

FILE NO: PSC2015-01399

TITLE: FLOOD RISK MANAGEMENT

OWNER: ASSETS SECTION MANAGER

1. PURPOSE:

1.1 Port Stephens Council is committed to managing flooding across the local government area using an integrated risk management approach, in order to:

- a) Systematically reduce the impact of flooding and flood liability on individual owners and occupiers of flood prone property, hence reduce the losses resulting from floods.
- b) Recognise that appropriately developed flood prone land is a valuable resource to the community, land holders and the economy and these lands should not be sterilised by unnecessarily restricting its development.
- c) Consider flood risk as early as possible in the planning and development process using the best available flood information.
- d) Classify land in terms of flood risk so that decisions take into account the risk while recognising the social, economic and environmental values of flood prone land.
- e) Provide the framework to manage flood risk through cost-effective measures that address existing, future and continuing risks in a hierarchy of avoidance, minimisation and mitigation as identified in local flood risk management studies and plans.
- f) Remain consistent with the flood risk management principles outlined in the State Government's Flood Risk Management Manual 2023 and associated guideline documents.
- g) Facilitate the systematic collection of flood information and flood risk data, and the provision of such information in a timely way so that residents can understand the severity of flood risk and plan their affairs accordingly.
- h) Promote the integration between Council's flood risk management activities and flood-related emergency management undertaken by the State Emergency Service and the Port Stephens Local Emergency Management Committee.

1.2 The measurement of success for this policy is the implementation of the integrated risk management approach.

2. CONTEXT/BACKGROUND:

2.1 Port Stephens covers a diverse number of catchments, generally flowing to the Hunter Estuary or the Port Stephens Estuary. The area has a number of

creeks, rivers, estuaries, foreshore areas, stormwater channels and drains which are impacted by flooding or coastal inundation, sometimes with little or no warning.

- 2.2 Flooding is a significant issue affecting existing and future development throughout Port Stephens and may involve significant risk, including risks to life and property. While it is not usually cost-effective to entirely eliminate all flood risks, appropriate risk strategies can manage the existing, future and continuing flood risks for the sustainable long-term benefit of the community and the environment, and to improve community resilience to floods.
- 2.3 Council has been undertaking the necessary flood studies and developing flood management plans in accordance with the State Government's Flood Risk Management Manual 2023 and associated guideline documents. Where the catchments cross local government boundaries, Council has been working in collaboration with neighbouring councils.
- 2.4 The Local Government Act (section 733) provides Council with a general exemption from liability with respect to flood liable land if the necessary studies and works are carried out in accordance with the principles contained in the State Government's Flood Risk Management Manual 2023 and associated guideline documents.

3. SCOPE:

- 3.1 While local government in NSW has the primary responsibility for controlling the development within flood-prone land, both the State Government (for example, Crown developments and state significant developments) and the Federal Government (for example, development on Commonwealth land) consider development on the floodplain. Both local government and the State Government (principally through the State Emergency Service) are responsible for managing flood risk.

4. DEFINITIONS:

- 4.1 An outline of the key definitions of terms included in the policy.

Flood prone land (flood liable land)	Land that is likely to be inundated by the probable maximum flood, which is the largest flood that could conceivably occur at a particular location, usually estimated from probable maximum precipitation, coupled with the worst flood-producing catchment conditions. This defines the "floodplain" for that catchment.
Flood Planning Level	The level of the 1% annual exceedance probability-flood event 100 years from now plus 0.5 metre

	freeboard, except for urban overland flooding areas where a freeboard of 0.3 metre is applied. The area of land below the Flood Planning Level (i.e. the Flood Planning Area) is subject to flood-related development controls.
Floodway area	Areas of the floodplain which generally convey a significant discharge of water during floods and are sensitive to changes that impact flow conveyance. They often align with naturally defined channels or form elsewhere in the floodplain.
Flood Storage area	Areas are those parts of the floodplain that are outside floodways which generally provide for temporary storage of floodwaters during the passage of a flood and where flood behaviour is sensitive to changes that impact on temporary storage of water during a flood.
Flood Fringe area	The remaining land in the Flood Planning Area after the floodway area and flood storage area have been defined.
Overland flow path	Areas of inundation by local runoff rather than inundation created by overbank flows discharging from a waterway.
High Hazard flood area	The area of flood which poses a possible danger to personal safety, where the evacuation of trucks would be difficult, where able-bodied adults would have difficulty wading to safety or where there is a potential for significant damage to buildings.
Low Hazard flood area	The area of flood where, should it be necessary, a truck could evacuate people and their possessions or an able-bodied adult would have little difficulty in wading to safety.

