

# *Camden Residents' Action Group*

*Incorporated*

*Camden – Still a Country Town*

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cc Councillors

26 August 2022

Dear Floodplain Team,

**Re: 2022 Exhibition  
Flood Risk Management Policy  
Nepean River Floodplain Risk Management Study and Plan**

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The above exhibition on *Your Voice* is of intense interest, with ramifications into the future for the community. Floodplain management is of topical concern and foremost in minds given recent and unusual flood events.

The exhibition includes numerous documents under separate categories of policy and studies, many of which are technical. Their content involves complex interrelationships between community welfare and land use planning based on Flood Planning Levels (FPLs) predicated on the concept or value judgement that floodplain land must not be “sterilised.” This presumption is no longer valid.

The 2022 NSW Inquiry<sup>1</sup> into lack of preparedness for recent flood events consulted with stakeholders through 144 meetings and received 1,494 submissions. The people of NSW have shared their stories.

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<sup>1</sup> NSW Government 2022 *NSW Flood Inquiry* Available at <https://www.nsw.gov.au/nsw-government/projects-and-initiatives/floodinquiry>

The findings of the Inquiry and its 28 recommendations, all accepted by the NSW Government, are unambiguous. People agree with the NSW Government's response to the Inquiry, that building on the floodplain stops now<sup>2</sup>.

The inquiry also made clear, that floodplains are never necessarily "sterilised" as there are many land uses that are of benefit to the community and environment.

This exhibition raises many questions about protection of life, livelihoods, homes and private and public assets. Advice from the Floodplain Team was that outstanding questions should be raised in submissions and that they would be answered in its review of submissions and report on Camden's floodplain management and policy.

These questions and our comments follow.

## **THE HCA CONCESSIONAL DEVELOPMENT CLAUSE MUST BE DELETED**

Despite having asked the question a number of times, we are at a complete loss as to why the following extraordinary clause concerning the Heritage Conservation Area (HCA), without any explanation, has been included in the draft Flood Risk Management Policy (draft Policy) (7.3.7, pp 10-11):

