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HAZARDS

Development on Flood Prone Land

Preamble

The purpose of this chapter is to provide information and development controls needed to prepare and assess development applications on Flood Prone Land.

Application

This Chapter applies to all land in the Cessnock Local Government Area (LGA) that is Flood Prone Land¹.

Flood Hazard Classifications

The flood hazard classifications listed in Table 1 apply to this chapter.

Table 1: Flood hazard classifications (reference Table 6.7.3 Australian Rainfall and Runoff 2019).

| Hazard Vulnerability Classification | Description |
|-------------------------------------|---|
| H1 | Generally safe for vehicles, people and buildings. |
| H2 | Unsafe for small vehicles. |
| H3 | Unsafe for vehicles, children and older persons. |
| H4 | Unsafe for vehicles and people. |
| H5 | Unsafe for vehicles and people. All buildings are vulnerable to structural damage. Some less robust buildings are subject to failure. |
| H6 | Unsafe for vehicles and people. All building types considered vulnerable to failure. |

Definitions and Flood Planning Concepts

All terms used in this DCP chapter have the same meaning as defined in the *Cessnock Local Environmental Plan 2011*, the NSW Floodplain Development Manual 2005 and the DPIE guideline, 'Considering Flooding in Land Use Planning', unless specified below, or elsewhere in this DCP chapter.

Flood Planning Level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard, unless otherwise specified within this DCP chapter.

Low hazard overland flooding means land that is identified in Council's online mapping as being subject to low hazard overland flooding.

Additional supporting information is available in the following fact sheets:

- [Fact Sheet 1: Flood Planning Concepts](#)
- [Fact Sheet 2: Flood Compatible Building Guidelines](#)

¹ Council's flood mapping is available online at www.cessnock.nsw.gov.au

Development provisions

Land Use and Hazard Control Matrix

Table 2 classifies land-use types into Development Categories according to the sensitivity of each land use type to flooding. The table uses a combination of development categories and hazard classification to class developments as either class A, B, C or X. Where the footprint of the proposed building and/or access covers more than one hazard classification, the higher classification shall apply.

- A** means the development will be impacted by flooding; however the land use is generally suitable to the hazard classification and group A controls apply to the development
- B** means the development will be impacted by flooding and group B controls apply to the development. A merit assessment may need to be undertaken for these developments and additional justification may be needed.
- C** means that the development will be significantly impacted by flooding. If designed appropriately the development may be suitable in the hazard classification. A merit assessment will need to be undertaken for these developments and additional justification may be needed.
- X** means the land use is generally not suitable in the hazard classification.

| Objective/s | Development Controls |
|--|---|
| To ensure that development is compatible for the flood hazard that is present at the site. | Development is consistent with Table 2. |
| To ensure that development is responsive to the flood characteristics present at the site. | |

Table 2: Development classification for the Flood Hazard Classification.

| Development | Land Use Type | Based on the 1%AEP | | | | | |
|--|---|--------------------|----|----|----|----|----|
| | | H1 | H2 | H3 | H4 | H5 | H6 |
| Ancillary structures type 1 | <ul style="list-style-type: none"> • Fences (open) | A | A | A | A | C | C |
| Ancillary structures type 2 | <ul style="list-style-type: none"> • Fence (solid) • Detached Garage • Temporary Structure • Shed • Carport (open) • Farm Building | A | A | B | B | X | X |
| Carpark | <ul style="list-style-type: none"> • Carpark | A | A | B | B | X | X |
| Single Residential | <ul style="list-style-type: none"> • Dwelling house • Exhibition home • Exhibition villages • Home business • Home industry • Home occupation • Home occupation (sex service) • Rural worker's dwelling | A | A | B | B | X | X |
| Dual Occupancies, Attached Dwellings and Secondary Dwellings | <ul style="list-style-type: none"> • Attached dwelling • Dual occupancy (attached) • Dual occupancy (detached) • Secondary dwelling, Semi-detached dwelling | A | A | B | B | X | X |
| Multi Residential | <ul style="list-style-type: none"> • Multi dwelling housing • Residential flat building • Shop top housing | A | A | B | X | X | X |
| Tourism Development | <ul style="list-style-type: none"> • Eco-tourist facilities • Backpacker's accommodation | A | A | B | X | X | X |

