

Department of Planning, Housing and Infrastructure

Our ref: IRF25/731 (GR-2025-2 & GR-2025-3)

Ms Jane Anderson

Principal Case Manager

Independent Planning Commission

Email: ipcn@ipcn.nsw.gov.au

1 April 2025

Subject: “Allfarthing” 2 Brisbane Grove Road Planning Proposal (PP-2024-295) and 137 Brisbane Grove Road Planning Proposal (PP-2024-291) Gateway Determination Reviews – Questions on Notice and Clarification

Dear Ms Anderson

I refer to your 27 March 2025 letter regarding the above matter. I am pleased to provide the following response to your questions on notice and request for clarification.

1. The Section 9.1 Ministerial Directions were first issued by the then Minister for Planning on 1 July 2009 and have since been updated on many occasions. These directions apply to planning proposals lodged with the Department of Planning, Housing and Infrastructure on or after the date the particular direction was issued and commenced. The commencement date of the version of each section 9.1 Ministerial Directions considered by the Department in its assessment of the Gateway determinations for 2 and 137 Brisbane Grove Road planning proposals is provided in the Attachment – Currency of S.9.1 Directions.
2. a) I can confirm that the “draft State flood policy” referred in the Department’s Gateway determinations for the planning proposals is a reference to the *draft Shelter in Place Guideline* which was placed on public exhibition from 17 January to 28 February 2023.

Since then the policy has been finalised by the Department and now the *Shelter in place guideline for flash flooding* is in place as released on 7 January 2025. The guideline is for councils and industry, providing further guidance aimed at stopping inappropriate development on floodplains.

b) I can advise that the Department's assessment of the risk associated with the period of isolation remains unchanged. The Department reached this conclusion based on the isolation period identified in the planning proposals and the Flood Assessment Report prepared by Rhelm in support of the planning proposals as well as advice provided by the Department of Climate Change, Energy, the Environment and Water (DCCEEW) and the State Emergency Service (SES). Copies of agency submissions were provided as part of the Department's Gateway Review report and were summarised in the Department's presentation to the IPC on Monday 24 March.

The Department was also guided by the recommended 6-hour maximum isolation period provided in the *draft Shelter in Place Guideline*. The recommended maximum period of isolation was subsequently revised to 12 hours in the final adopted *Shelter in place guideline for flash flooding* which was agreed by DPHI, DCCEEW and SES as being the maximum suitable isolation period based on the likelihood that the need for medical evacuations will increase after this period, the need for greater services (power, toilets, food etc.) to be available if this period is exceeded and likelihood that SES will be placed at greater risk due to the increased need for emergency evacuations and rescues. It is noted the isolation period identified in the planning proposals of 22.5 hours during the 1% AEP flood and 38 hours during the PMF significantly exceeds the 12-hour recommended maximum isolation period.

3. The Department's assessment of risk of site isolation is based on the information provided in the planning proposal and flood assessment report prepared by Rhelm and comment on these documents provided by DCCEEW and SES.

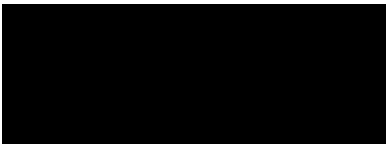
The flood assessment report prepared by Rhelm (p.11) identifies that flood hazard mapping for the sites was developed which considers the threat to people, vehicles and buildings based on flood depth and velocity at a specific location. A graph showing the relationship between flood depth and velocity and the flood hazard category is provided on page 12 of the flood assessment report (Attachment – Flood Hazard Curve). Flood hazard maps for the site provided in Appendix A and B of the flood assessment Report indicate that the Braidwood Road crossing of the Mulwaree River becomes unsafe for small vehicles (H2 and greater flood hazard category) during the 5% AEP and rarer and for a period of 22.5 hours during the 1% AEP flood and 38 hours for the PMF (refer Attachment – Flood Hazard Maps). The hazard maps show that Braidwood Road is still unsafe for small vehicles when flood depths are less than 0.5m.

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Should the IPC wish to discuss the advice provided by DCCEEW and SES further, it may consider contacting Mr John Bucinkas, Senior Team Leader, DCCEEW (BCS) on 02 4224 4153 or [REDACTED] and Ms Gillian Webber, Coordinator Emergency Risk Assessment (Regional), SES on rra@ses.nsw.gov.au.

I trust that this advice addresses the information sought by the IPC but if there are further queries please contact me on 02 9860 1548.

Yours sincerely,



Chantelle Chow

**Acting Director, Southern, Western and Macarthur Region
Local Planning and Council Support**