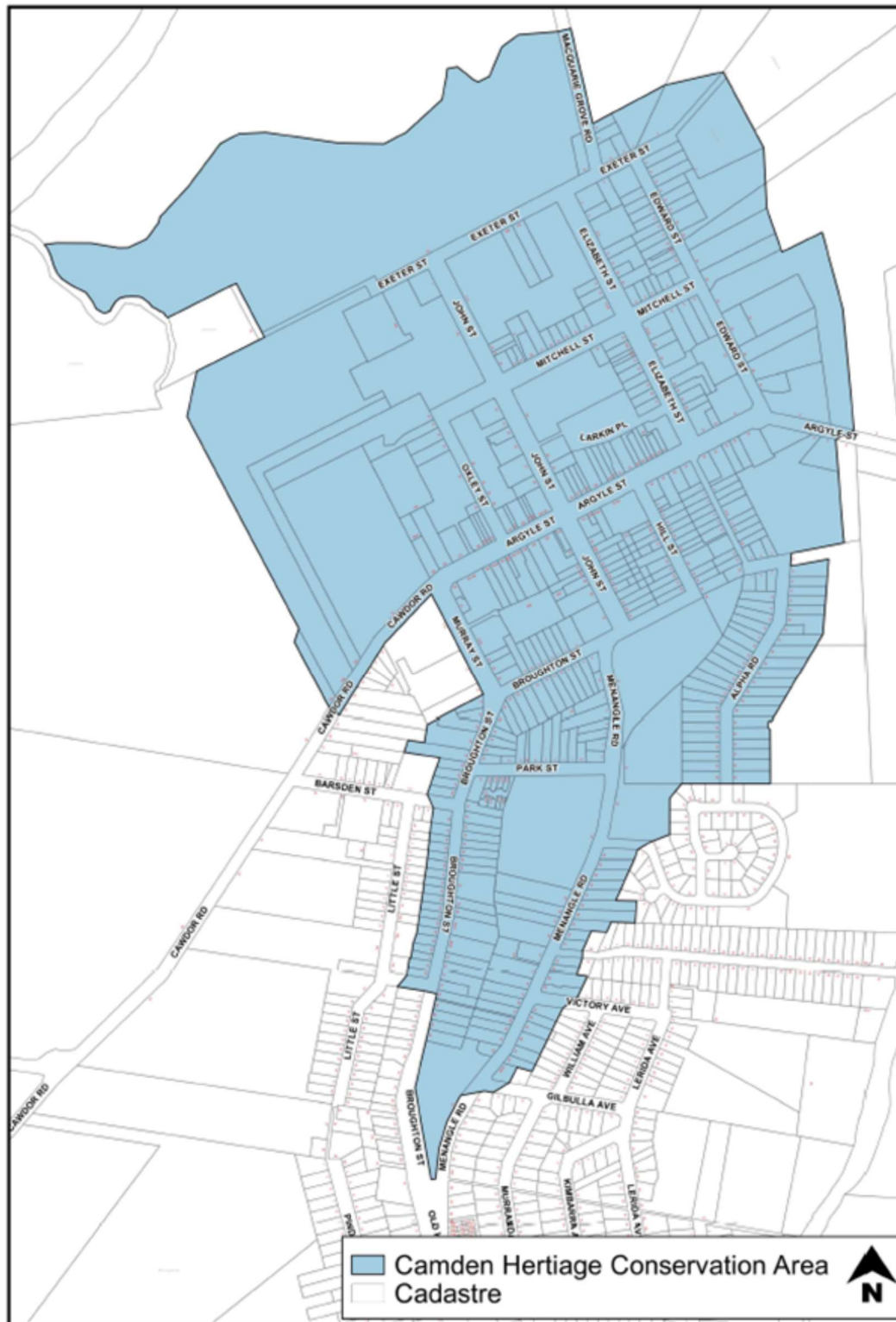
***Concessional development in the case of development within the Camden Heritage Conservation Precinct: All Commercial and Industrial, Low, Medium and High-Density Residential developments (as categorised in this policy) located only within the Camden Heritage Conservation Precinct shown in Figure 3 of the Appendix 1*** (copied in below).

The development matrices (pp 28-29) contained in Appendix 3 of the draft Policy show the categories of flood risk and the applicable development controls numbered 1 to 7 (pp 24-27). Concessional development is allowed in the flood areas, including high risk areas.

As shown in the mapping, much of the Heritage Conservation Area is flood prone and much is categorised as high flood risk. Although many facilities within the HCA are sensitive in that they are used by children and seniors and are needed for the community to return to normal activities after flood events, it seems the draft Policy is to allow significant development as concessional as long as it is outside any floodway.

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<sup>2</sup> ABC 17 August 2022 *NSW 2022 Flood Inquiry report recommends flood zone buy backs, changes to disaster response* Available at <https://www.abc.net.au/news/2022-08-17/nsw-independent-flood-inquiry-report-made-public/101331288>



Source: Camden Council 2022 *draft Flood Risk Management Policy Appendix 1 Figure 3*  
*Extent of Camden Heritage Conservation Precinct for the purpose of Development Control Matrix*

There are three categories of concessional development in the draft Policy (7.3.7):

- ***Concessional development in the case of commercial and residential (low, medium or high density) development:***
- ***Concessional development in the case of other development:***
- ***Concessional development in the case of development within the Camden Heritage Conservation Precinct: a) All Commercial and Industrial, Low, Medium and High-Density Residential developments (as categorised in this policy) located only within the Camden Heritage Conservation Precinct shown in Figure 3 of the Appendix 1 (copied in below).***

The first two categories, which in any case would capture the HCA, cover small additions, rebuilds or changes to existing building in a flood area etc. They do not allow large additions or new developments. That makes sense.

THE HCA CONCESSIONAL DEVELOPMENT CLAUSE IS INDEFENSIBLY DISCRIMINATORY.

