

# ***Blacktown City Council Growth Centre Precincts***

## *Schedule 9 - West Schofields Precinct*

*Draft for exhibition purposes*

*August 2018*



Planning &  
Environment





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## 1.0 Introduction

### 1.1 Name and application of this Schedule

This Schedule forms part of the Blacktown City Council Growth Centre Precincts Development Control Plan (BCC Growth Centre Precincts DCP).

This Schedule applies to all development on the land shown in Figure 1. This Schedule and related amendments to the BCC Growth Centre Precincts DCP give effect to the provisions of the BCC Growth Centre Precincts DCP for land within the West Schofields Precinct (precinct) as shown on the Land application map.

### 1.2 Structure of this Schedule

This Schedule should be read in conjunction with and in addition to the BCC Growth Centre Precincts DCP. This Schedule provides additional and/or amended controls applicable to this precinct. In the event of an inconsistency between this Schedule and the BCC Growth Centre Precincts DCP, this Schedule takes precedence. Table 1 summarises the structure of this Schedule – West Schofields Precinct.

**Table 1 Structure of this Schedule**

<b>Part</b>	<b>Summary</b>
1. Introduction	Identifies the land to which the Schedule applies.
2. Notification	Identifies situations where Blacktown City Council needs to refer development applications to relevant agencies.
3. Subdivision planning and design	Establishes an overall vision and Indicative Layout Plan for the future development of the precinct. Provides precinct specific figures that support the controls in Part 3 of the BCC Growth Centre Precincts DCP in relation to the West Schofields Precinct.
4. Neighbourhood and subdivision design	Provides additional objectives and controls for neighbourhood and subdivision design across the precinct.
5. Local Centre Development Controls	Provides objectives, controls and design principles for the West Schofields Local Centre.
6. Precinct specific controls	Specific objectives and controls for precinct.

Additional notes are provided throughout this document. These notes are not part of the formal provisions of the DCP, but are intended to provide additional guidance and explanation of the provisions. If further guidance is required on the interpretation of provisions in the DCP, readers should refer to the definitions or contact the consent authority for advice.

## 2.0 Notification

Blacktown City Council shall refer development applications (including subdivisions) to relevant agencies where an agency has an interest or role in the proposal, eg. where a school site is identified on the ILP, the application will be referred to the Department of Education, and to Transport for NSW (TfNSW) for areas within or adjacent to the transport corridor.

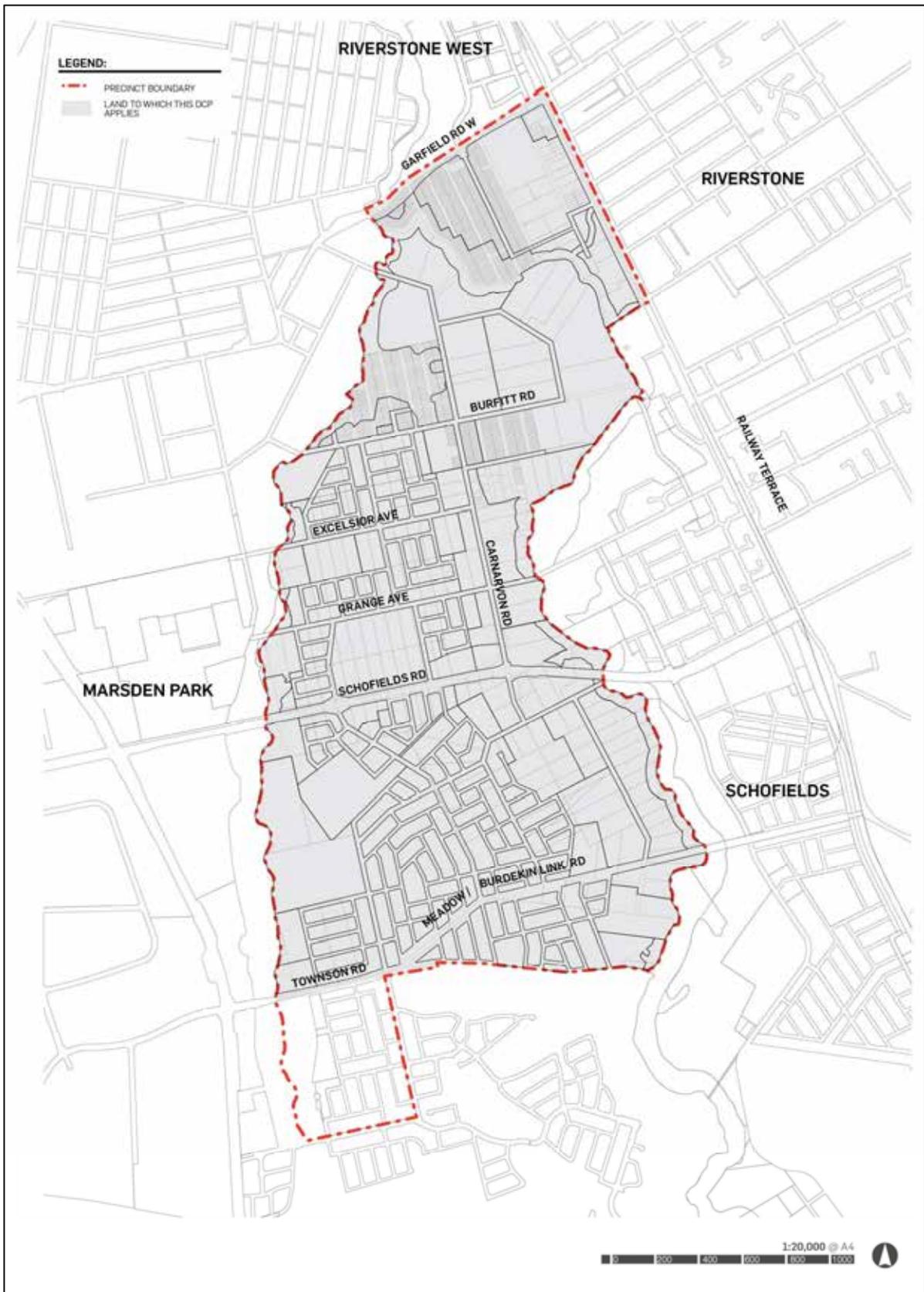


Figure 1 Land application map

## 3.0 Subdivision planning and design

### 3.1 Vision

Planning for the precinct responds to the need for new and diverse housing in Sydney that is well connected to major centres and employment, protects natural assets and encourages sustainable living. Consideration of the surrounding context, history and natural environment has also informed the precinct planning process.

The precinct will consist of a mix of housing types that will allow greater choice for different household types. The precinct will predominantly be accommodated with low density housing. Medium density housing will be located around the local centre to optimise convenient living near retail, proposed community facilities and transport links. The housing density and location within the precinct has been heavily dominated by the potential flood impacts on the precinct. The precinct is affected by the 1:100 chance per year flood level and the probable maximum flood level (PMF) and the location of housing and the road layout will ensure future residents can evacuate safely in the event of a major flood event.

Items and places of significant heritage value, particularly Aboriginal heritage have been integrated into the planning of the precinct and protected through a sensitive design approach.

The local centre is in a visually prominent and accessible location on Schofields Road and will support retail, commercial services, and a proposed community facility to promote community interaction. The distribution of both active and passive open space uses supports connections to and throughout the precinct and to destination areas including the local centre, school and green corridors along Eastern and Bells Creeks. Provision of additional active open space to service the whole of the North West Growth Area in the north east of the precinct is co-located with existing playing fields and provides connectivity across Eastern Creek.

Direct road connections to the nearby Schofields Railway Station and the Sydney Metro Northwest line at Tallawong Station will ensure regional public transport accessibility. Allowance has also been made for a transport corridor to link the Sydney Metro Northwest through to Marsden Park. This will be shown as a map overlay running east-west through the precinct, north of Schofields Road. A safe and permeable street network will promote accessibility, connectivity and social interaction. The provision of cycleways and pedestrian connections as well as public transport connections to surrounding centres and open space areas will promote a community that is less dependent on private vehicle use.

See Figure 2 for the Indicative Layout Plan.

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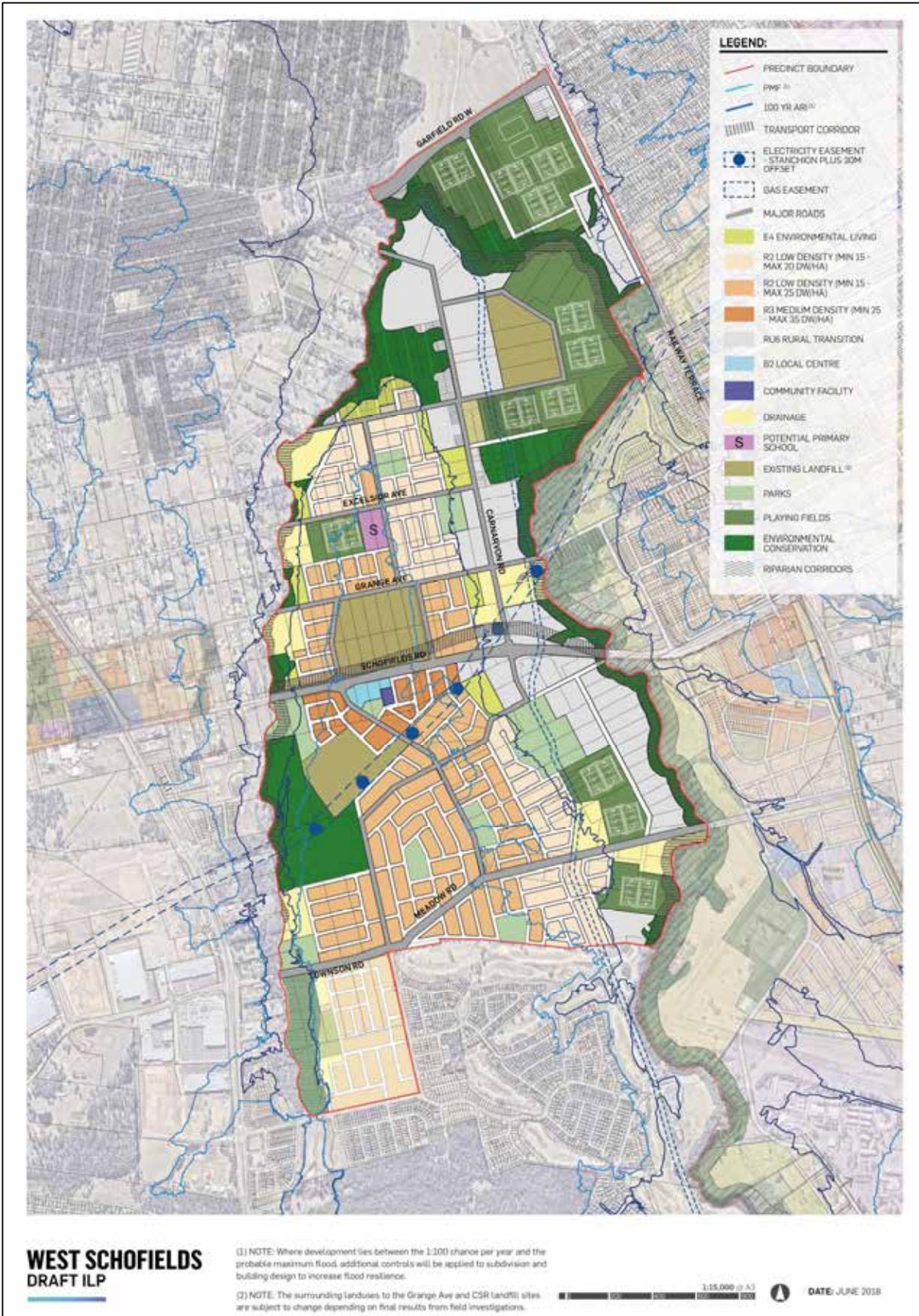


Figure 2 Indicative layout plan

### 3.2 Referenced Figures

The referenced figures following support the objectives, controls and design principles in Part 2 – Precinct Planning Outcomes in the BCC Growth Centre Precincts DCP.