| Development | Land Use Type | Based on the 1%AEP | | | | | |
|-------------------------------|---|--------------------|----|----|----|----|----|
| | | H1 | H2 | H3 | H4 | H5 | H6 |
| | <ul style="list-style-type: none"> • Bed and breakfast accommodation • Farm stay accommodation • Hotel or motel accommodation • Serviced apartments • Camping Grounds | | | | | | |
| Commercial Development type 1 | <ul style="list-style-type: none"> • Animal boarding or training establishment • Veterinary hospital • Medical Centres • Health consulting rooms | A | A | B | x | x | x |
| Commercial Development type 2 | <ul style="list-style-type: none"> • Business Premise • Funeral Home • Office premise • Retail premise • Cellar door premises • Food and drink premises • Pubs • Restaurant or café • Takeaway food and drink premises • Small bar • Sex service premises • Industrial retail outlets • Registered clubs • Restricted premises • Wholesale suppliers • Kiosks • Shop • Neighbourhood shop • Timber yard • Vehicle sales or hire premises • Bulky goods premise • Garden Centres • Hardware and building supplies • Landscape material supplies • Markets • Plant nurseries • Roadside stalls • Rural supplies • Function centre • Amusement centres • Entertainment facilities • Self-storage units • Warehouse and distribution centre • Place of public worship • Public administration building | A | A | B | B | C | x |
| Industrial Development | <ul style="list-style-type: none"> • Light industry • High technology industries • General industries • Rural industries • Agricultural produce industries • Livestock processing industries • Sawmill or log processing industries • Stock and sale yards • Vehicle body repair workshop • Vehicle repair station • Depots • Transport depot • Truck depot • Freight transport facility | A | A | B | B | x | x |
| Agricultural Development | <ul style="list-style-type: none"> • Aquaculture • Extensive agriculture • Bee keeping • Dairy (pasture-based) • Intensive livestock agriculture • Feed lots • Dairies (restricted) • Intensive plant agriculture | A | A | B | B | C | C |

| Development | Land Use Type | Based on the 1%AEP | | | | | |
|--|---|--------------------|----|----|----|----|----|
| | | H1 | H2 | H3 | H4 | H5 | H6 |
| | <ul style="list-style-type: none"> • Horticulture • Viticulture • Turf farming • Forestry | | | | | | |
| Recreation type 1 | <ul style="list-style-type: none"> • Recreation Facility (indoor) • Recreation facility (major) | A | A | B | B | C | * |
| Recreation type 2 | <ul style="list-style-type: none"> • Recreation facilities (outdoor) • Recreation area | A | A | B | B | C | C |
| Earth works | <ul style="list-style-type: none"> • Extractive industries • Mining • Roads • Drainage works | A | A | B | B | C | C |
| Potentially Polluting activities | <ul style="list-style-type: none"> • Service station • Highway service centers • Heavy Industries • Hazardous industries • Offensive industries • Heavy industrial storage establishments • Hazardous storage establishments • Liquid fuel depots • Offensive storage establishment | A | A | B | * | * | * |
| Event | <ul style="list-style-type: none"> • Music or art festival | A | A | B | B | C | C |
| Infrastructure | <ul style="list-style-type: none"> • Water reticulation systems • Water storage facilities • Water treatment facilities | A | A | B | B | C | C |
| Subdivision | <ul style="list-style-type: none"> • Additional controls for subdivision are in Section 3.7 • Subdivision must be able to demonstrate that the proposed lots will be able to accommodate the uses permitted in the zone. | A * | A* | B* | B* | C* | C* |
| Sensitive uses and facilities type 1 | <ul style="list-style-type: none"> • Educational establishments • Schools • Community facility (not considered a critical use as below), • Seniors housing • Manufactured home • Caravan park • Home based childcare <p>Sensitive uses and facilities must consider and provide details on the management of floods up to an including the PMF.</p> | B | * | * | * | * | * |
| <p>Note 1: Where development does not fit within the categories outlined above, Council will determine which land use category the proposal fits into based on the documentation provided to Council.</p> <p>Note 2: Land use types are those as defined in Cessnock LEP 2011, unless otherwise specified.</p> <p>Note 3: Other factors may also need to be taken into consideration when determining the hazard classification, such as access to safe evacuation facilities and the available warning times.</p> | | | | | | | |

Sensitive Land Uses and Critical Infrastructure

Sensitive land uses refer to those land uses that are vulnerable to greater impact because of the type of development or the characteristics of people that are typically associated with the use or its infrastructure that would cause significant disruption if affected by flooding.