***(1) Why is the specifically defined small precinct of the HCA different to other flood prone areas?***

The verbal answer from Council staff, that the NSW Government does not allow Camden Council to sterilise land, does not explain the discrimination.

***(2) Why are developers of other flood prone areas subject to limitations but not would-be developers in the HCA?***

Another reason for the special HCA category given by the Floodplain Team was that it prevented the need for merit-based approvals under the draft Policy, which the 2006 Policy allowed. We well know this from experience, for example with DA approvals in the HCA for development of the 20 Elizabeth and 19 Edward Streets. These DAs involve demolition of extant HCA fabric, noted as significant in the HCA listing, and replacement with new developments that are over-height and non-reflective of Camden's history and detrimental to its sense of place.

These DA approvals also bring more people and equipment into areas of high flood risk, as does the HCA approvals of the major addition to the Milk factory and the new build at 11 Mitchell Street which also inexplicably allows more residents into the high-risk area in contradiction to the 2006 Policy. They are non-compliant developments according to the LEP and DCP. Landlords and tenants will not be able to afford insurance. Evacuation routes will be further stressed. They were highly contentious DAs with many objections being lodged by the community.

***(3) How could these DA approvals be justified as merit-based, even under the HCA concessional development clause?***

What the HCA clause means in practical terms in relation to other contradictory Council policies is not explained. Nor is/are its architect(s) identified in the documentation. No cost/benefit analysis is presented. With no supporting documentation it seemingly comes out of thin air.

The HCA is precious, highly valued by the community and visitors and well documented to be of irreplaceable and high heritage significance in the story of colonial NSW and Australia. As the clause reads it would seem to necessarily result in the destruction of the cultural and heritage significance of the HCA. The community has been consulted many times about Camden's heritage. The answers over decades have always been that it must be conserved, as reflected in its heritage listing and Camden Council policies.

***(4) Why should this HCA concessional clause, despite the flood risk and loss of heritage, make the DA process easier for developers and DA assessors, as the expense of what the community values?***

Clearly, especially in the wake of frequent and unprecedented flooding this year in NSW, including Camden, it is foolhardy (and insensitive) to encourage development through concessions which can only reduce people's safety, make evacuation routes more congested, increase flood damage and cumulative impacts and increase the difficulty of applying development controls as developers push the envelope.

Increased stress on the provision and management of emergency services and the public purse is obvious and of wide community and political interest.

The community was not consulted about this clause and the conclusion must be that the cultural and social aspirations of the community and its support for the protection of the HCA have been ignored, or as could be interpreted, treated with contempt. The earmarking of the HCA, a well-loved community asset with a very special sense of place and long and deep community connections, for concessional development without explanation is disrespectful and utterly unacceptable to the community. It is disturbing that it is presented in this undemocratic way without any explanation. It is not a good look.

***(5) Why wasn't the community consulted on this HCA clause?***

***(6) Why, when the community has long identified with Camden's history, expressed its high esteem for the HCA and enjoyed its open country town characteristics and agricultural heritage, has this clause been dropped into the draft Policy without any preamble or reasoning?***

***(7) Who benefits from this HCA concessional clause?***

It is extraordinary that the clause allowing concessional development in the HCA is not consistent with other Council policies, including the 2020 Local Strategic Planning Statement (LSPS) which aligns with the strategic directions of the Western City District (WCD) Plan within the NSW plans for greater Sydney.

For instance, the LSPS states:

*Camden Town Centre was established as part of the agricultural expansion of the early settlement of Sydney, being one of Sydney's oldest towns. The local community holds the Camden Town Centre in high regard for its attractive streets, beautiful heritage buildings, and rural village feel. (p. 14)*

*Tourism is thriving, with Camden capitalising on its heritage and rural values and offering a strong local food scene, cultural festivals and events... Heritage sites are protected and promoted, helping to engage the community on the importance of Camden in Australia's European and Indigenous history. (p. 22)*

*Local Priority L2 Celebrating and respecting Camden's proud heritage. These initiatives will ensure that Camden's valued heritage is protected from the impacts of development and can continue to be celebrated by the community. (p. 45)*

These statements are consistent with community views, Camden Town Centre Urban Design Framework, Camden LEP and DCP, and other Council policies. The community is usually consulted on policy and strategy.