#### 3.2.1 Water cycle management and flood prone land

Refer to Section 2.3.1 of the BCC Growth Centre Precincts DCP – Flooding and water cycle management.

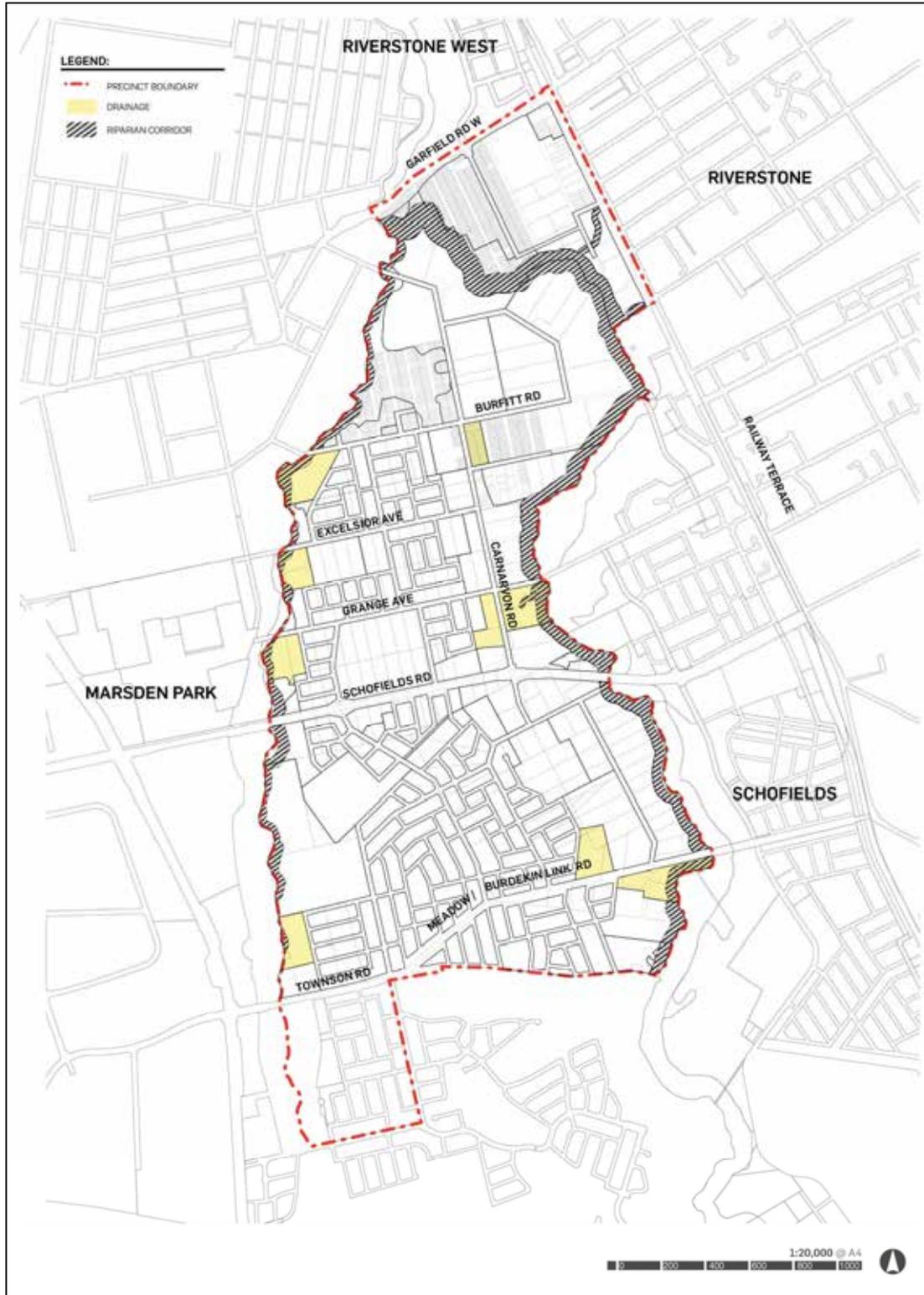


Figure 3 Key elements of water cycle management strategy

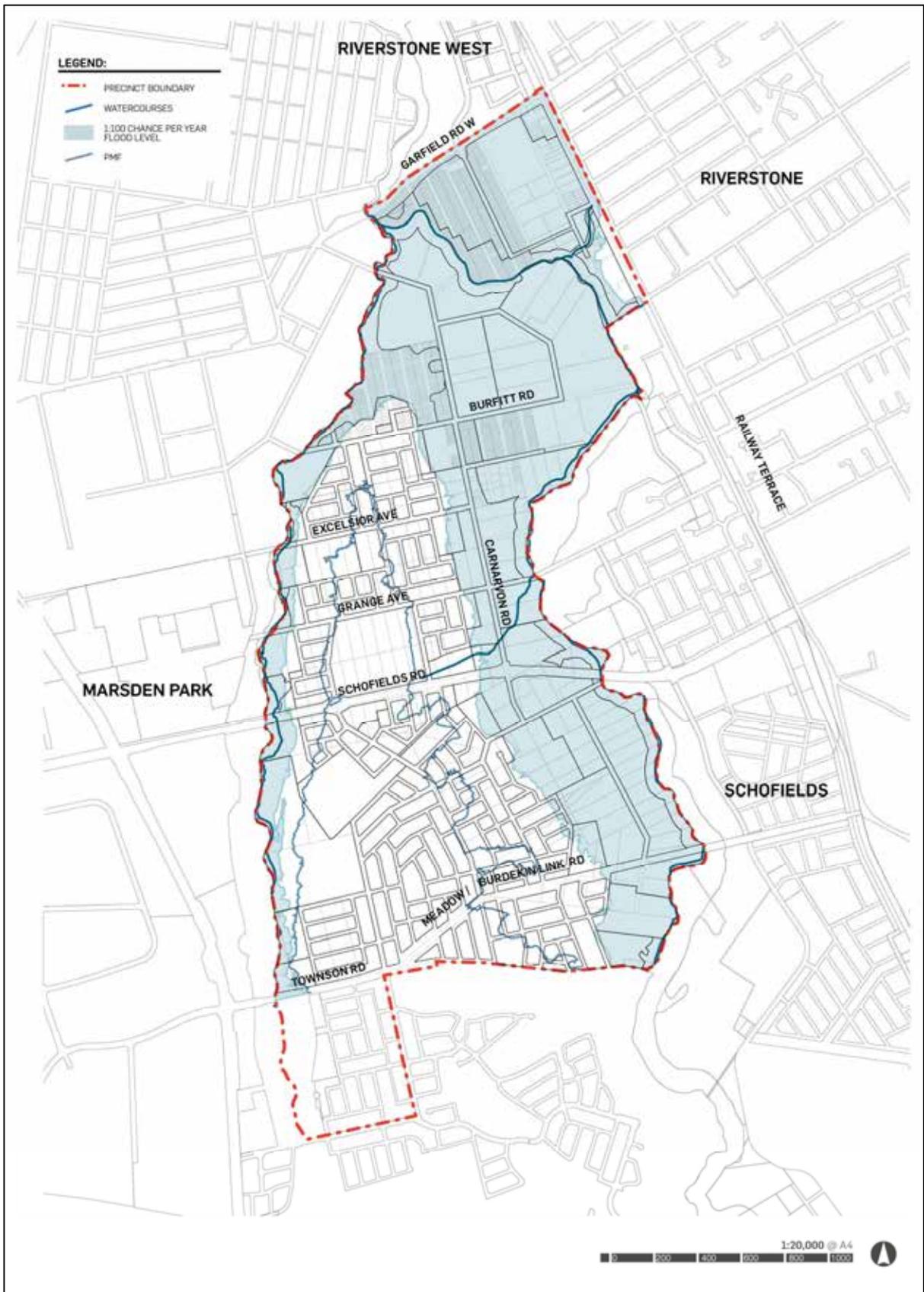


Figure 4 Flood prone land

### 3.2.2 Areas of potential salinity

Refer to Section 2.3.2 of the BCC Growth Centre Precincts DCP – Salinity and soil management.

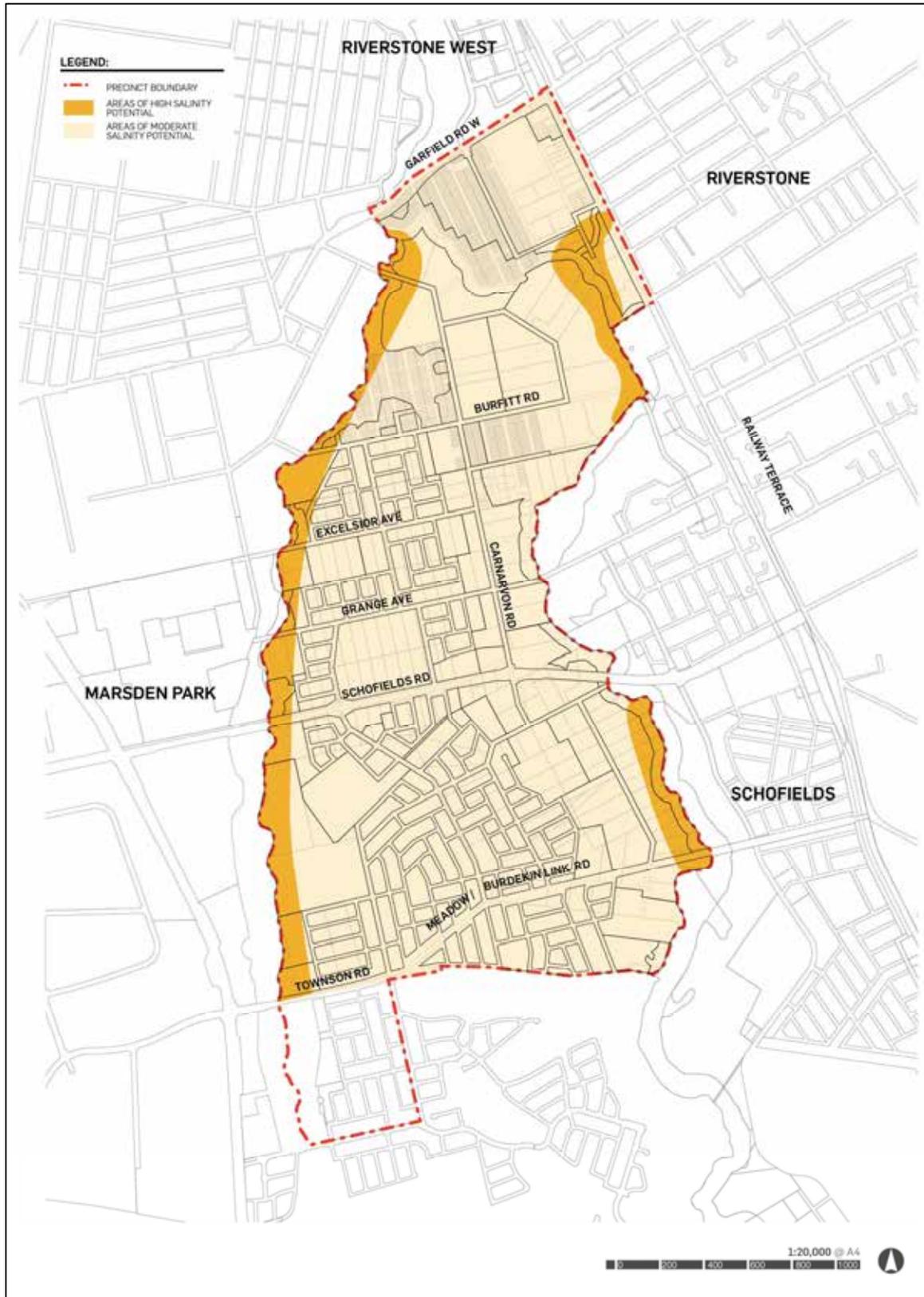


Figure 5 Areas of potential salinity

### **3.2.3 Indigenous and non-Indigenous heritage**

Refer to Section 2.3.3 of the BCC Growth Centre Precincts DCP – Aboriginal and European heritage.

