

Flood Prone Land

Flood prone land (being synonymous with flood liable and floodplain) is the area of land which is subject to inundation by floods up to and including an extreme flood such as a probable maximum flood (PMF).

1. Objectives

The objectives of these controls are to:

- Inform the community of Council's policy for the use and development of flood prone land;
- Reduce the risk to human life and damage to property caused by flooding through controlling development on land affected by potential floods;
- Provide different guidelines, for the use of the development of land;
- To allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change, and
- To avoid significant adverse impacts on flood behavior and the environment.

2. Flood liable land

Local short-term flooding is known to occur in two developed locations in the Lockhart Shire, those being Lockhart and The Rock villages. In these localities, water depths can vary depending on the source of the water. Overland flows are typically of a depth not to cause significant damage however floodwaters from existing waterways have the potential to cause serious damage:

- Lockhart – Brookong Creek flooding and overland flows emanating in the Galore and Milbrulong areas and travelling south and west toward Brookong Creek; and
- The Rock – in the vicinity of Burkes Creek and an area east of the Olympic Highway affected from overflow water from Flowerpot Hill.

For Lockhart and The Rock, Council maintains a record of flood planning maps which identify known areas of flooding. Development on land within these identified areas must address the likely impact of periodic inundation of floodwaters as part of any application.

In rural areas, flood prone land is not mapped.

3. Flood protection measures

Where a development is proposed in an area affected by flooding Council may require additional survey information as part of its assessment process.

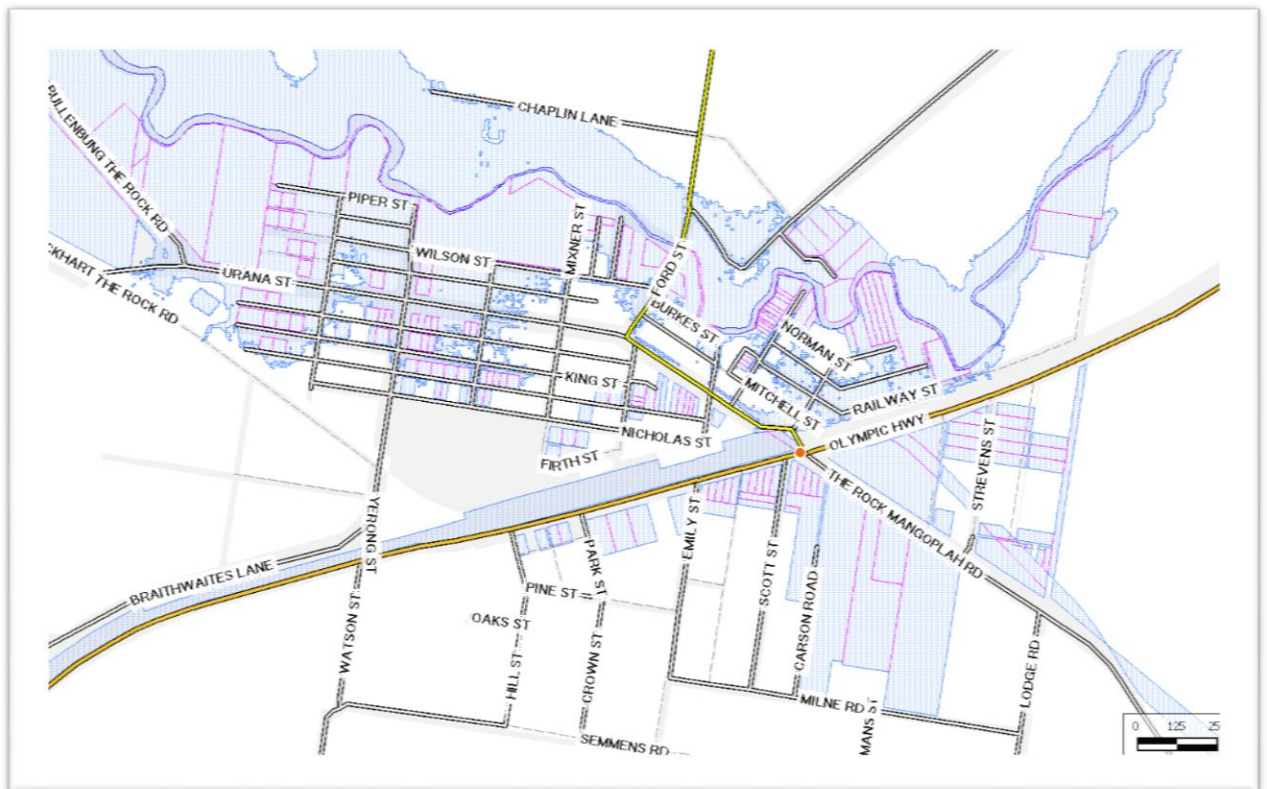
Council may, with development consent, consider minor filling within the building envelope to a maximum fill depth of 200mm within the floodway area. Applications for earthworks and filling of land shall be accompanied by a survey plan (with a contour interval of 0.1m) showing relative levels to Australian Height Datum (AHD). Such a proposal must be supported by an Engineers report justifying the filling on the basis that the change in flood flow will not detrimentally affect other buildings or structures or places in the vicinity of the work.