The HCA clause is NOT consistent as it sends a signal to developers that undeveloped floodplain is up for grabs and that demolition and replacement of HCA fabric with constructions of inappropriate scale and modern design is concessionally allowable and even encouraged.

***(8) Why is the HCA concessional clause treated in isolation, without reference to, consideration of, and in contradiction to LEP provisions (including the 7m height limit), DCP and all other Council policies?***

We note that *Nepean River Floodplain Risk Management Study & Plan Including Narellan Creek*<sup>3</sup> addresses the need for land and its availability and states  
.... *it is important that available land be used in an appropriate, sustainable way, in order to meet the needs of both the growing population, as well as ecosystem health and services. Whilst the flood extent from the Nepean River covers a relatively large area, there is still substantial flood free areas available for development. Given the significant risks posed by flooding along the Nepean River, it is not recommended that flood controls be softened to allow additional development. (9.7)*

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<sup>3</sup> Cardno 20 September 2019 *Nepean River Floodplain Risk Management Study & Plan Including Narellan Creek* (Final Draft Report) Available at [https://hdp-au-prod-app-cam-matters-files.s3.ap-southeast-2.amazonaws.com/7716/5821/3637/22\\_146637\\_02\\_-\\_Nepean\\_River\\_FRMSP\\_Report.PDF](https://hdp-au-prod-app-cam-matters-files.s3.ap-southeast-2.amazonaws.com/7716/5821/3637/22_146637_02_-_Nepean_River_FRMSP_Report.PDF)

Yet this HCA concessional development clause does allow additional development and does put more people and property at risk. It not only softens the flood controls it promotes additional development in a small defined area that is highly flood prone.

***(9) What is the reason that overrides the principle of not putting more people and property at risk?***

The same *Risk Management Study & Plan* addresses social and heritage issues and states:

*Heritage issues are also a concern in the Study Area, with historic regions of the Camden Town Centre having been constructed well below the 1% AEP flood level. The Town Centre is a region of active redevelopment, and the FPL and planning controls adopted have the potential to significantly impact the type and style of this redevelopment. Council is desirous to retain the existing scale and street frontages in the Town Centre, which would result in lots experiencing large over-floor flood depths in both the 1% AEP and the PMF. The final selection of the FPL will need to balance the social and heritage needs in the Camden Town Centre, against Council's responsibility to protect its residents from flooding risks. (9.13)*

We dispute that the old town is under active redevelopment unless referring to the special and contentious case of the development for the sensitive use of seniors' living on the old Camden High School site. The answer of course is that this development was and still is highly questionable. Recent events have clearly shown why placing a large number of more vulnerable citizens in harm's way and congested evacuation routes is irresponsible.

The HCA is a tiny area within a large LGA, that by definition is to be conserved, not redeveloped. There should be no "concession".

As noted above, the main reason for the clause that we have been offered is that the NSW Government does not allow floodplain land to be "sterilised". Clearly that view has changed in the wake of the Report on the 2022 Flood Inquiry, the NSW Government's response and the Premier's comments.

The NSW Government response to the independent Inquiry's findings is unambiguous. It supports all 28 recommendations, either in full (6) or in principle (22). The NSW Premier stated: *we cannot keep developing in areas that are at high risk of floods... We've been doing that for the last 100 years. It has to stop, and today it does.*<sup>4</sup>

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<sup>4</sup> ABC 17 August 2022 *NSW 2022 Flood Inquiry report recommends flood zone buy backs, changes to disaster response* Available at <https://www.abc.net.au/news/2022-08-17/nsw-independent-flood-inquiry-report-made-public/101331288>

***(10) Why would Council expect the community to accept this HCA clause in the wake of the Camden floods and the Lismore catastrophe?***

***(11) Why wouldn't the community take the words of the Premier at their face value, that floodplain development stops on the 17 August 2022?***

The response that we received from Council staff was that it would take time for the NSW Government to issue new directives although all recommendations were accepted. It could take years and meanwhile the directive was that land could not be sterilised.