#### **Aboriginal Heritage Due Diligence**

The precinct is rich in potential and known Aboriginal heritage. Figure 6 shows the areas of significance with a range of 'very likely' to 'very unlikely'. This range aims to assist future investigations associated with the preparation of subdivision or development applications.

In order to ensure that a person who undertakes activities that may harm potential Aboriginal objects (Figure 6) exercises due diligence, a due diligence assessment will be required for those activities.

The *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* is designed to assist individuals and organisations to exercise due diligence when carrying out activities that may harm Aboriginal objects and to determine whether they need to apply for an Aboriginal heritage impact permit (AHIP) under the *National Parks and Wildlife Act 1974*. The Code of Practice outlines a five step assessment process:

- Step 1. Establish whether the activity will disturb the ground surface or any culturally modified trees.
- Step 2. Establish whether there are any (a) relevant confirmed site records on the Aboriginal Heritage Information Management System (AHIMS) sites database or any other sources of information of which a person is already aware, and (b) landscape features that are likely to indicate the presence of Aboriginal objects.
- Step 3. Establish whether harm to any Aboriginal objects or landscape features identified in Step 2 can be avoided by the proposed activity;
- Step 4. Undertake further desktop assessment and visual inspection to establish whether there are Aboriginal objects present or whether they are likely.
- Step 5. Undertake further investigation and impact assessment if required.

Investigations to support an AHIP application are to be undertaken in consultation with the relevant Aboriginal stakeholders.

#### **Indigenous and Non-Indigenous Consultation and Interpretation**

A subdivision development application is to detail opportunities for ongoing consultation and interpretation of Indigenous and non-Indigenous heritage values.

Interpretation of the Indigenous and non-Indigenous heritage is suggested via the naming of new streets and parks after significant early landowners in the area and to commemorate the Aboriginal history within and occupation of the precinct.

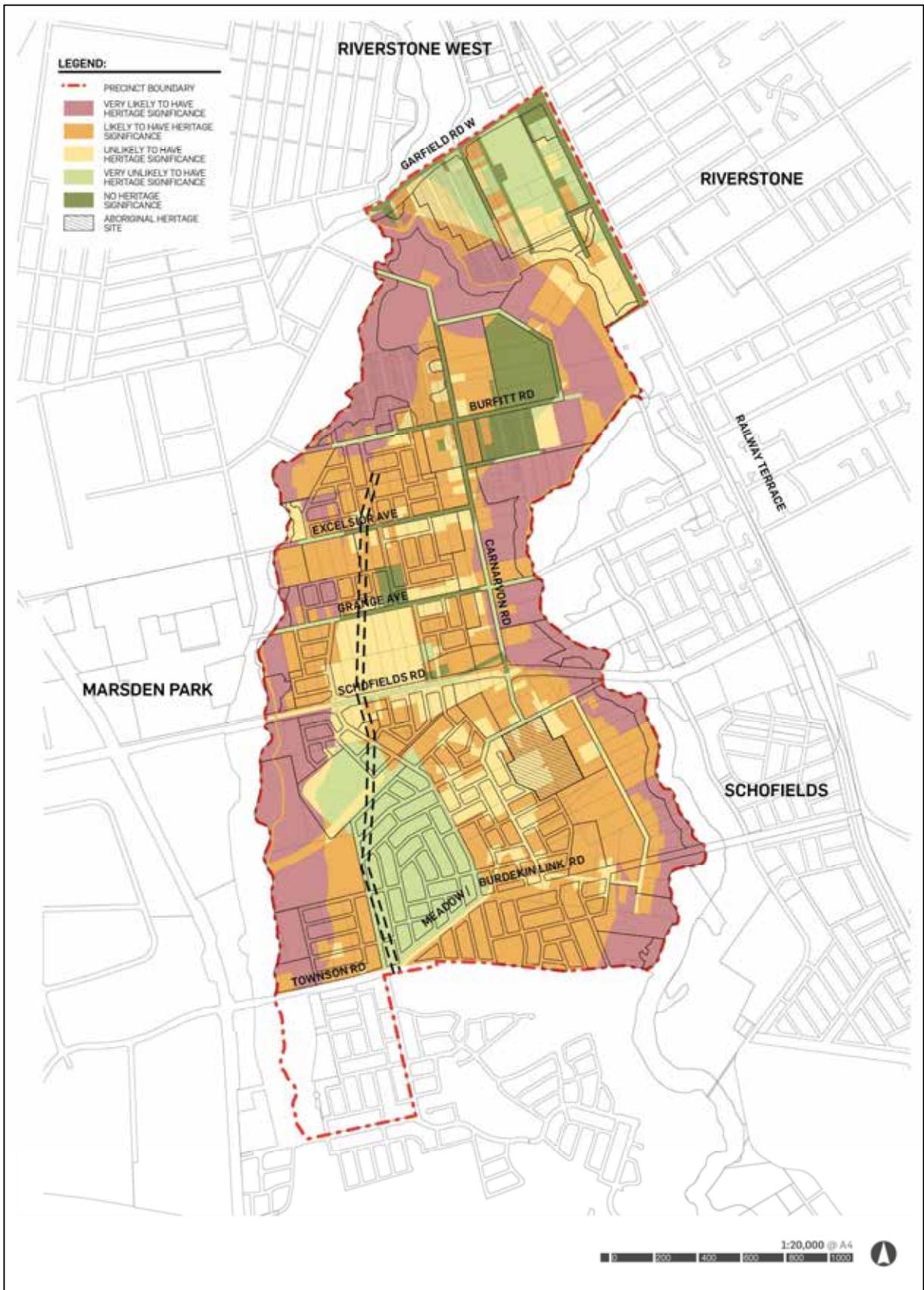


Figure 6 Indigenous cultural heritage

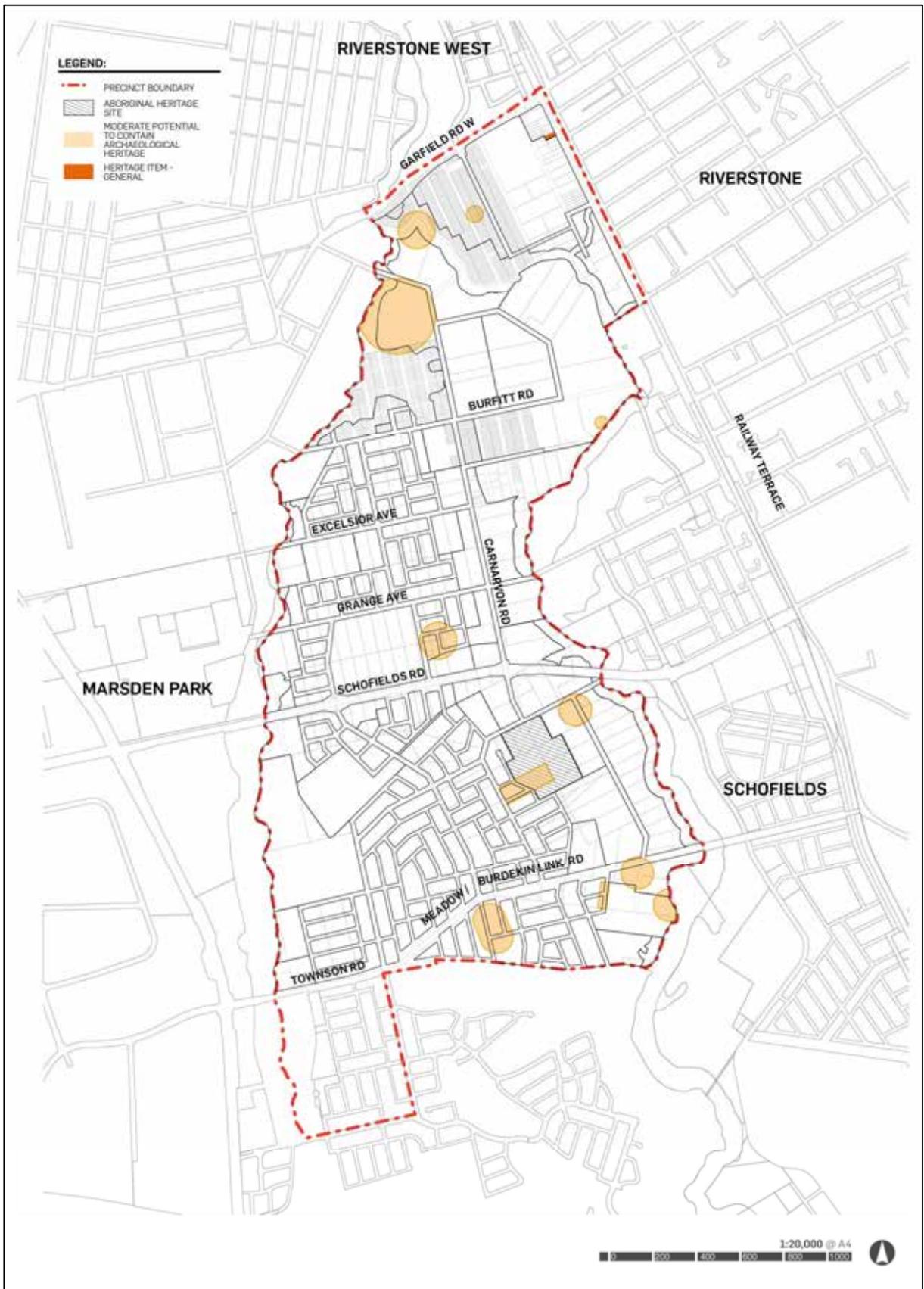


Figure 7 Non-Indigenous cultural heritage

### **3.2.4 Existing native vegetation, E2 Environmental Conservation and riparian protection area**

Refer to Section 2.3.4 of the BCC Growth Centre Precincts DCP – Native vegetation and ecology and Appendix B – Riparian protection area controls.