LOCKHART



THE ROCK



4. Development Controls

Clause 6.1 of the *Lockhart Local Environmental Plan 2012* states that the consent of Council is required for the erection of a building or the carrying out of work on land identified as being in the designated flood planning area.

While the LEP sets a flood planning level of 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard, Council's Floodplain Risk Management Studies and Plans recommends the following freeboards:

- Lockhart, 300mm above the 1:100 ARI; and
- The Rock, a freeboard of 300mm for Flood Planning Areas subject to overland flow, and 500mm for all remaining areas.

5. Extensions to existing dwellings

Where existing floor levels of a dwelling house are below the flood planning level, any extensions to that dwelling which are "habitable rooms" must have a finished floor level which is at least 500mm above the flood planning level.

Any parts of the proposed extensions which are not "habitable rooms" may be considered by Council at a level lower than the flood planning level subject to a detailed assessment of flood impacts. If Council supports such a proposal it will require that all new work must be constructed of flood compatible material up to the flood planning level including vulnerable fittings and fixtures.

Council may consider individual proposals for the extensions to existing dwellings which are known to be flood liable if the floor level requirement is deemed to be unreasonable in the circumstances.

6. Internal renovations to existing dwellings

Where existing floor levels of an existing dwelling house are below the flood planning level and internal renovations are proposed a detailed assessment of flood impacts is required.

In the case that this assessment concludes that compliance with flood planning levels are impractical or unreasonable Council may approve the internal renovations at the existing floor level provided:

- The internal renovations maintain floor levels no lower than the existing floor level;
- All new work must be constructed of flood compatible material up to the flood planning level including vulnerable fittings and fixtures; and
- All new work must be confined to within the existing "footprint" of the building.

7. All other development

Applications for all other development in flood prone land will be assessed individually on merit having regard to the relevant Council's adopted Floodplain Risk Management Study and Plan.



Council is actively engaged in seeking funding from the NSW Government's Floodplain Management Program to implement voluntary purchase (VP) schemes, which involves acquisition of specific properties as a result of their located in a floodway, or subject to highly hazardous flood conditions. Properties acquired by Council through the scheme are cleared of building and structures and strategically re-zoned to open space or public recreation, as required by the NSW OEH Floodplain Management Program Guidelines.

8. Other documents which must be read in conjunction with this Plan

The following documents are relevant to the assessment and consideration of development on flood prone lands:

- Lockhart *Local Environmental Plan 2012*, and as subsequently amended;
- Lockhart Floodplain Risk Management Study and Plan, 2014;
- The Rock Floodplain Risk Management Study and Plan, 2014;
- NSW Government Floodplain Development Manual, 2005; associated Guideline on Development Controls on Low Flood Risk Areas; and Ministerial Direction No. 15, January 2007; and
- Relevant Council policies, development control plans and specifications.

9. Glossary and acronyms

AHD	Australian Height Datum
FPA	Flood Planning Area
FPL	Flood Planning Level
ARI	Average Recurrent Interval (1:100)

Freeboard is a factor of safety expressed as the height above the flood used to determine the design floor level or ground level.

Flood planning levels The Flood Planning Level (FPL) is a height used to set floor levels for property development in flood prone areas. It is generally defined as the 1% AEP flood level plus an appropriate freeboard (see explanation of 'freeboard' below).

Habitable floor level In a residential situation means a living or working area, such as a bedroom, lounge room or kitchen.

In a commercial situation means an area used for offices and to store valuable possessions or equipment susceptible to flood water damage.

Survey plan is a plan prepared by a registered surveyor which shows the information required for the assessment of an application in accordance with the provisions of this Policy.

10. Relevant Section C – Development Controls

The following other parts of **Section C – Development Controls** relevant to this Chapter include:

- Commercial Development;
- Dwelling Houses (Second Hand);



- Engineering Standards;
- Environmentally Sensitive Areas;
- Erosion and Sediment Control;
- Industrial Development;
- Large Lot Residential Development;
- Notification of Development Applications;
- Residential and Village Development;
- Rural Development;
- Sewage Management; and
- Subdivision.