***(12) Why, in the wake of the successive Camden floods this year, with more predicted and the damage, disruption and personal anguish<sup>5</sup> that they have caused, should the community accept this tortured logic?***

***(13) What vested interest does this HCA concessional clause serve?***

In any case, using floodplains for agriculture, recreation and the environment is not “sterilising” them but using them for the benefit of the whole community.

Developers purchase cheaper land with flooding (and heritage) constraints in the HCA, believing they can jump the planning hurdles, gain a DA approval and make windfall gains. This has proven to be possible, particularly if the owner quickly sells the site with a DA intact (11 Mitchell Street) or otherwise quickly moves on during a dry spell; the result is potential private gain at the expense of amenity, irreplaceable heritage and problems for others into the future. The longer-term mechanisms of the economy and financial systems mean that ROIs in floodplain development equalise with those of similar investments in flood-free land, but without the un-costed human toll on mental health and well-being. There is ample flood-free land in the Municipality. At a macro level the public cost of evacuations and recovery is wasteful, not productive. Even from a neo-liberalist view this HCA clause cannot be explained or justified.

The real and human cost of floodplain development is borne by everyday people including the subsequent and possibly unsuspecting occupiers of the new or overly redeveloped premises, including through loss of income and high insurance.

***(14) What is the economic imperative behind the HCA concessional clause? Please explain.***

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<sup>5</sup> A Current Affair 22 February 2022 *Camden locals flee as floodwaters force evacuation* Available at <https://9now.nine.com.au/a-current-affair/nsw-floods-camden-locals-receive-evacuation-order/28c4399e-b932-4c01-8cc9-d634b2208349>



Planning Circular PS 21-006, included in NSW's finalised flood-prone land package<sup>6</sup> which came into effect on 14 July 2021, lists key issues in land-use planning and reducing risk to life, property damage and other flood impacts on existing and future occupants of flood prone land including:

- *safety of people including evacuation considerations;*
- *management of flood risk, to reduce flood damage to public and private property and Infrastructure;*
- *management of the impacts of development, including cumulative impacts of development*
- *application of development controls;*
- *management of the impacts of development on emergency services.*

***(15) How are the above key issues in land use planning addressed by or consistent with the HCA concessional development clause which encourages development and more occupants in a high flood risk area?***

It is foolhardy at best to develop floodplains. NSW Planning Circular PS 21-006 reiterates that NSW Government's Flood Prone Land Policy is that councils are primarily responsible for managing flood risk and are protected from liability (under s733 of the LGA Act) if they have followed NSW policy as set out in NSW Floodplain Development Manual (referred to in the introduction of Camden's draft Policy).

Concessionally allowing development in particular flood areas, including high risk areas, whilst not allowing it in similarly risky areas is at best counter-intuitive and legally reckless.

Allowing the rivers to take their natural course and respecting their strength is wise, and prevents tragedies like Lismore. In a vast country like Australia, with its weather extremes, it is madness to do otherwise.

The first two concessional categories work equally well for the HCA and are consistent with heritage conservation as espoused by Council and as expected by the community.