**Note:** Figure 8 shows land containing existing native vegetation, zoned E2 Environmental Conservation and/or is within the riparian protection area. All these areas are shown on respective maps within the Growth Centres SEPP. The Growth Centres SEPP maps should be referred to in order to determine exact areas affected.

#### **Existing native vegetation**

Existing native vegetation in the precinct as shown on the 'Native Vegetation Protection Map' as part of the Growth Centres SEPP is to be protected in accordance with clauses 6.3 and 6.4 of Appendix 12 of the Growth Centres SEPP. See Figure 8 for guidance.

#### **Land zoned E2 Environmental Protection**

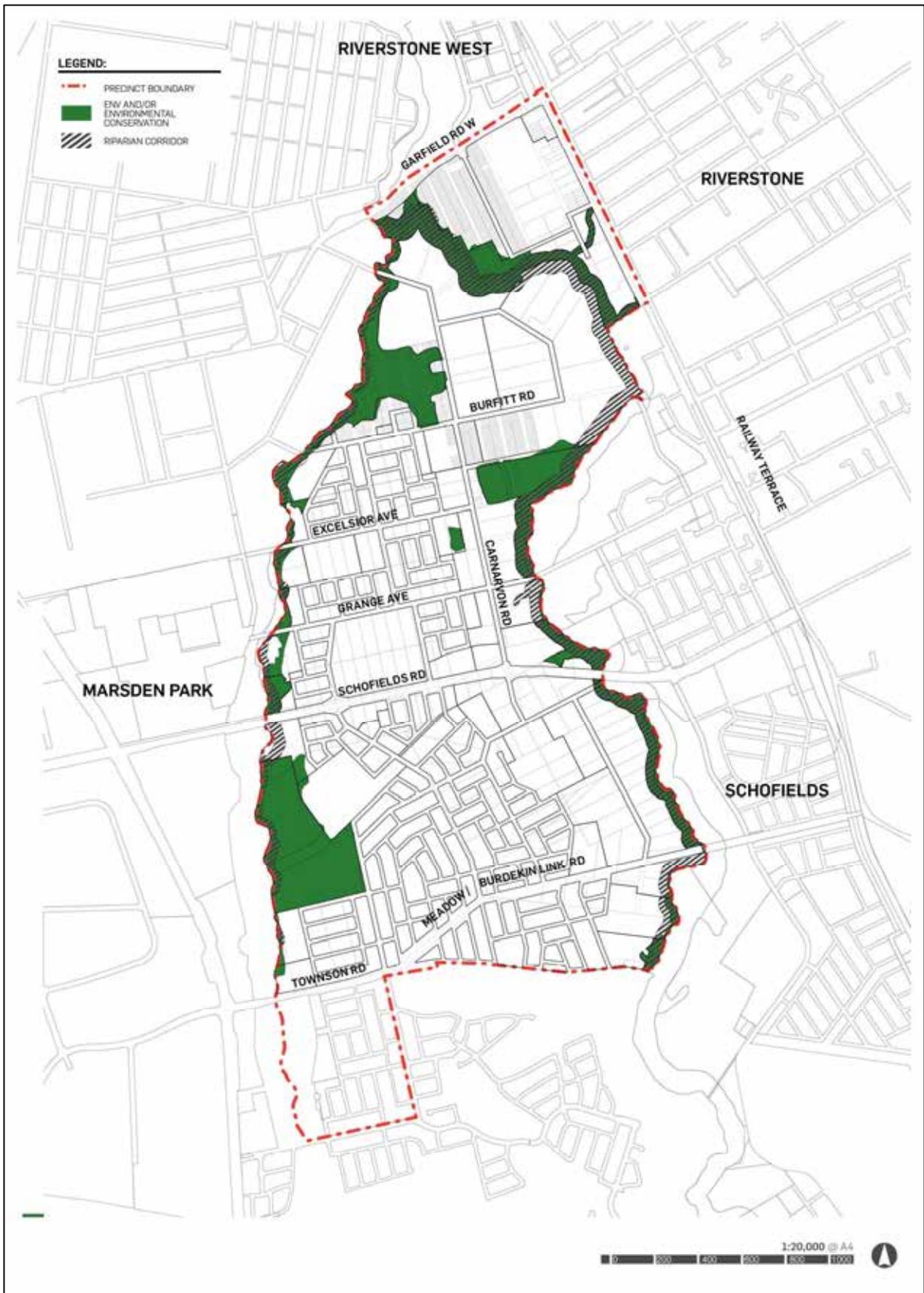
Land zoned E2 Environmental Protection as shown on the 'Land Zoning Map' as part of the Growth Centres SEPP is to be managed in accordance with the objectives for that zone and clause 6.5 of the Growth Centres SEPP. See Figure 8 for guidance.

#### **Riparian protection area**

Native vegetation is to be managed and conserved within land that is in a Riparian Protection Area (Figure 8) and located on the 'Riparian Protection Areas Map' that is part of the Growth Centres SEPP. The vegetation is to be conserved and managed in accordance with the Guidelines for Riparian Corridors on Waterfront Land prepared by the NSW Office of Water and dated July 2012 (available at [www.water.nsw.gov.au](http://www.water.nsw.gov.au)). The guidelines contain the outcomes and requirements for development on land containing a riparian protection area within the Growth Centres.

#### **References**

Biodiversity and Riparian Assessment (EcoLogical, May 2018).



**Figure 8 Land containing existing native vegetation, zoned E2 Environmental Conservation and/or within the riparian protection area**

### 3.2.5 Bushfire risk and asset protection zones

Refer to Section 2.3.5 of the BCC Growth Centre Precincts DCP – Bushfire hazard management.

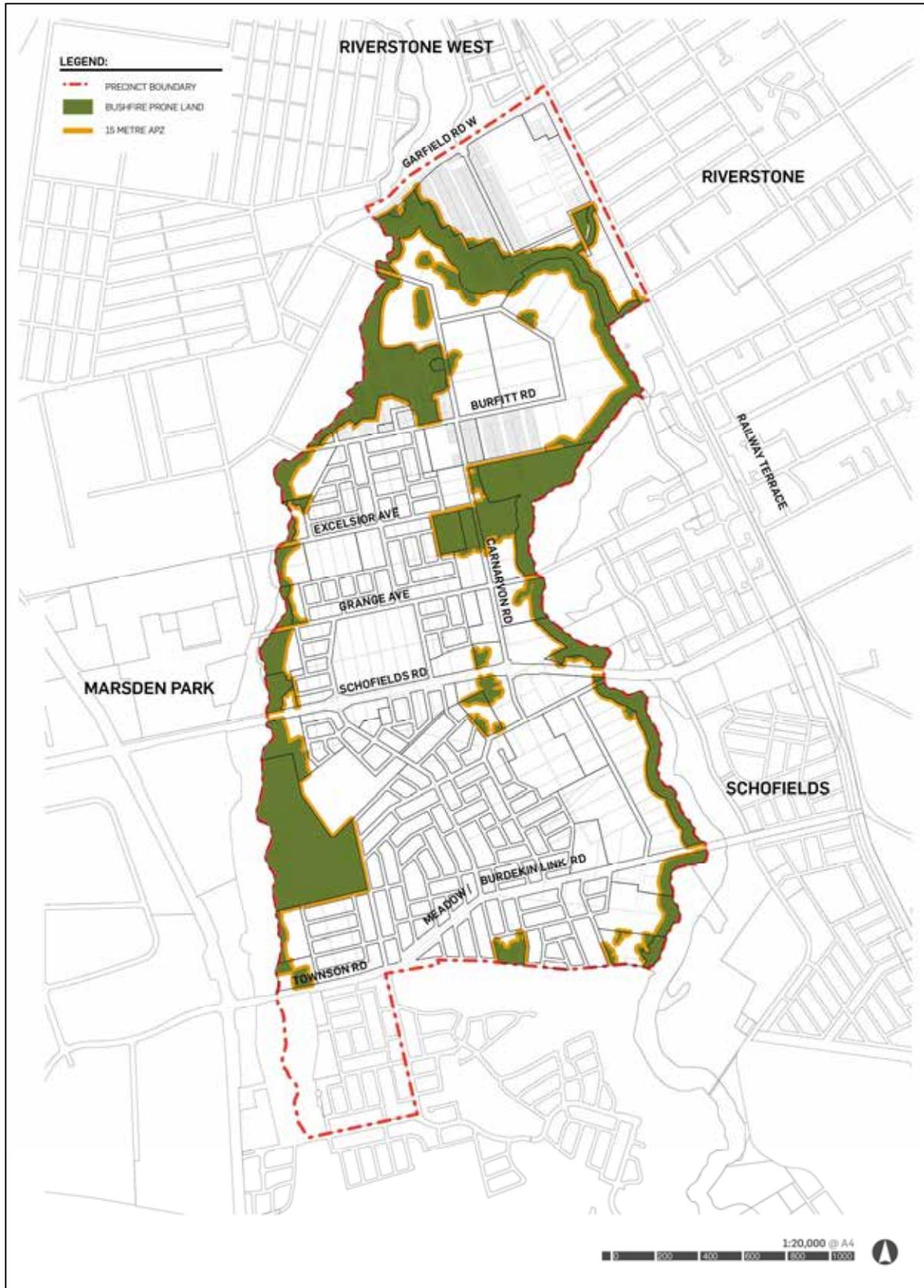


Figure 9 Bushfire risk and asset protection zones

### **3.2.6 Site contamination and former landfill sites**

Refer to Section 2.3.6 of the BCC Growth Centre Precincts DCP – Site contamination.

A number of investigations have been completed for the precinct to investigate areas of potential contamination and investigate two of the landfill sites. These include:

- West Schofields Preliminary Environmental Site Assessment with Supplementary Soil and Groundwater Sampling (southern part) (DLA Environmental July 2016)
- West Schofields Preliminary Site Investigation (northern part) (DLA Environmental August 2017)
- West Schofields Detailed Site Investigation (northern part) (ERM April 2018)
- Grange Ave Reserve Landfill Gas Risk Assessment (Biogas Systems, May 2018)
- CSR Landfill Status Letter (ERM, May 2018)

A number of sites have been identified as contaminated or potentially contaminated, known as 'areas of environmental concern', see Figure 10. In accordance with SEPP 55 – Remediation of Land, these sites will be subject to further investigation as part of any development application process.

Two of the former landfill sites – Grange Avenue and the CSR site will be subject to further monitoring to determine the appropriate surrounding landuses that can occur.