5. STATEMENT:

- 5.1 Council will manage the risk of flooding on lands in accordance with State Government's Flood Risk Management Manual 2023 and associated guideline documents. This can be summarised as:
- Operating sustainable governance arrangements across Council, including forming a Floodplain Advisory Panel, with members from the Council, community and state government agencies.
 - Thinking and planning strategically, including by understanding what is known about flood behaviour, constraints and risks and how these change over time (such as those related to climate change and changes in catchments, developments and infrastructure) as well as knowledge gaps and limitations.

- c) Being consultative and connecting with government agencies, neighbouring councils, stakeholder groups and the community, to bring together knowledge of historic floods or other relevant information, to develop multifaceted solutions that are practical and realistic and can be implemented in a reasonable timeframe with broad community support.
 - d) Making flood information available for the community, ensuring that this knowledge is readily accessible, maintained and improved, where necessary.
 - e) Understanding flood behaviour across the full range of floods and how flood behaviour, constraints and impacts vary between flood events and across the floodplain.
 - f) Understand flood risk and how it may change over time as flood behaviour changes with climate change, changes in the catchment and floodplain including groundwater levels, and with implemented flood risk management measures.
 - g) Considering variability and uncertainty in flood risk management decisions and the cumulative impact with existing or likely future activities, to lead to more robust infrastructure and development decisions.
 - h) Maintaining natural flood functions, including the conveyance of floodway areas and the capacity of storage areas to limit the impacts of change to the floodplain and associated flood risk to the existing community as well as identifying and maintaining local flowpaths.
 - i) Managing flood risk effectively for the existing community, considering the full range of flood behaviour and risk and how this may change over time and including limiting increases in flood risk from new and modified development and existing and proposed community infrastructure.
 - j) Continually improving the management of flood risk by understanding flood events and lessons learnt, updated studies into flood behaviour and management, the best-available data and latest industry guidance and standards, new and emerging technologies and practices, the process of understanding and managing flood risk to communities, improved understanding of the impacts of climate change on factors that affect flood behaviour, including sea level, flood-producing rainfall events, ocean storm conditions, waterway entrance conditions, and their coincidence.
- 5.2 Council will categorise the risk across the floodplain in terms of the hazard, the location (floodway area, flood storage area and flood fringe area) and the chance of the flood occurring in any one year (the annual exceedance probability):
- 5.3 Keeping the Flood Hazard Maps up-to-date by incorporating relevant information from Council adopted Flood Studies, Floodplain Risk Management Plans, flood modification measures and approved filling within the floodplain which may change the categorisation of floodplain risk.
- 5.4 Council will develop and maintain a system for the timely provision of up-to-date flood information, to facilitate the assessment of development applications, to achieve a merit-based outcome for each flood risk category for

an individual site and to help the community understand the local flood risk.

- 5.5 Council will maintain the best-available flood data by reviewing and updating the flood mapping, flood studies and flood risk management plans, based on the need of the community, significant changes in catchments, development and infrastructure, regulatory requirements, knowledge gaps and the changing climate, taking into account Council budgetary constraints and the availability of government grants.
- 5.6 Ensuring that the State Emergency Service and the Port Stephens Local Emergency Management Committee are provided with the most up-to-date flood information so they can include it in their emergency response and recovery planning.
- 5.7 Ensuring that decisions relating to flood prone land do not have adverse consequences for emergency management or cause adverse impacts on flooding in other locations.