| Objective/s | Development Controls |
|---|--|
| To protect sensitive land uses or users of the site. | Development listed in column two is to be located outside the PMF. |
| To ensure the continued functioning of important infrastructure during and after a flood event. | |
| To ensure that the impacts of the full range of flood sizes up to and including the Probable Maximum Flood (PMF) are considered when assessing development on flood prone land. | |

Table 3: Development classification for the Flood Hazard Classification (Sensitive Land Uses).

| Development | Land Use Type | Consideration of the PMF |
|--|---|---|
| Sensitive uses and facilities type 2 | <p>These uses are required to be located outside of the floodplain.</p> <ul style="list-style-type: none"> • Childcare centres • Respite day care centres • Group homes (permanent) • Group home (transitional) | Sensitive uses and facilities type 2 are required to be located outside of the PMF. |
| Critical Infrastructure | <p>These uses are required to be located outside of the floodplain.</p> <ul style="list-style-type: none"> • Community facility which may provide an important contribution to the notification or evacuation of the community during flood events • Hospitals • Emergency services facilities • Utility installations or public utility undertakings (including generating works) which are essential for evacuation during periods of flood or if affected would unreasonably affect the ability of the community to return to normal activities after flood events, which may include: <ul style="list-style-type: none"> ○ Sewerage systems ○ Biosolids treatment facilities ○ Sewerage reticulation systems ○ Sewerage treatment plants ○ Water recycling facilities ○ Waste or resource management facilities ○ Resource recovery facilities ○ Waste disposal facilities ○ Waste or resource transfer station ○ Airport ○ Heliport ○ Electricity generating works ○ Telecommunications facility ○ Community facility | Critical infrastructure is required to be located outside of the PMF. |
| <p>Note 1: Where development does not fit within the categories outlined above, Council will determine which land use category the proposal fits into based on the documentation provided to Council.</p> <p>Note 2: Land use types are those as defined in Cessnock LEP 2011, unless otherwise specified.</p> <p>Note 3: Other factors may also need to be taken into consideration when determining the hazard classification, such as access to safe evacuation facilities and the available warning times.</p> | | |

Detailed Survey

The following control applies to all development that is proposed below the flood planning level.

| Objective/s | Development Controls |
|---|--|
| To ensure that the potential impacts of flooding are considered when assessing development on flood prone land. | All applications for development below the flood planning level shall be supported by a development site plan that incorporates a detailed survey, drafted by a registered surveyor. |

Flood Assessment Report

A FAR provides information on existing flood risk for a catchment and outlines how the proposed development is consistent with the requirements of this DCP. A FAR is to be consistent with the NSW Floodplain Development Manual 2005. Depending on the scale of the development either a Minor or Major FAR is required to be submitted with the application.

| Objective/s | Development Controls |
|---|---|
| To ensure that the potential impacts of flooding are considered when assessing development on flood prone land. | <p>A Minor FAR will <i>generally</i> be required where:</p> <ul style="list-style-type: none"> • the development is considered to be of a minor scale; and • the property is impacted (or potentially impacted) by riverine or overland flooding; and • the development incorporates habitable floor space, or a commercial or industrial (or similar) function. <p>OR</p> <ul style="list-style-type: none"> • flood data is not available and the site: <ol style="list-style-type: none"> a. is within 10 metres (horizontally) of a public trunk drainage system; natural watercourse, local overland flood path or drainage easement; or b. has a history of flooding. <p>OR</p> <ul style="list-style-type: none"> • Flood data is available but requires updating, interpolation, extrapolation, or refinement to greater detail. |
| To ensure that the potential impacts of flooding are considered when assessing development on flood prone land | A Major FAR will be required where Council considers the development to be at a scale that exceeds that specified by a minor FAR, will result in intensification of development on flood prone land and/or result in an increased risk due to potential affectation by flooding. |

| Objective/s | Development Controls |
|-------------|---|
| | <p>A Major FAR will <i>generally</i> be required where:</p> <ul style="list-style-type: none"> • development is not considered to be of a minor scale; and • the property is impacted (or potentially impacted) by riverine or overland flooding; and • the development incorporates habitable floor space, or a commercial or industrial (or similar) function. <p>OR</p> <ul style="list-style-type: none"> • flood data is not available and the site: <ul style="list-style-type: none"> c. is within 10 metres (horizontally) of a public trunk drainage system; natural watercourse, local overland flood path or drainage easement; or d. has a history of flooding. <p>OR</p> <ul style="list-style-type: none"> • Flood data is available but requires updating, interpolation, extrapolation, or refinement to greater detail. |