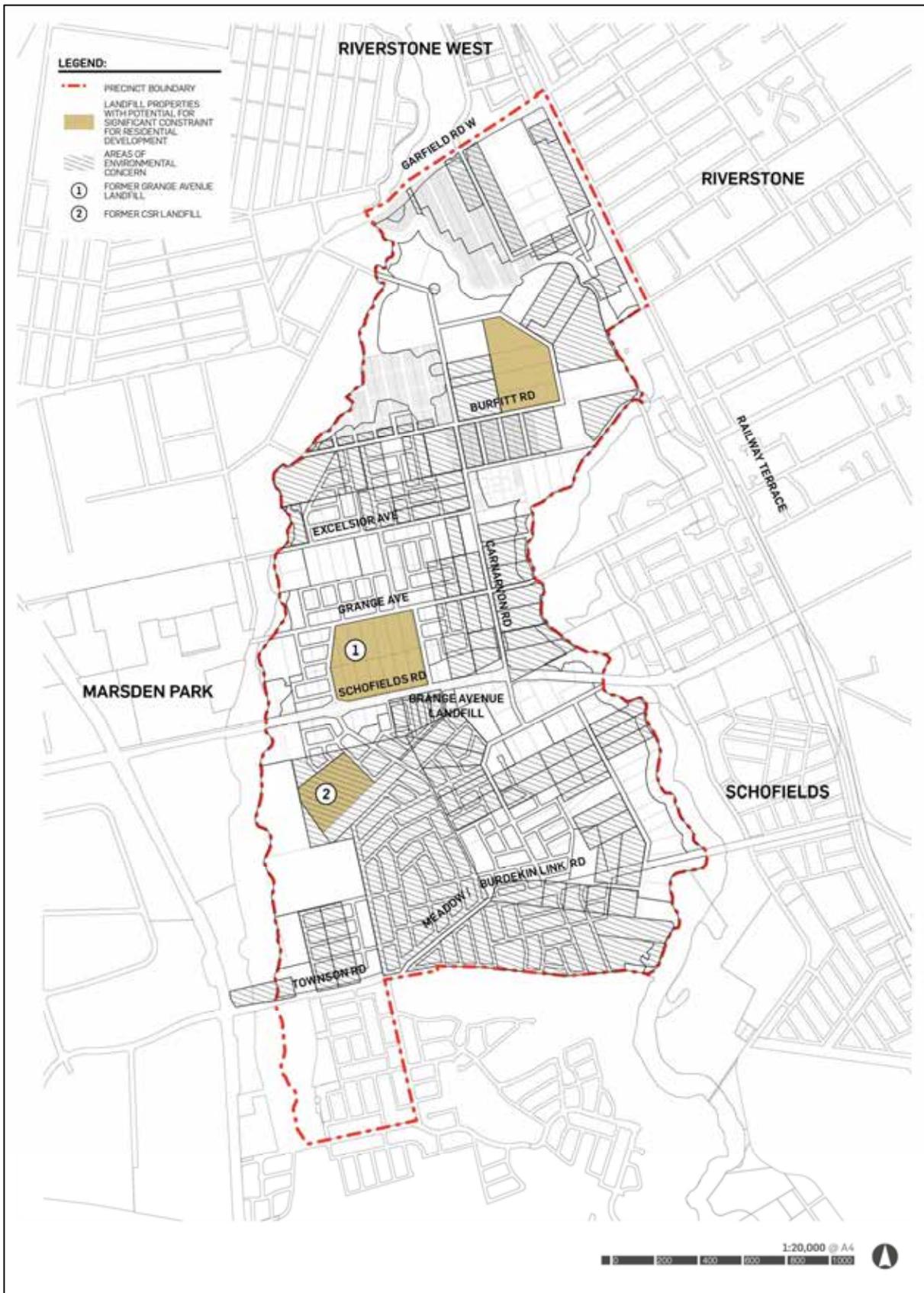


Figure 10 Sites that may require contamination investigation

## 4.0 General Precinct Controls

This part provides additional controls to those set out in Part 3 – Neighbourhood and subdivision design of the BCC Growth Centre Precincts DCP.

### 4.1 Residential structure

Refer to Section 3.1 of the BCC Growth Centre Precincts DCP – Residential density and subdivision.

The maximum total number of dwellings proposed for this precinct will occur via density capping. Three density bands are proposed (see Figure 11):

- R2 Low Density Residential zone with a minimum 15 dwellings per hectare and a maximum 20 dwellings per hectare (dw/ha) on land between the 1:100 chance per year flood level and the PMF
- R2 Low Density Residential zone with a minimum 15 dw/ha and a maximum 25 dw/ha above the PMF
- R3 Medium Density Residential zone with a minimum 25 dw/ha and a maximum 35 dw/ha above the PMF.

### 4.2 Environmental Living subdivision and dwelling location

#### Objectives

- a. To ensure an appropriate subdivision pattern for the E4 Environmental Living zone.
- b. To conserve the riparian corridor and existing native vegetation along Bells Creek.
- c. To retain the rural and environmental landscape character by retaining visual connections to Bells Creek from the new urban area.
- d. To manage the interface between proposed new residential subdivision and the existing rural residential and environmental landscape character of existing dwellings and land below 1:100 chance per year flood level.
- e. To enable orderly development of existing properties which straddle the 1:100 chance per year flood level.
- f. To ensure all new residential properties have flood free evacuation routes at or above the 1:100 chance per year flood level.

#### Controls

1. Subdivision is not permitted on lots zoned E4 Environmental Living that have an area less than the minimum lot size identified on Figure 12.
2. The minimum lot width for lots created in the E4 Environmental Living zone vary from 15-20m as shown in Figure 12.
3. Any lots created through subdivision must be capable of providing a building platform for the dwelling at least 20m deep, clear of any restrictions or building line setbacks. The building platform should be sited in an accessible and practical location suitable for residential building construction. See Figure 13.
4. The dwelling must be located on a building platform at or above the 1:100 chance per year flood level.
5. Allowance has been made for minor balanced cut and fill within a single existing property boundary to achieve the 20m clearance and provision of a dwelling on a building platform at or above the 1:100 chance per year flood level.
6. Dwellings are to be located within 30m of a public road, to minimise intrusion into the flood plain.
7. The subdivision plans must clearly indicate the proposed access roads to the dwelling platforms, free of any restrictions or building line setbacks.
8. Private boundary fencing will need to be designed to not impede flood flows.

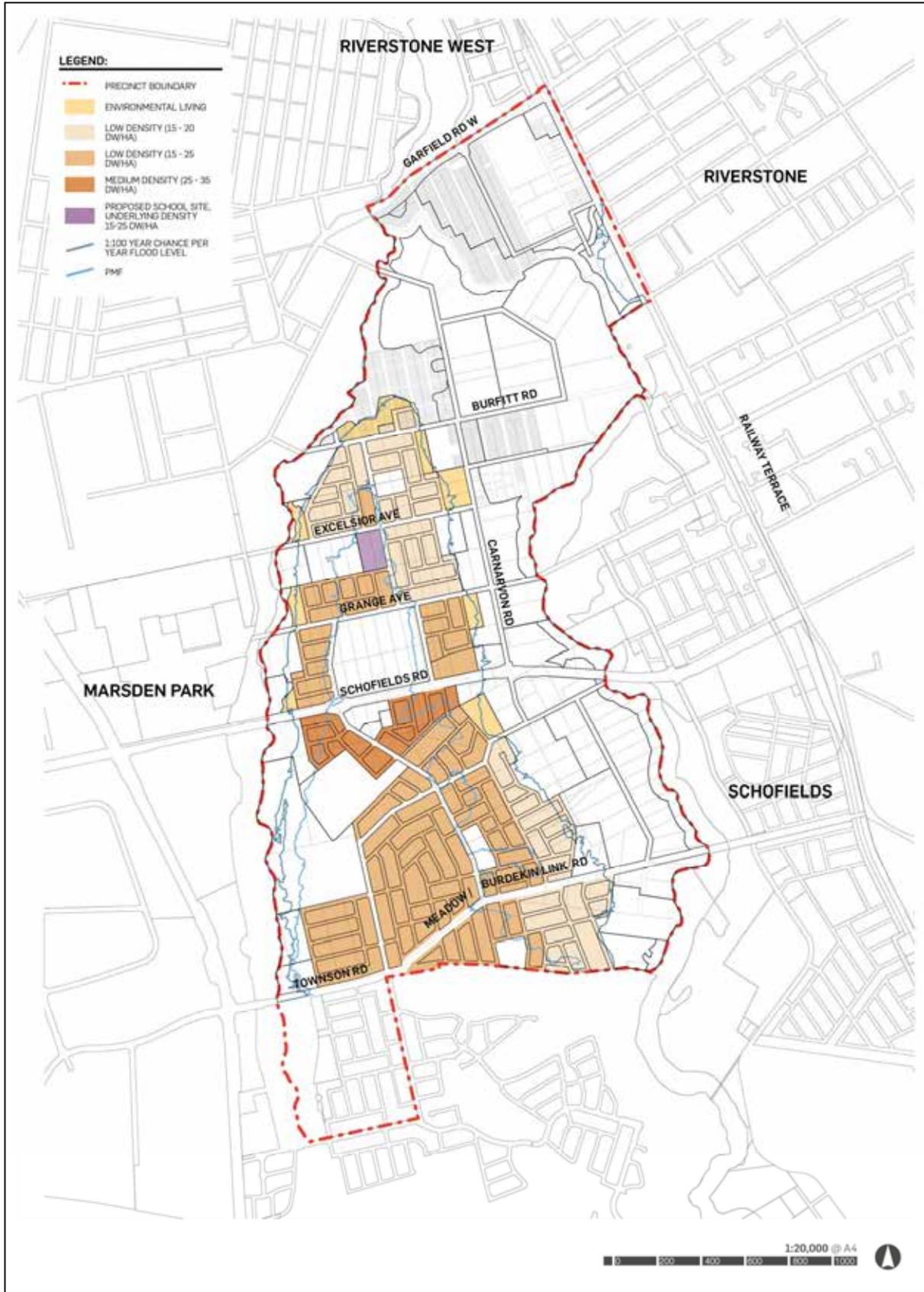


Figure 11 Residential structure

### 4.3 Connecting the E2 Environmental Conservation zone and/or land below the 1:100 flood level to a developable area

#### Objectives

- a. To ensure areas zoned E2 Environmental Conservation and/or land below the 1:100 chance per year flood level within existing property boundaries with developable land are not subdivided and left isolated.

#### Controls

- 1. The subdivision of land zoned E4 Environment Living adjoining the E2 Environmental Conservation zone or land below the 1:100 chance per year flood level must meet the minimum requirements as shown in Figure 13.

