

Low Flood Risk Case Study: Industrial estate State Significant Development

Practical application of planning circular PS 24-001: Update on addressing flood risk in planning decisions

In line with the recommendations of the 2022 NSW Flood Inquiry, the department's planning circular PS 24-001 recommends planning authorities apply a risk-based approach to assessing proposals involving flood-affected land. This includes planning proposals, local and regional development applications, State significant development and State significant infrastructure.

The risk-based approach includes ensuring that:

- the level of assessment undertaken for a planning proposal or development proposal is proportionate to the likely impacts of the proposal, including taking into account the flood risk profile of the proposal
- planning decisions are based on a balanced consideration of the merits, risks and impacts of a given proposal, and that appropriate measures are in place to achieve a tolerable flood risk level for flood-affected proposals.

The approach should take into account the flood risk profile of each proposal, including consideration of the flood characteristics for the location, the nature and type of development and any impacts on the existing community and surrounding properties.

The following case study shows how the circular can be applied in the assessment of a low flood risk State significant development for industrial development on flood-prone land.

Proposal Overview

The State significant development application was for a concept proposal for an industrial estate, comprising 13 buildings and associated offices, as well as a stage 1 development application was lodged with the department.

The development application included:

- bulk earthworks across the entire site
- roads and stormwater infrastructure

- construction and operation of a building for the purposes of warehouse and distribution use, with offices, loading docks, car parking and landscaping.

The development proposal would deliver approximately 250 construction jobs and 330 operational jobs under the stage 1 component.

Flood risk associated with the proposal

The department considered the proposed development to be a low flood risk proposal. The proposed development site is located near a creek and is partially affected by flooding during the 1% annual exceedance probability flood event and probable maximum flood. It was considered a low risk as the site is not located within a high-risk catchment, as defined by the 2022 NSW Flood Inquiry, and does not involve a sensitive or hazardous land use.

Additional consideration of flood matters

Consistent with circular PS 24-001, the department sought information on flooding aspects of the development application to inform its decision. This included asking the applicant for a revised flood impact assessment and supplementary information, which were reviewed by the department and the council. The department requested the flood assessment to confirm the low flood risk nature of the site.

After reviewing the additional information and submissions, the department was satisfied that the application had adequately considered flooding and that the project demonstrated an appropriate response to the site's flood risk.

The flood impact assessment indicated the development would be constructed above the probable maximum flood level, ensuring there would be no flooding impacts on the site. The development was also for employment use with no sensitive land uses proposed.

The development incorporated detention basins that would mitigate flood velocities downstream and ensure there would be negligible impacts on adjoining properties. The department's independent expert reviewed the flood impact assessment and confirmed it had adequately addressed flood risks.

No specific flood conditions were recommended as the development was found to have been designed to minimise flood risks to a tolerable level. The department concluded that the development was suitable for the site and would have minimal flooding impacts on adjoining properties.