5 RESPONSIBILITIES:

- 6.1 Assets Section Manager has overall responsibility for this policy.
- 6.2 Engineering Services Manager and Principal Flooding & Drainage Engineer is responsible for the implementation of the engineering aspects of this policy, including management of the Flood Risk Management process.
- 6.3 Strategy and Environment Section Manager is responsible for the implementation of the strategic planning aspects of this policy, including consideration of flood risk as early as possible in the planning process and the provision of the most up-to-date flood information.
- 6.4 Development Services Section Manager is responsible for the implementation of the development assessment aspects of this policy, including a merit-based consideration of the flood risk categories for an individual site, against the relevant planning controls and guidelines, focused on reducing risk-to-life and risk-to-property, based on advice provided by Assets Section Manager, Engineering Services Manager and Principal Flooding & Drainage Engineer whose expert knowledge would need to be provided in making such decisions.
- 6.5 Communications and Customer Experience Section Manager is responsible for the implementation of the communications aspects of this policy, including assisting in the coordination of community engagement through the Flood Risk Management process.
- 6.6 Facilities and Infrastructure Director is responsible for the integration between Council's flood risk management activities and flood-related emergency management undertaken by the State Emergency Service and the Port

Stephens Local Emergency Management Committee.

7 RELATED DOCUMENTS:

- 7.1 Local Government Act 1993 (NSW).
- 7.2 Environmental Planning and Assessment Act 1979 (NSW).
- 7.3 Water Management Act 2000 (NSW).
- 7.4 Hunter Water Act 1991 (NSW).
- 7.5 State Emergency and Rescue Management Act 1989 (NSW).
- 7.6 Port Stephens Council Local Environment Plan 2013.
- 7.7 Port Stephens Council Development Control Plan 2025.
- 7.8 Risk Management Manual 2023 (NSW).
- 7.9 Shelter-in-Place Guideline for Flash Flooding 2024 (NSW).

CONTROLLED DOCUMENT INFORMATION:

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EDRMS container No.	PSC2015-01399	EDRMS record No.	TBA
Audience	Councillors, staff and community		
Process owner	Assets Section Manager		
Author	Assets Section Manager		
Review timeframe	4 years	Next review date	TBA
Adoption date	12 December 2017		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1	16 Dec 2008	Integrated Planning Manager	Areas affected by flooding and/or inundation.	384
2	27 Oct 2015	Asset Section Manager	Draft Floodplain Risk Management Policy for Public Exhibition	323
2.1	8 Mar 2016	Asset Section Manager	Floodplain Risk Management Policy	054

3	12 Dec 2017	Asset Section Manager	Updated to new template, overland flooding areas, definitions, and policy responsibility.	322
3.1	10 April 2018	Asset Section Manager	Reconciled definitions against other Council documentations and modified as required. Modified Council officer titles to reflect current role title. Modified Policy responsibilities as required.	080
4	24 May 2022	Asset Section Manager	Updated into the new policy template 5.1c by Replace “Engineers, Australia” with “the Commonwealth of Australia (Geoscience Australia)” 6.1 Remove “149” and replace with “10.7” and include “Customer Relations” to the Section Manager title.	135
5	TBA	Assets Section Manager	Review and updated policy. Title - ‘plain’ removed from title and throughout policy where it best defines. 1. f) – delete ‘Prone Land Policy and Floodplain Development Manual 2005’ add ‘Risk Management Manual 2023 and associated guideline documents. 2.2 – add ‘appropriate risk strategies can manage the existing, future and continuing flood risks for the sustainable long-term benefit of the community and the environment, and to improve community resilience to floods. Delete ‘the risks can be managed.’ 2.3 – add ‘and developing flood management plans’ and ‘Flood Risk Management Manual 2023 and associated guideline documents’ delete ‘Floodplain Development Manual 2005’. 2.4 – delete ‘NSW Floodplain Development Manual 2005’ add ‘State Government’s Flood Risk Management Manual 2023 and associated guideline documents.	TBA



			<p>4 – Definition. Rewritten to improve purpose.</p> <p>5 – Statement. Rewritten to improve purpose.</p> <p>6.3 – delete ‘through the issuing of Section 10.7 certificate.’</p> <p>6.4 – Updated Development Services name. Added “against the relevant planning controls and guidelines”.</p> <p>7 – Related documents. Updated to reflect owner. Add new related documents.</p> <p>Amended review timeframe to 4 years in accordance with Council’s policy and management directive review process.</p>	
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