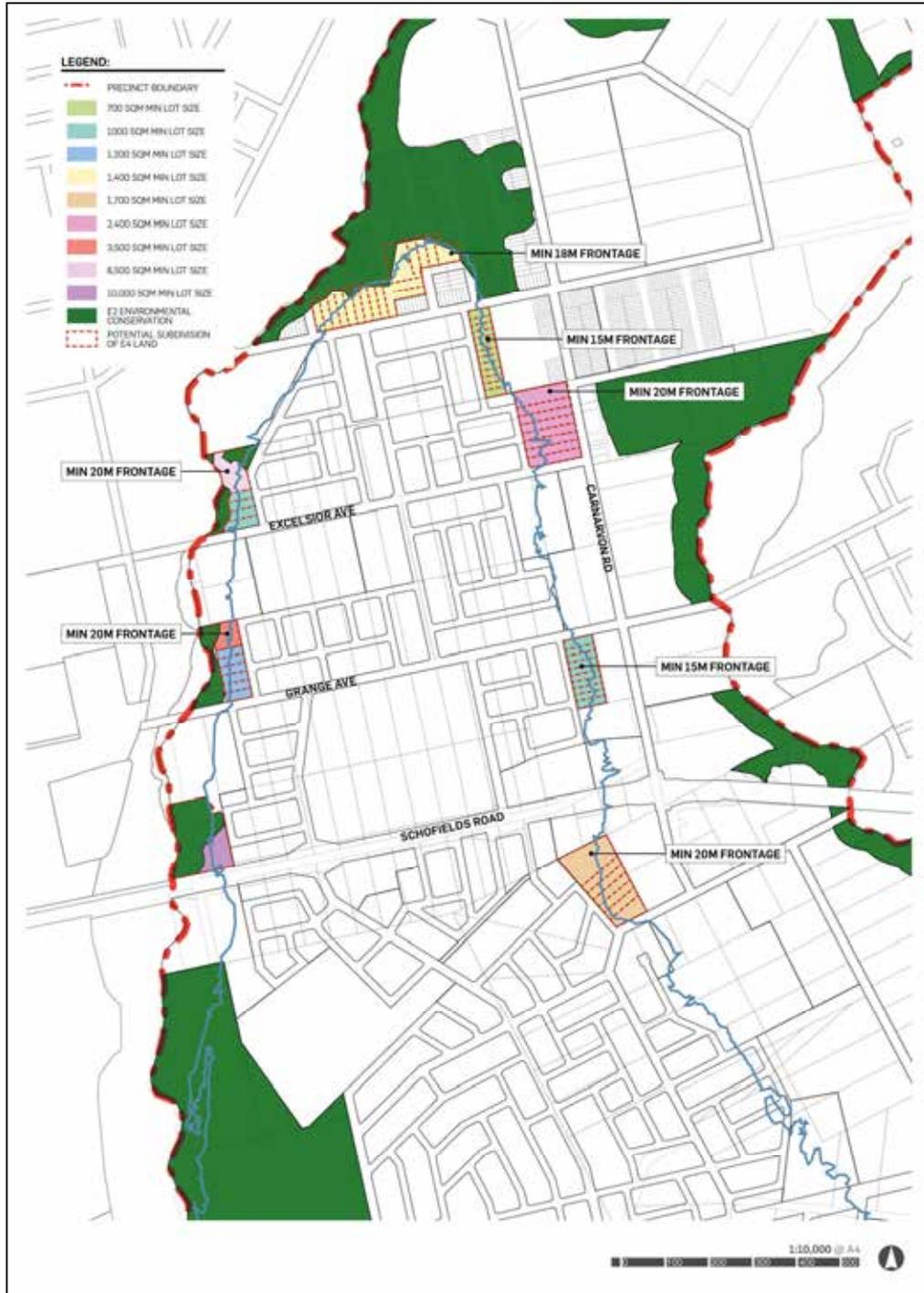


Figure 12 Suggested E4 subdivision pattern

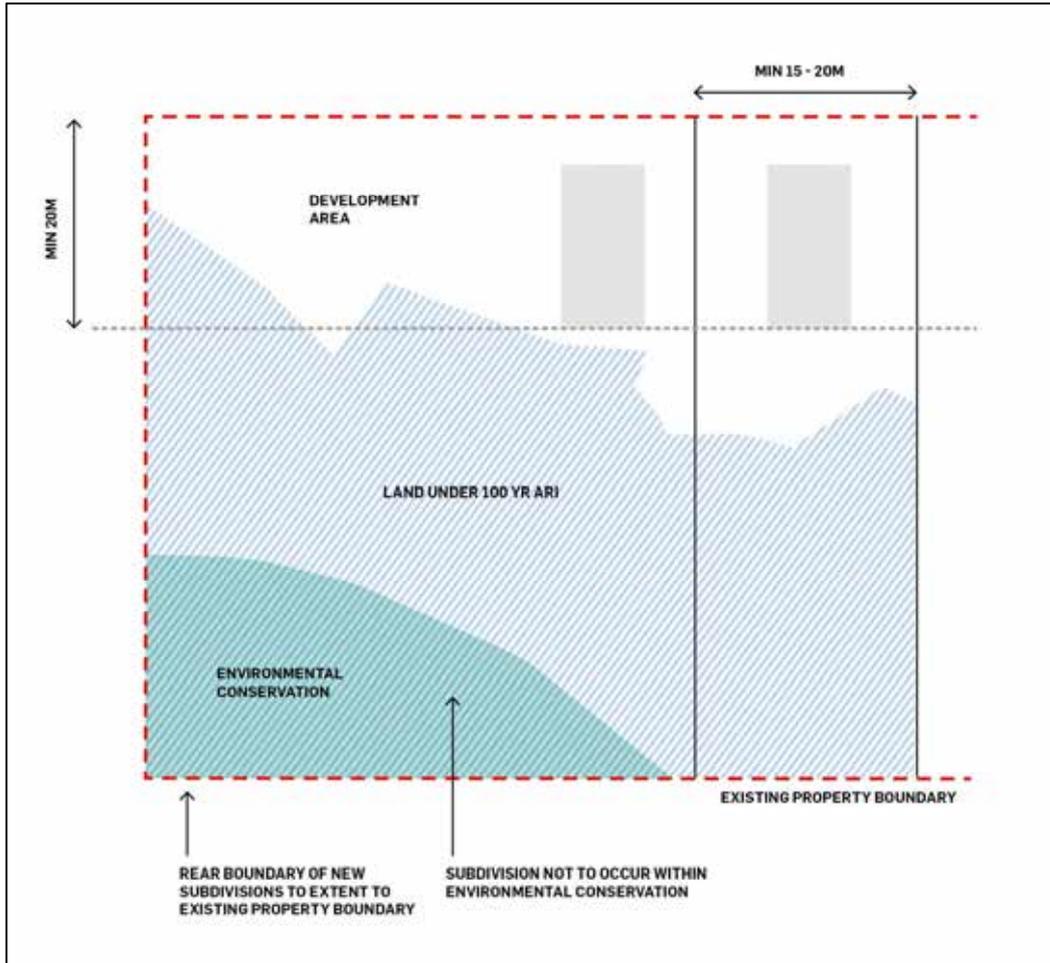


Figure 13 Subdivision of land flood affected and/or containing E2 Environmental Conservation

## 4.4 Movement network and design

Refer to Section 3.4 of the BCC Growth Centre Precincts DCP – Movement network.

### Objectives

- a. To create specific road types to serve the needs of the precinct.
- b. To create a permeable bicycle and pedestrian network throughout and beyond the precinct.

### Controls

1. The road network and hierarchy is to be provided generally in accordance with Figure 14. Precinct specific road types are to be designed in accordance with Table 2, Figure 15, and Figure 16 and Figure 17.
2. The bicycle and pedestrian network is to be provided generally in accordance with Figure 19.

**Table 2 Road types**

Road Type	Description
Sub-arterial	Sub-arterial roads mediate between regional traffic routes and local traffic routes, and link arterial routes to town centres. Vehicular access to properties are not permitted along these roads, therefore rear access should be provided. Shared paths are provided for pedestrian and cycle use and on-street parking is generally not permitted. Refer to the BCC Growth Centre Precincts DCP for a road cross section.
Collector	Collector roads collect traffic from local streets and carry a higher volume of traffic, linking neighbourhoods and centres and accommodating public transport routes. Amenity and safety is to be maintained by restricting vehicle speeds through traffic-calming measures and intersection design. Intermittent parking with landscaping is permitted on both sides of the street.  Refer to Figure 15.
Local	Local streets provide local residential access. These streets are designed to slow residential traffic in order to give priority to pedestrians and cyclists. Amenity and safety is to be maintained by introducing various traffic calming measures. On-street parking is permitted on both sides of the street. Refer to the BCC Growth Centre Precincts DCP for a road cross section.
Local with shared path (Angus Road extension)	A wider local road (20m) is proposed for the portion of Angus Road extension between Carnarvon Road and Kerry Road. This will allow the provision of a shared path to connect existing vegetation and the open space alongside Bells Creek through to the open space (playing fields) on the western side of Kerry Road and through to Schofields Precinct on the other side of Eastern Creek.  Refer to Figure 16 and Figure 19.
Street along riparian corridors/ parks	Perimeter streets are located along riparian corridors and parks. When adjoining riparian corridors, the streets form part of the bushfire asset protection zone and allow the provision of shared cycleways that link the open space network.  Amenity, safety and emergency access and egress for fire fighting is to be maintained by designing the road in accordance with acceptable solutions as stipulated under <i>Planning for Bushfire Protection 2006</i> . Traffic calming measures are to be introduced and parking is permitted on the dwelling side of the street to allow access for emergency vehicles. Refer to the BCC Growth Centre Precincts DCP for a road cross section – to be adapted from the Local Street cross section.
Rear lane	Rear lanes provide access to developments fronting sub-arterial and collector roads and also to medium density developments. Rear lanes will provide access for servicing. Laneways must have splayed entrances of 3 metres to allow for garbage trucks. Refer to the BCC Growth Centre Precincts DCP for a road cross section.
Service	Slip roads are located parallel to sub-arterial or arterial roads to provide local access to residential areas. Parking is permitted on both sides of the street and a shared carriageway provides access in low density residential areas. Pedestrian access is provided by way of a footpath on one side of the road.  Refer to Figure 17.