General Requirements (New Development)

The following controls apply to development class **A, B or C**.

| Objective/s | Development Controls |
|---|---|
| To reduce risk to life and property resulting from floods by controlling development on flood prone land. | All habitable finished floor levels are to be at or above the Flood Planning Level. Alternatively, development will be assessed on its merits against the flood planning provisions of the <i>Cessnock Local Environmental Plan 2011</i> . Non-Habitable floor levels are to be at or above the 1% AEP flood, except for Ancillary Structures Type 1 and Ancillary Structures Type 2 (see Table 2). |
| To ensure that development on flood prone land does not place an unacceptable financial burden on landowners or the community. | Parts of the building constructed at or below the Flood Planning Level are to be constructed with materials identified as 'suitable' in Fact Sheet 2: Flood Compatible Building Guidelines |
| To ensure that all land uses and essential services are appropriately sited and designed in recognition of all potential floods. | Electrical fixtures such as power points, light fittings and switches are to be sited above the Flood Planning Level unless they are on a separate circuit (with earth leakage protection) to the rest of the building. |
| To protect the integrity of the flood plain, including riparian vegetation, fluvial geomorphologic environmental processes and water quality. | All hazardous chemicals are to be stored above the Flood Planning Level. |

Evacuation

The following controls apply to development in **Group B and C**.

| Objective/s | Development Controls |
|---|---|
| To reduce risk to life and property resulting from floods by controlling development on flood prone land. | If intensifying development that incorporates a habitable use on flood prone land, it must be demonstrated that users of the development are able to safely self-evacuate to an area outside of the floodplain in the event of a flood without traversing flood waters of a higher hazard classification. |
| To ensure that development does not have a significant impact on flood behaviour, people's safety, surrounding properties and structures and the natural environment. | A structural assessment is required by a suitably qualified engineer to demonstrate that structures in hazard category H5 or H6 will be safe to withstand hydraulic loads (including debris) in a 1% AEP flood event. |

Flow of Water

The following controls apply to development in **Group C**.

| Objective/s | Development Controls |
|---|---|
| To ensure that development does not have a significant impact on flood behaviour, people's safety, surrounding properties and structures and the natural environment. | Any development with a hazard classification of H5 or H6 must have open structures so that the flow of water is not restricted. |
| | All fences are to allow passage of a 1% AEP flood event under or through the fence. |

Car Parks

The following controls apply to developments that include car parks.

| Objective/s | Development Controls |
|--|--|
| To ensure that development on flood prone land does not place an unacceptable financial burden on landowners or the community. | The floor level of car parks are to be no lower than the 5% AEP flood level ² . |
| | Basement or below ground car parks will only be supported where all potential water entry points are at or above the flood planning level. Where it is demonstrated that this cannot be achieved the following requirements are to be met: <ol style="list-style-type: none"> a. The basement is designed so that the structural integrity of the building is not compromised if the basement is either partially or fully inundated during a flood. b. All exit points below the Flood Planning Level are able to be closed and locked to prevent access during floods. c. Electrical and water fixtures are sited above the Flood Planning Level unless they are on a separate circuit (with earth leakage protection) to the rest of the building. d. At least one stairwell from the basement is to extend to at least the Flood Planning Level. The door for this exit is to be readily openable without a key from the inside (i.e. the side facing egress). The handle is to be a single downwards pushing action such as a lever. e. The owner(s) of the building are to consult with the State Emergency Services to determine the most appropriate mechanisms for evacuation/management |
| To ensure that future use of flood prone land does not cause undue stress to individuals or unduly increase potential flood liability to individuals or the community. | |

² Hydraulic controls must also be considered, particularly in relation to on site fill.

| Objective/s | Development Controls |
|-------------|--|
| | of the basement car park where the projected flood level would result in inundation. |

On-Site Wastewater Management

The following controls apply to on-site wastewater management

| Objective/s | Development Controls |
|---|--|
| To protect the integrity of the flood plain, including riparian vegetation, fluvial geomorphologic environmental processes and water quality. | All components of the on-site waste water management system (including vents and inspection opening) are to be located above the 1% AEP flood level. |
| | The land application area must be above the 5% AEP flood level. |
| | The Australian Height Datum (AHD) levels at the site of the on-site waste water management facility are to be determined by a Registered Surveyor. |