***(16) Why would Camden Council, as a result of the discriminatory HCA concessional clause, leave itself potentially legally liable and certainly accountable for approving development in a high risk setting that results in property damage and evacuation difficulties?***

**THE HCA CONCESSIONAL DEVELOPMENT CLAUSE IS DISCRIMINATORY AND INDEFENSIBLE AND MUST BE DELETED.**

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<sup>6</sup> NSW Government *Keeping our communities safe* Available at <https://www.planning.nsw.gov.au/flooding>

## HCA 2022 FLOODING



**Recently approved development Argyle St**



**Elizabeth St towards Exeter St  
Approved (unbuilt) seniors living and recently  
approved (unbuilt) no. 20 redevelopment**



**Edward St towards Argyle St**



**Corner Exeter St and John St opposite approved  
and built seniors living**



**Recently approved (unbuilt including residential)  
11 Mitchell St and towards Edward St**

**Approved (unbuilt) large addition Milk Factory Corner  
Edward St and Argyle St**



## DRAFT FLOOD RISK MANAGEMENT POLICY IS NOT BASED ON UP-TO-DATE INFORMATION

As the exhibition preamble states, Camden's Flood Risk Management Policy<sup>7</sup> needed to be updated to reflect changed requirements, which presumably are those commencing on 14 July 2021 as covered in NSW Planning Circular, PS 21-006, guidelines and other accompanying documents<sup>8</sup>.

We note that Camden's Policy has not been updated since 2006. No doubt this creates a sense of urgency in complying with the 2021 requirements. According to the NSW Flood Manual (2005, 2.7; 2022, 4.6) reviews are necessary every five years and, importantly, after an event that is not consistent with risk management plans.

The 2012 Terms of Reference of Camden's Flood Risk Management Committee are consistent with the NSW Flood Manual although the community representatives, number and minutes of meetings are not available at the time of writing. It is not clear how the Committee has provided a forum for technical, social, economic and ecological issues or achieved its main objective of assisting Council in the review, development and implementation of floodplain risk management plans.

The recent successive floods in Camden would be expected to be a major agenda item for the Committee. This series of flood events were/are not consistent with management plans, were certainly not predicted, resulted in significant damage to infrastructure and untold losses to property and income, rescues of livestock, mental anguish and fear that Camden would go the way of Lismore.

The community considers that the Report of the independent expert NSW Flood Inquiry<sup>9</sup>, released on 17 August 2022, into the 2022 catastrophic flood events across NSW, is completely relevant to Camden. The NSW events included Camden as referenced in the Inquiry. Camden has experienced unusual frequent flooding<sup>10</sup>, with the latest event last month (July 2022)<sup>11</sup> and flooding is forecast to continue. NSW Government declared natural disasters in many LGAs including Camden.

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<sup>7</sup> Camden Council 2006 *Flood Risk Management Policy 3.19* Available at <https://www.camden.nsw.gov.au/assets/pdfs/Council/Policies/Flood-Risk-Management.pdf>

<sup>8</sup> NSW Government *Keeping our communities safe* Available at <https://www.planning.nsw.gov.au/flooding>

<sup>9</sup> NSW Government 2022 *NSW Flood Inquiry* Available at <https://www.nsw.gov.au/nsw-government/projects-and-initiatives/floodinquiry>

<sup>10</sup> 7 NEWS 8 April 2022 *NSW Flood Nightmare: Camden homes and businesses flooded for a THIRD time in 2022* Available at <https://youtu.be/zFqRaQ2qq3E>

<sup>11</sup> Kayla Osborne and Jess Layt 5 July 2022 *Devastation returns to Camden in fourth flood of year* The Rural Available at <https://www.therural.com.au/story/7806624/devastation-returns-in-fourth-flood-of-year/>

We cannot be confident that the studies and mapping included in this Exhibition are up to date. The cover pages of the documentation, upon which the draft Policy is based, are headed up as 2022, when the effective report dates are earlier and prior to the floods of 2021 and to date of 2022. For instance

- *Nepean River Floodplain Risk Management Study & Plan Including Narellan Creek (Final Draft Report)* is dated 20 September 2019;
- *Nepean River Floodplain Risk Management Study & Plan Including Narellan Creek: Appendix A – June 2016 Event Assessment (Final Draft Report)* is dated 7 April 2017;
- *Appendix B: Nepean River FRMSP Flood Behaviour* is dated 24 September 2020;
- *Appendix C – Arr 2016 Assessment (Final Draft Report)* is dated 8 August 2019 and other appendices D to J are dated mainly August 2019

No explanation has been provided in the exhibition as to how the latest frequent flood events have been factored into the draft Policy. It was good luck not good management that Camden experienced successive moderate floods, not a major flood or potentially go the way of Lismore. A major flood this year is considered likely in Camden.