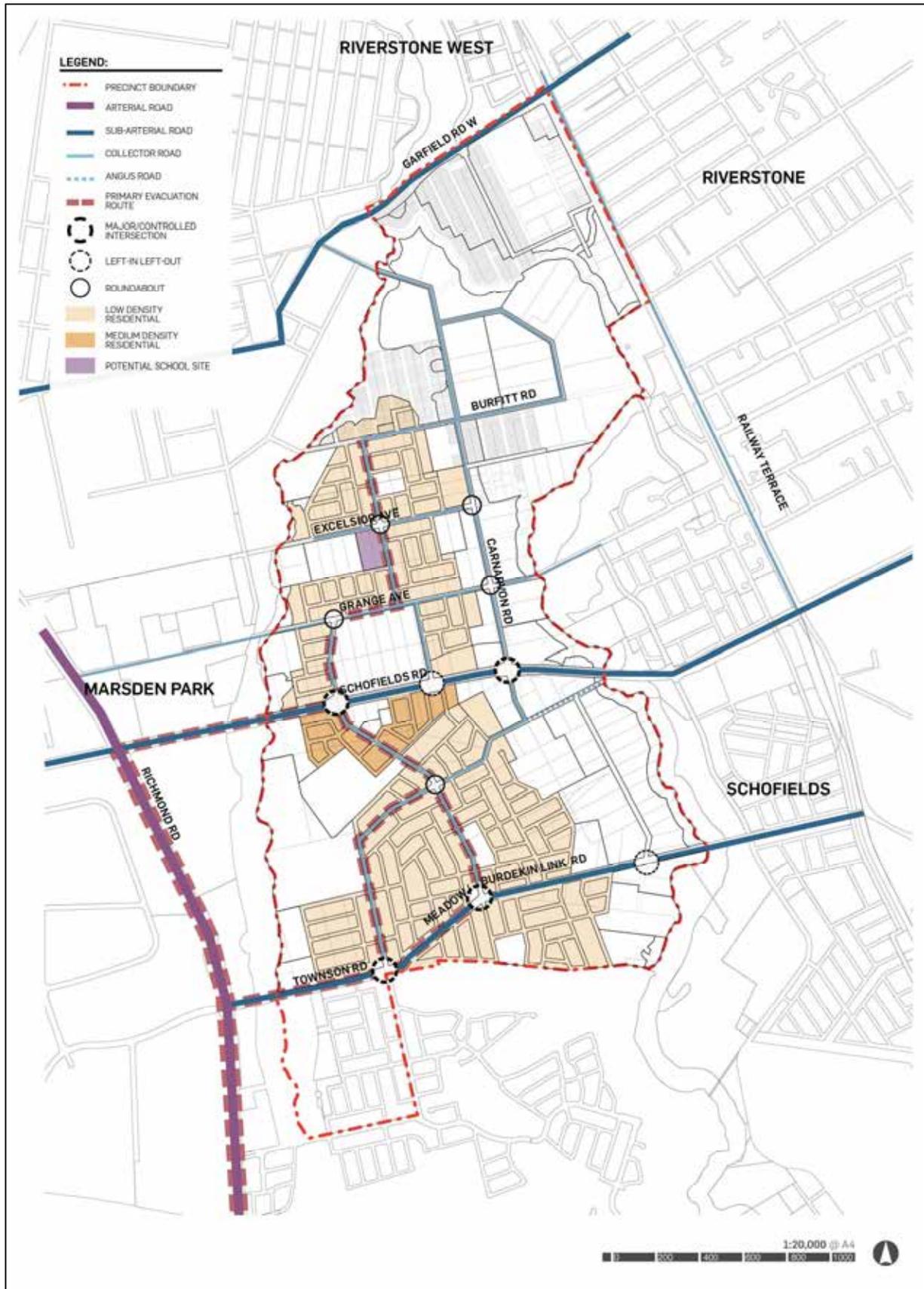


Figure 14 Precinct road hierarchy

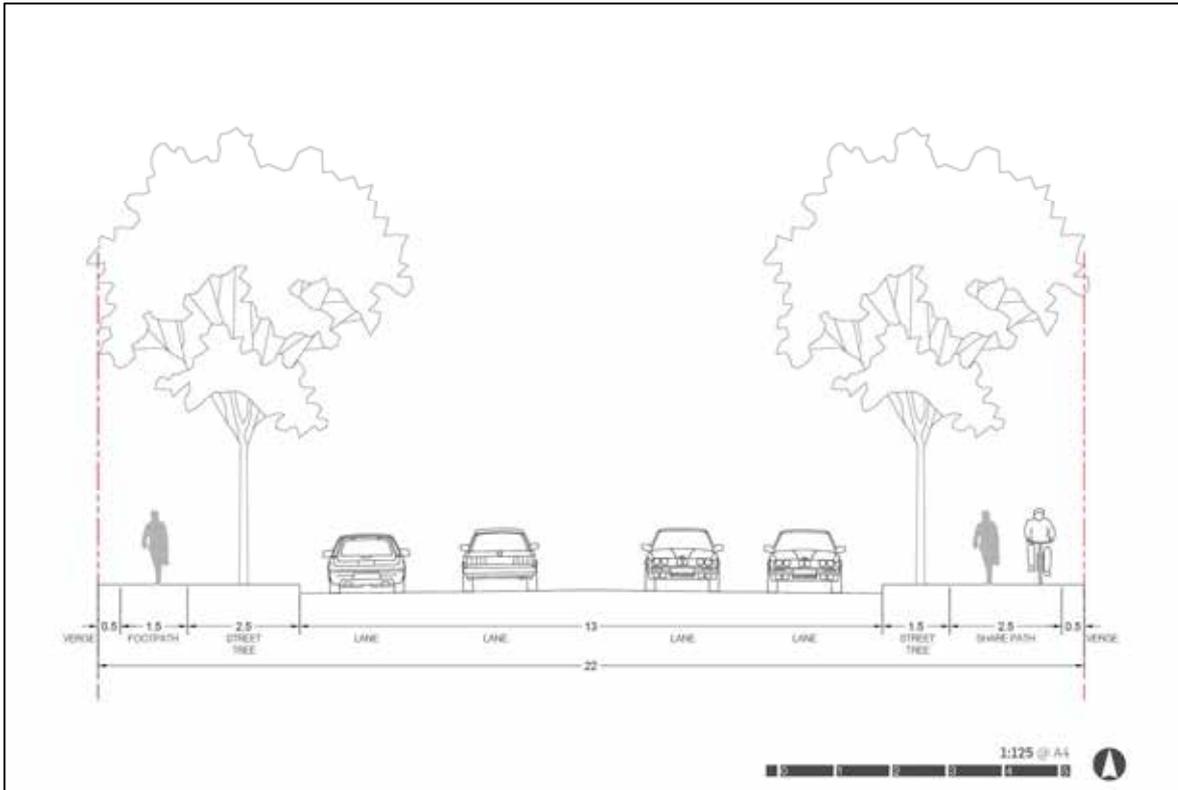


Figure 15 Collector road section

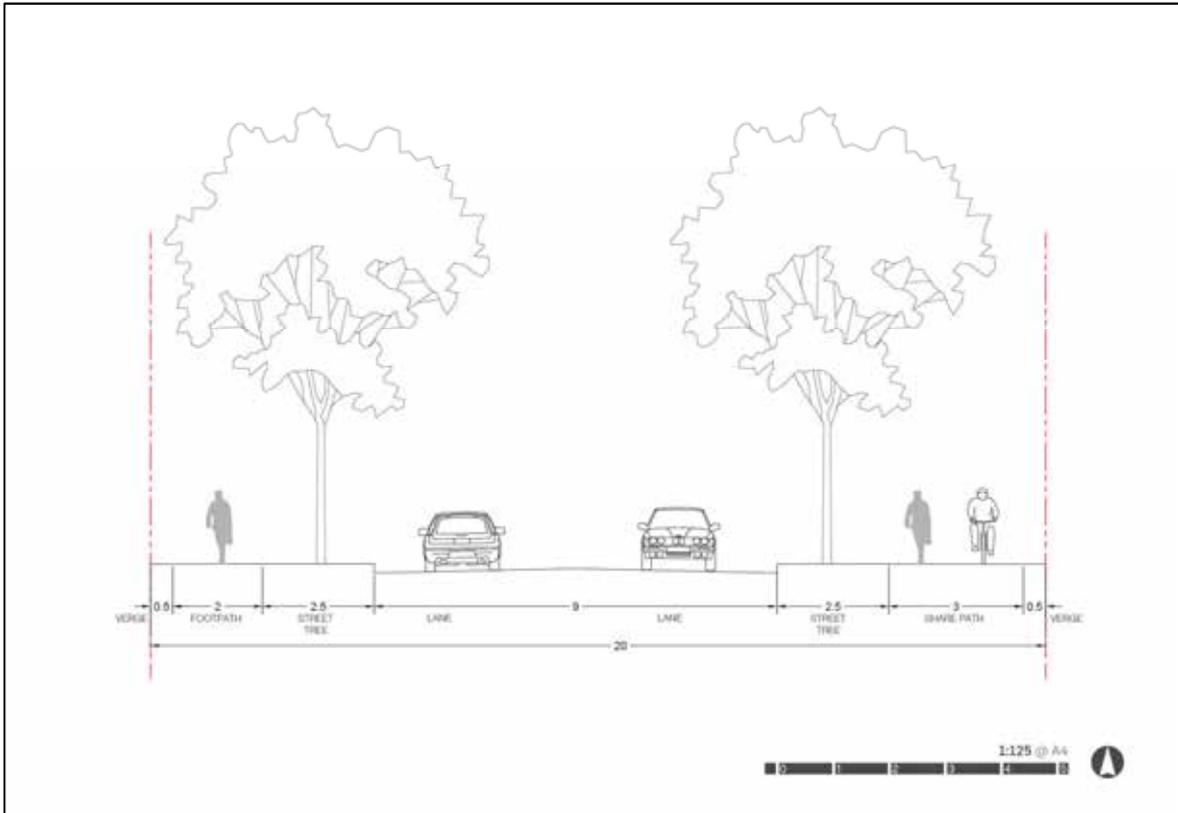


Figure 16 Angus Road extension road section

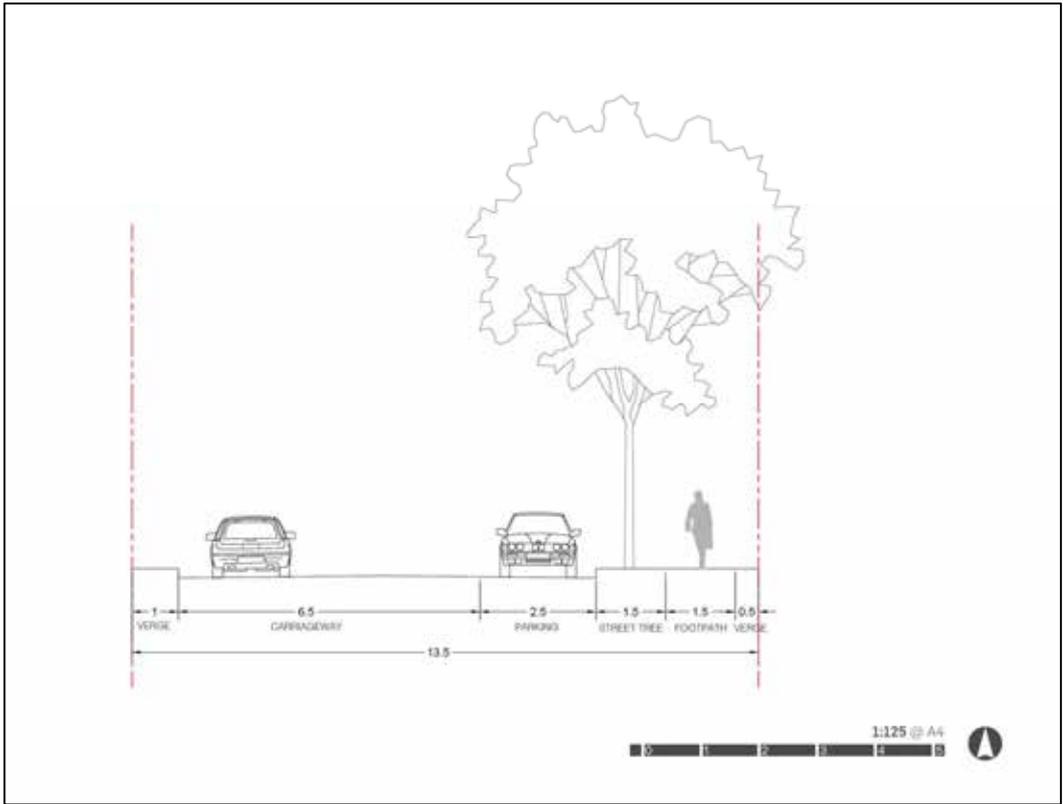


Figure 17 Service road section

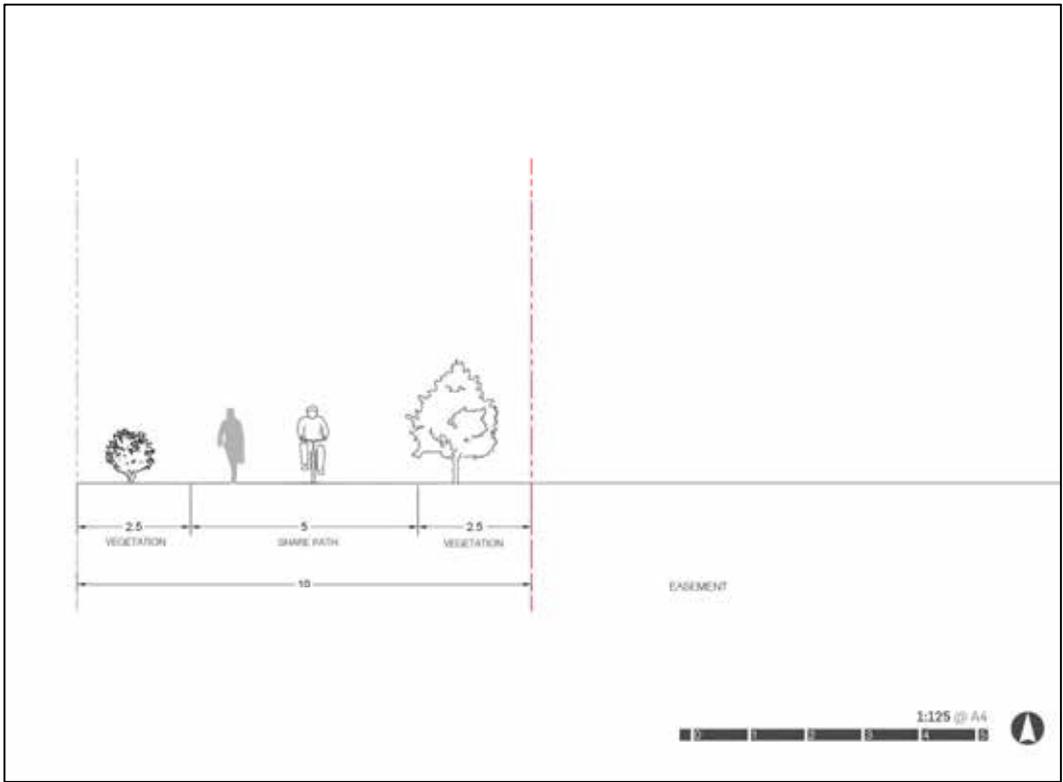


Figure 18 Off road recreation pedestrian and cycle path



Figure 19 Suggested bicycle and pedestrian network

## **4.5 Information Technology**

### **Objectives**

- a. To provide the necessary Information Technology infrastructure, such as high speed internet; and
- b. To ensure that all new development has access to information technology services.

### **Controls**

1. The main network system must be provided in all streets and meet NBNC0 requirements.
2. Subdivision developments shall outline a strategy to deliver optic fibre.
3. Solutions to new technology advances will be considered on merit.

## 5.0 West Schofields Local Centre

This part contains Precinct Specific Controls for the West Schofields Local Centre which are additional or alternate controls to Part 5 -Centres development controls in the BCC Growth Centre Precincts DCP.

### 5.1 Desired Future Character Statement

The local centre within the West Schofields Precinct will support the needs of the surrounding neighbourhood community, provide a focal point for local activity, and proposes to include a community facility. To create a village atmosphere the local centre should incorporate a range of small scale shops anchored by a supermarket, with shop top housing above. A local park, potential childcare and a community facility could be co-located with the local centre to provide amenity and reduce trip generation. A well-designed streetscape and landscaped areas will create vibrant and high quality pedestrian amenity.

Townhouses, terraces and other medium density dwellings surround the local centre to encourage activity and vibrancy and the local centre will maintain visual cohesion with the surrounding low and medium density housing in terms of height, bulk and scale. The design and scale of the local centre will reinforce its support role in the hierarchy of centres for the region. Safe and direct pedestrian connections to sporting fields and parks will promote walkability within the neighbourhood.

Car parking will not detract from the amenity or aesthetic of the village centre and can be located to the side or incorporated beneath the shops as basement parking.

#### Objectives

- a. To create a vibrant, mixed use village centre that provides a range of small scale retail and business which serve the needs of the people who live and work in the West Schofields Precinct;
- b. To ensure the detailed design of the village is undertaken in a co-ordinated manner in order to achieve a high quality urban design outcome;
- c. To create a vibrant village in a medium density residential setting and in proximity to open space and a proposed community facility; and
- d. To minimise adverse impacts including noise, overshadowing and traffic on residential land adjacent to the centre.

#### Controls

##### General controls

1. The West Schofields local centre is to be located generally in accordance with Figure 20 with a suggested layout shown in Figure 21.

##### Built form

2. The bulk and scale of buildings is to be compatible with the surrounding residential development.
3. There should be no adverse impact on the amenity of the surrounding residential precinct as a result of development within the local centre.
4. Active frontages are to be provided adjacent to the local open space and collector road generally in accordance with Figure 21.

##### Bicycle parking rates

5. Cycle racks should be provided at the rate of 1 space per 300 m<sup>2</sup> of Gross Floor Area (GFA).



Figure 20 Local centre location



**Figure 21 Suggested local centre layout**

## 6.0 Precinct Specific Controls

### 6.1 Flood evacuation

#### Objectives

- a. To plan for the 1:100 chance per year flood event and the regional probable maximum flood (PMF).
- b. To provide safe evacuation for residents within the precinct during a regional flood event.

#### Controls

1. The design of the road systems within the areas of the precinct affected by the PMF (Figure 4) should provide a 'continuous rising grade' to ensure the safe evacuation of affected occupants within these areas.
2. Each development application for subdivision will need to demonstrate compliance with the 'Brown Book' (see References below) and assess flood evacuation.
3. Evacuation routes from the precinct to the regional evacuation route (Richmond Road) are shown in Figure 14 and must be maintained as the precinct develops.

#### References

Designing Safer Subdivisions: Guidance On Subdivision Design In Flood Prone Areas (Hawkesbury-Nepean Floodplain Management Strategy Steering Committee, June 2006).

NWGA Flood Evacuation Study (Stantec May 2018)

West Schofields Flooding, Water Cycle Management and Riparian Corridor Assessment (Calibre May 2018)

## 6.2 Built form controls for residential development on land between the 1:100 chance per year flood and the Probable Maximum Flood levels

The purpose of this section is to guide development in accordance with the objectives and processes set out in the NSW Government's Flood Prone Land Policy as outlined in the NSW Government Floodplain Development Manual.

The precinct contains flood prone land, as outlined in Figure 4.

