 June 2025

Senior Team Leader – Planning, South West
Regional Delivery Division
Conservation Programs, Heritage and Regulation Group
NSW Department of Climate Change, Energy, the Environment and Water

ATTACHMENT A – Detailed advice on Planning Proposal PP2024-2110 - 197 Urana Street Jindera rezoning

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In preparing this advice RD has reviewed the following documents:

- *Jindera Flood Study* (GHD, 2015)
- *Jindera Floodplain Risk Management Study and Plan* (GHD, 2017)
- *197 Urana Street, Jindera – Flood Impact Assessment* (GHD, 2023)
- *Additional Flood Modelling for 197 Urana Street, Jindera* (GHD, 2024)

Flood Risk Management

The NSW Local Planning Direction – 4.1 Flooding (Direction 4.1) is applicable to any planning proposal that alters a zone or provision that affects flood prone land. Direction 4.1 requires planning proposals that concern flood prone land to be consistent with:

- the *NSW Flood Prone Land Policy*
- the principles of the *Flood Risk Management Manual (2023) (FRM Manual)*
- the *Considering flooding in land use planning guideline (2021)*
- any floodplain risk management study or plan that has been developed and adopted by Council for that land.

Furthermore, Direction 4.1 states that a planning proposal must not rezone land within the flood planning area from rural to residential, nor should the proposal contain provisions that:

- permit development that will result in significant flood impacts to other properties; or
- permit a significant increase in the development and/or dwelling density of that land; or
- permit development for the purpose of residential care facilities and seniors housing in areas where the occupants of the development cannot effectively evacuate.

The current understanding and management of flood risk at the subject site is guided by the Council commissioned and adopted *Jindera Flood Study* (GHD, 2015) and the *Jindera Floodplain Risk Management Study and Plan* (GHD, 2017) (*Jindera FRMS&P*).

As the subject site is located within the Flood Planning Area (FPA) presented in the *Jindera FRMS&P*, then the planning proposal is considered inconsistent with Direction 4.1. A planning proposal may be inconsistent with Direction 4.1 if it is supported by a Flood Impact and Risk Assessment (FIRA), or the inconsistencies of the planning proposal are of minor significance.

As the inconsistencies are not minor the proponent has appropriately commissioned the *197 Urana Street, Jindera – Flood Impact Assessment* (GHD, 2023) and *Additional Flood Modelling for 197 Urana Street, Jindera* (GHD, 2024), herein collectively referred to as “the FIRA”.

RD considers that the FIRA has been prepared consistent with the *FRM Manual* and *Jindera FRMS&P*. RD acknowledges that the underlying FIRA hydraulic model has been adapted from the *Jindera FRMS&P* and includes refinements to improve the representation of the existing Council drain at the southern boundary of the site.

The FIRA provides a basic quantitative assessment of the impact of the proposed development associated with the planning proposal on flood behaviour in the 1%, 5% and 20% annual exceedance probability (AEP) design flood events. The FIRA indicates that the flood risks associated with the proposed development can be managed by adopting minimum floor levels and modifying the existing Council drain at the southern boundary of the site.

However, the FIRA, and planning proposal, does not demonstrate how the site can safely accommodate seniors housing up to the probable maximum flood (PMF) event including mitigation measures, which was a Gateway Condition issued by the Department of Planning, Housing and Infrastructure dated 9 April 2025.

Hydraulic modelling prepared for the *Jindera Flood Study* (GHD, 2015) and *Jindera FRMS&P* (GHD, 2017) indicates that subject site is impacted by the PMF to depths of up to approximately 1.3 m in the eastern extent of the site. The finished floor level (FFL) recommended for the retirement homes in the FIRA of 234.43 mAHD is largely consistent with the PMF level in the eastern extent of the site presented in the *Jindera FRMS&P*. However, it is important to note that the findings presented in the *Jindera FRMS&P* are based on existing conditions and do not consider the impact that the proposed development may have on the PMF levels.

RD concludes that, based on the FIRA, the flood risks associated with the planning proposal, up to the 1% AEP design flood event, can be managed by adopting appropriate minimum floor levels and modifying the existing Council drain at the southern boundary of the site.

However, further assessment is required to demonstrate how the site can safely accommodate seniors housing up to the PMF. Based on the findings in the *Jindera FRMS&P* (GHD, 2017), RD considers that this is likely achievable, however this must be assessed appropriately.

RD considers further assessment can occur at the development application stage, when more detailed design information is available to inform the assessment.

Recommendation

RD is satisfied that the planning proposal can be finalised, provided that any future development application is supported by a revised FIRA which:

- incorporates a detailed design of the proposed development
- demonstrates how the site can safely accommodate seniors housing up to the PMF event
- demonstrates that the flood impacts to neighbouring properties are not worsened beyond the impacts demonstrated in the *Additional Flood Modelling for 197 Urana Street, Jindera* (GHD, 2024).

RD also recommends that the safe management of residents during flood events at the subject site should be discussed with, and supported by, the NSW State Emergency Service.