We also cannot find any documentation to show that the local community was interviewed and consulted to provide valuable lived experience data, of which there is a wealth within the Camden community, and which would have provided another level of assurance that the modelling was based on all available evidence.

***(17) Why doesn't the exhibition include all available and up-to date information and/or explain how it has been collected and used to inform flood policy and floodplain management?***

## CLIMATE CHANGE HAS NOT BEEN PROPERLY CONSIDERED

We must question the scientific foundation of the assumptions used to account for climate change and its extreme weather events in the documentation.

We note that the data of the studies did not predict the recent and unusual floods.

*Final Draft Risk Management Study and Plan* (20 September 2019, 9.11) notes that Council does not have a formal climate change policy. It provides no explanation for the blanket adjustment in climate effects of 10%.

It is unlikely that Mother Nature is aware of that neatly rounded percentage constraint on rainfall and flooding events over Camden.

This study (9.11) also states: *Under the 10% rainfall increase, levels increased by 0.5m to 0.75m at Camden CBD, with levels increasing downstream to over 1.5 at the confluence of Bringelly Creek.*

The freeboard requirement in the HCA, most of Camden's CBD is 0.5m, certainly not 0.75m.

***(18) Again, we ask, how is the HCA/CBD concessional development clause reasonable and who benefits?***

***(19) How is the flood risk in the HCA/CBD managed?***

The LGA's usual FPL freeboard of 0.5m, in a worst-case scenario could be subsumed by 2030 (Table 9.6) based on the unexplained 10% climate change effect.

In seeking answers to our question on how climate change was modelled we were also told that the FPL freeboard would accommodate increased flood levels. As is clear from the discussion (9.11), this answer is wishful thinking not an adaptation to climate change based on any scientific risk assessment or modelling.

***(20) How is this responsibly preparing for the future of climate change on the floodplain?***

The draft Policy creates extra confusion about how Camden Council intends to adapt to climate change. For instance:

### ***Addressing Climate Change Impacts***

*Potential impacts from climate change were assessed by modelling the flood behaviour arising from increase in rainfall intensities through the flood risk management process as identified in Council's up-to-date Flood Study/Plan. The results showed that the Nepean River catchment is prone to large flood level increases as a result of the increased rainfall intensities from climate change. Under the climate change scenario, the flood levels increased by up to and over 1.5m within the catchment. (Part 3, 2.4)*

- (21) Is this potential flood impact from climate change captured by the 10% adjustment and accommodated by the FPL freeboard?*
- (22) Is and how is potential flood impact from climate change incorporated into the mapping?*
- (23) Is the additional risk of flooding from climate change already incorporated into areas subject to concessional development, or can those risky areas be expected to expand?*
- (24) As the climate change impacts do not seem to be modelled scientifically what are the risks that development will be approved on areas that were not previously mapped as flood affected (as occurred in Lismore this year)?*

The lack of explanation and assurance in the documentation must lead us to conclude that the draft Policy is quite possibly based on questionable data and mapping, is not faithfully complying with the NSW directive that climate change must be considered and is putting the community at unnecessary risk.



## LACK OF EXPLANATION and COMMUNITY ENGAGEMENT

Unfortunately, no clarification is included in the exhibition about how the large amount of detail in the studies, including maps, informed the draft Policy. The exhibition does not explain in direct understandable terms how the policy and studies interrelate. They are presented in different windows with their own facilities for comment, which makes comment difficult.

***(25) Why wasn't an overarching explanation provided in the Exhibition, in plain English, as to what the practical effects of findings of the studies and update to the policy and floodplain management were?***

The exhibition provided Camden Council's telephone number for enquiries and attempts to reach the Floodplain Team through the switchboard were not always successful.