This Schedule requires residential development located between the 1:100 chance per year flood level and the PMF to follow the information and controls outlined in the "Reducing Vulnerability of Buildings to Flood Damage – Guidance On Building In Flood Prone Areas" (Hawkesbury-Nepean Floodplain Management Strategy Steering Committee, June 2006), which is known as the 'Blue Book'. Should the 'Blue Book' be updated or replaced with a newer version, then the controls of that document will need to be followed with the same intent as outlined in the controls below.

Dwellings located between the 1 in 100 chance per year flood level and the PMF are to ensure that a 'wet flood proofing' principle is followed during construction. This allows flood water to intentionally enter and leave a building.

New residential development below the 1 in 100 chance per year flood level is not permitted.

Land below the 1 in 100 chance per year flood level can only be filled if it is demonstrated that there is no net loss of flood storage and floodway in a 1% AEP flood event as a result of the proposed development on surrounding properties as well as the floodplain. In addition, it must be demonstrated that there are no adverse changes in flood levels and velocities caused by alterations to the flood conveyance as a result of the proposed development in the 1% AEP and PMF flood events.

### Objectives

- a. To provide guidance for the construction of flood resilient dwellings located between the 1:100 chance per year flood level and the PMF, as shown in Figure 4.
- b. To identify the existing documents to follow to ensure a 'wet flood proofing' principle is followed.
- c. To follow the controls outlined in the document known and referred to below as the 'Blue Book'.

### Controls

#### Built Form and Construction Materials

1. All structures shall be designed and constructed as flood compatible buildings in accordance with the 'Blue Book'. Building components and materials likely to be affected by flood waters should be designed, built and installed so as not to be damaged by the floodwaters.
2. Relevant Australian ISO Standards are to be followed when selecting construction materials to ensure the outcomes of the 'Blue Book' are being met.
3. Consider the controls that relate to Sections 4.1: Site Factors and 4.2: Housing Types. While not mandatory they are deemed favourable to enhance the protection of a dwelling.
4. Compliance with Section 4.3: Construction Materials is required to ensure that appropriate materials and construction techniques are used to meet the 'wet flood proofing' standards.

#### Structural Design Components

1. Any proposed dwelling shall be designed and constructed so that it remains structurally sound for the life of the dwelling taking into account the flood events likely to impact the dwelling.
2. Relevant Australian ISO Standards are to be followed when selecting construction materials to ensure the outcomes of the 'Blue Book' are being met.
3. Compliance with Sections 5.1: Foundations, 5.2: Suspended Floors, 5.3: External Brick Walls and Cladding, 5.4: Wall Frames and Wall Cavities, 5.5: House Insulation, 5.6: Internal Linings to Walls, 5.7: Ceilings, and 5.8: Roofs are required to ensure that appropriate materials and construction techniques are used to meet the 'wet flood proofing' standards.

### Non-Structural Design Components

1. Relevant Australian ISO Standards are to be followed when selecting construction materials to ensure the outcomes of the 'Blue Book' are being met.
2. Compliance with Sections 6.1: Joinery and Fittings, 6.2: Floor Coverings, 6.3: Electrical Services, 6.4: Sewerage Systems, 6.5: Water Supply, and 6.6: Storage Tanks are required to ensure that appropriate materials and construction techniques are used to meet the 'wet flood proofing' standards.

### **Notes**

The Planning Circular BS 10-004 - 'The NSW Planning System and the Building Code of Australia 2013: Construction of buildings in Flood Hazard Areas' (Department of Planning and Infrastructure) provides information to councils, certifiers, industry practitioners and other stakeholders regarding the relationship between the NSW planning system's flood prone land management, and the key elements of the new provisions of the Building Code of Australia 2013 relating to construction of buildings in flood hazard areas.

The key directives are:

- The NSW land use planning system provides mechanisms to manage flood prone land. These controls and provisions will remain, and will work in tandem with the new Building Code of Australia 2013 (BCA) requirements for construction of buildings in flood hazard areas.
- Decisions on flooding matters determined by the 'appropriate authority' under the NSW planning system, will initially determine the application or otherwise of the new BCA provisions for construction in a flood hazard area. The initial determination will be followed by the limitations of the BCA provisions themselves.
- As defined, a Flood Hazard Area is determined by the 'appropriate authority' that in NSW is likely to be the local council.
- Where development is proposed on specified types of a flood control lot, a council or accredited certifier may issue a Complying Development Certificate in accordance with the development standards for flood control lots included in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. These standards are only applicable to housing and relate to a number of issues including the floor height of habitable rooms, flood compatible materials and finishes and being able to withstand flood actions.

### **References**

The NSW Planning System and the Building Code of Australia 2013: Construction of buildings in Flood Hazard Areas (NSW Planning & Infrastructure Planning Circular – BS 13-004).

Reducing Vulnerability of Buildings to Flood Damage – Guidance On Building In Flood Prone Areas [Blue Book] (Hawkesbury-Nepean Floodplain Management Strategy Steering Committee, June 2006).