



NEW SOUTH WALES

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MEDIA RELEASE

The Hon Frank Sartor MP

Minister for Planning

Minister for Redfern Waterloo

Minister for Science and Medical Research

Minister Assisting the Minister for Health (Cancer)

NEW FLOOD RISK GUIDELINES CUT COUNCIL RED TAPE

The lemma Government today announced new guidelines to prevent councils overstating flooding risks on planning certificates issued to homeowners.

Planning Minister Frank Sartor announced the changes during a visit to Sydney's north-west.

"The new guidelines are intended to remove red tape and clarify the Government's Floodplain Development Manual for councils across the State," Mr Sartor said.

"The changes provide clear guidance on the intent of the Manual in relation to low-risk areas and the wording of section 149 planning certificates.

"It follows reports that some councils are amending section 149 certificates for homes in low-risk areas – up to the one-in-100,000 year flood level – because of potential liability concerns.

"It would take a flood of Biblical proportions to affect homes in these locations – and it is inappropriate to increase controls over residential development on this land.

"This package of changes will ensure a sensible approach to managing these risks.

"The guidelines and regulation better align flood controls and flood statements with long-established custom and practice."

Mr Sartor said the potential impact on families was highlighted by the Member for Riverstone, John Aquilina, and the Member for Blacktown, Paul Gibson.

Mr Aquilina said the Government's changes would protect homeowners' rights.

"This issue has the potential to unnecessarily affect hundreds of families in this area, and I am pleased to see the Government has set out a clear direction for Councils," he said.

Mr Gibson said the Government had responded swiftly to local concerns.

"The new guidelines will prevent a knee-jerk response by local councils which could have an unfair and unjustified impact on the value of the family home," Mr Gibson said.

Mr Sartor said the Government had also held talks with the Floodplain Management Authorities on the detail of the changes.

Under the new guidelines:

- There should be no controls on residential development in areas above the one-in-one hundred-year flood level unless the council can demonstrate exceptional circumstances.
- Controls may need to apply to critical infrastructure in areas above the 100-year flood level, and evacuation routes and vulnerable developments should be taken into account.
- Draft local environmental plans dealing with flood-prone land must be consistent with the Guideline on Low Risk Areas.
- Councils are required to distinguish between flood controls that restrict residential development and flood controls affecting other types of development.
- Councils are not required to show a notation for flooding above the 100-year flood level if no there are no flood controls on residential development in these areas.