Subdivision

The following controls apply to applications to subdivide flood prone land

| Objective/s | Development Controls |
|---|---|
| <p>To reduce risk to life and property resulting from floods by controlling development on flood prone land.</p> <p>To ensure that development on flood prone land does not place an unacceptable financial burden on landowners or the community.</p> <p>To ensure that future use of flood prone land does not cause undue stress to individuals or unduly increase potential flood liability to individuals or the community.</p> <p>To protect the integrity of the flood plain, including riparian vegetation, fluvial geomorphologic environmental processes and water quality.</p> | <p>Subdivision on flood prone land must:</p> <ol style="list-style-type: none"> a. Consist of a single development application containing: <ol style="list-style-type: none"> i. The subdivision of land into two or more lots, and ii. The erection of an dwelling house on each lot resulting from the subdivision that does not contain an existing dwelling and meets the requirements of this DCP Chapter; or, b. be on land that is in an Urban Release Area identified in the <i>Cessnock Local Environmental Plan 2011</i> prior to this DCP Chapter being adopted; or c. demonstrate that the size and design of the proposed lots are able to accommodate the uses permissible in the zone if the subdivision is in a zone other than a residential zone. |

| Objective/s | Development Controls |
|-------------|---|
| | d. demonstrate that all components of an on-site waste water management system (including vents and inspection opening) are capable of being located above the 1% AEP flood level on each lot within the subdivision. |

Low Risk Overland Flooding

The following controls apply to properties affected by low risk overland flooding

| Objective/s | Development Controls |
|--|--|
| To ensure that future use of flood prone land does not cause undue stress to individuals or unduly increase potential flood liability to individuals or the community. | For properties impacted by low risk overland flooding , the flood planning level is defined as the level of a 1:100 ARI (average recurrent interval) flood event plus 0.3 metre freeboard. Alternatively, development will be assessed on its merits against the flood planning provisions of the <i>Cessnock Local Environmental Plan 2011</i> . |

Hydraulic Controls

Flood Storage

| Objective/s | Development Controls |
|---|--|
| To ensure that development does not have a significant impact on flood behaviour, people's safety, surrounding properties and structures and the natural environment. | Up to 20% of the development footprint in a flood storage area may be filled. |
| | Despite clause 1 if more than 20% of the site is to be filled a flood study must demonstrate that the fill does not have a negative impact on neighbouring properties, overland flow and/or the environment. |

Floodway

| Objective/s | Development Controls |
|---|--|
| To reduce risk to life and property resulting from floods by controlling development on flood prone land. | No building or structure is to be erected on land identified as floodway on the Hydraulic Category Maps. |
| To ensure that development does not have a significant impact on flood behaviour, people's safety, surrounding properties and structures and the natural environment. | No land fill by way of deposition of any material is to occur within an area identified as a floodway except for minor alterations to ground levels which do not significantly alter the fundamental flow patterns for: <ul style="list-style-type: none"> a. Roads b. Parking c. Below ground structures d. Landscaping |
| | |

| | |
|---|--|
| | across floodways are unavoidable, they are to be constructed only of open type fencing that does not restrict the flow of water. The fencing design is to be resistant to blockage or designed to be collapsible under heavy flood loadings. |
| To ensure that development on flood prone land is consistent with the NSW Flood Prone Land Policy and NSW Floodplain Development Manual 2005. | Flood mitigation works are to meet the requirements of the relevant Flood Risk Management Plan. |

House Raising and Flood Proofing

The following controls apply to house raising and/or flood proofing

| Objective/s | Development Controls | | | | | | | | |
|--|---|------------------------|----------------------|--------------------|------------------|--------------------------------------|------------------|--------------------|-------------------|
| To ensure that development on flood prone land does not place an unacceptable financial burden on landowners or the community. | <p>Development is required to meet the ‘general requirements (new development)’ in the following circumstances:</p> <ul style="list-style-type: none"> a. Following a flood event where there has been inundation of the dwelling necessitating the removal and replacement of external and/or internal cladding material; or b. Following a flood event where there has been structural compromise to the dwelling which requires remediation; or, c. There is a proposal to increase the enclosed habitable floor area of the building by more than: <table border="1" data-bbox="874 1249 1385 1379"> <thead> <tr> <th>Existing building area</th> <th>Minor addition limit</th> </tr> </thead> <tbody> <tr> <td><250m²</td> <td>50m²</td> </tr> <tr> <td>250m²-750m²</td> <td>75m²</td> </tr> <tr> <td>>750m²</td> <td>100m²</td> </tr> </tbody> </table> <p>or,</p> <ul style="list-style-type: none"> d. There is a proposal to undertake major renovations to the dwelling; or, e. The proposed works have the potential to impact on flood behaviours. | Existing building area | Minor addition limit | <250m ² | 50m ² | 250m ² -750m ² | 75m ² | >750m ² | 100m ² |
| Existing building area | Minor addition limit | | | | | | | | |
| <250m ² | 50m ² | | | | | | | | |
| 250m ² -750m ² | 75m ² | | | | | | | | |
| >750m ² | 100m ² | | | | | | | | |

Additions and Renovations

In deciding whether to support an application for additions and/or renovations of the existing floor area below the Flood Planning Level, Council will consider whether the renovations, alterations or additions are likely to add to the life span of any development within the flood affected area of the property and its exposure to future flood impacts.

| Objective/s | Development Controls | | | | | | | | |
|--|---|------------------------|----------------------|--------------------|------------------|--------------------------------------|------------------|--------------------|-------------------|
| <p>To reduce risk to life and property resulting from floods by controlling development on flood prone land.</p> | <p>Additions and renovations are not supported where the habitable floor level of the addition is below the 5% AEP flood level.</p> <p>Additions and renovations are to be completed in accordance with the Fact Sheet 2: Flood Compatible Building Guidelines</p> <p>Any additions and/or renovations are to meet the requirements of this DCP Chapter if the floor areas is increased by more than:</p> <table border="1" data-bbox="810 584 1380 712"> <thead> <tr> <th data-bbox="817 593 1098 613">Existing building area</th> <th data-bbox="1104 593 1374 613">Minor addition limit</th> </tr> </thead> <tbody> <tr> <td data-bbox="817 622 1098 642"><250m²</td> <td data-bbox="1104 622 1374 642">50m²</td> </tr> <tr> <td data-bbox="817 651 1098 672">250m²-750m²</td> <td data-bbox="1104 651 1374 672">75m²</td> </tr> <tr> <td data-bbox="817 680 1098 701">>750m²</td> <td data-bbox="1104 680 1374 701">100m²</td> </tr> </tbody> </table> | Existing building area | Minor addition limit | <250m ² | 50m ² | 250m ² -750m ² | 75m ² | >750m ² | 100m ² |
| Existing building area | Minor addition limit | | | | | | | | |
| <250m ² | 50m ² | | | | | | | | |
| 250m ² -750m ² | 75m ² | | | | | | | | |
| >750m ² | 100m ² | | | | | | | | |
| <p>To ensure sensitive uses and facilities and critical infrastructure are not impacted by flood events.</p> | <p>Additions and renovations to critical infrastructure are located outside of the floodplain.</p> | | | | | | | | |
| <p>To ensure sensitive uses and facilities and critical infrastructure are not impacted by flood events.</p> | <p>Additions and renovations to sensitive uses and facilities are to be located on land with a hazard classification of H1.</p> | | | | | | | | |
| <p>To ensure that development does not have a significant impact on flood behaviour, people’s safety, surrounding properties and structures and the natural environment.</p> | <p>A structural assessment is required by a suitably qualified engineer to demonstrate the structure would be safe to withstand hydraulic loads (including debris) in a 1% AEP event if the development has a hazard classification of H5 or above.</p> | | | | | | | | |

Branxton Commercial Precinct

The Branxton commercial area is located on flood prone land, a large portion of which is Hazard Category H5 or H6. Typically some types of commercial development are not supported on land with this hazard category; however Branxton has a number of unique factors that mean that flooding needs to be considered on a case by case basis in the Branxton commercial area.

| Objective/s | Development Controls |
|---|---|
| <p>To ensure that future use of flood prone land does not cause undue stress to individuals or unduly increase potential flood liability to individuals or the community.</p> | <p>The Flood Planning Level for land within the Branxton Flood Planning Area (see Figure 1) is 34.2m AHD, which includes a 0.7m freeboard.</p> <p>Alternatively, development will be assessed on its merits against the flood planning provisions of the <i>Cessnock Local Environmental Plan 2011</i>.</p> |



Figure 1: Branxton Flood Planning Area.