CRAG received questions from both members and non-members about what the draft Policy and revised floodplain management means in practical terms for residents and businesses. The great number of documents and level of detail, much of it technical was difficult to navigate and raised as many questions as it answered. People, including the many who were personally affected by the recent floods remain not only confused and overwhelmed by the detail of the exhibition but are understandably concerned about how the draft Policy addresses unsafe conditions, mitigates property damage and the congestion experienced in evacuation of large numbers of households and businesses<sup>12</sup>.

Answers to common questions of why the HCA development concession does not account for floodplain risk, and how evacuation of Camden's HCA/CBD is to be managed given choke points and early closure of roads and bridges were not apparent. Residents of the HCA have questions about how their homes and environment will be affected by the HCA concessional development clause and fear the worst.

Residents and other businesses, including in Camden's HCA/CBD, have questions about potential mitigation strategies including possible levees and if and how they will redirect floodwaters to other properties. People have questions about the cadastre mapping resolution made available which is not sufficient to determine floodway boundaries and risks to individual properties.

How evacuation of the floodplain is to be managed is a common question, especially given the road closures and traffic congestion, already experienced four times this year. The only evacuation centre on the Camden side of the river under consideration is Camden High School to which access is limited during a flood and completely cut off in a PMF.

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<sup>12</sup> Channel 9 February 2022 *Camden locals flee as floodwaters force evacuation* A Current Affair Available at <https://9now.nine.com.au/a-current-affair/nsw-floods-camden-locals-receive-evacuation-order/28c4399e-b932-4c01-8cc9-d634b2208349>

Yet a centre in Camden township which has many residents, including many seniors, and where there is a hospital, food and other services is not under consideration. In any case the Narellan centre made available this year is impractical as there is only one lane over the Macarthur bridge, which quickly becomes backed up, and even that would potentially be closed in a major flood.

We consider that what people needed in this exhibition and the answers that they would seek are foreseeable and the documentation should have easily provided them.

It was commonly expressed that it is a reasonable expectation that the exhibition be accompanied or preceded by public consultation, information and question and answer sessions.

Our understanding from reading the NSW Floodplain Manual (2005, 2022) is that the process of flood risk management includes engagement with the community.

***(26) Why wasn't the community afforded information and question and answer sessions and otherwise engaged prior to the exhibition?***

On 17 August 2022, CRAG requested a meeting with the Floodplain Team and/or Planners involved so that an overarching explanation of the findings of the studies and how they informed the draft Policy could be provided and questions answered and disseminated (Appendix). As this was not possible a Councillor was approached and a meeting was quickly arranged on 19 August 2022 with a Director and Manager, which was much appreciated. At this meeting the submission period was extended to 11.59pm Friday 26 August 2022. The Manager took notes of the questions and issues raised to be submitted to the Floodplain Team.

We understand that there is some urgency in complying with the 2021 NSW requirements, particularly as the Camden Flood Risk Management Policy has not been updated since 2006. But unusual flood events also trigger the need for review<sup>13</sup>.

The community, certainly expects that recent NSW flood events, including those that Camden has endured be recognised and factored into how the floodplain is managed. Lived experience should inform policy.

We also submit that providing the opportunity for the community to recount their lived experiences is a prerequisite of maintaining faith with the community. No accommodation was made to consult the many Camden residents and businesses who have long dealt with flood behaviour and recovery. They can provide extremely valuable information about issues with evacuations and what is different with the recent series of floods, coming after a long drought period that has seen so much new development and increased traffic congestion.

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<sup>13</sup> NSW 2005 Floodplain Development Manual, 2.7



The community finds it insensitive that the exhibition makes no reference the very recent and potentially ongoing difficult period of flooding and that answers to their recent problems were not found.

***(27) Why is there no reference to recent and unusual flood events?***

***(28) Why wasn't the community consulted and why weren't the recent experiences of the 2022 flood events included in the data collected and used to inform policy?***

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In conclusion, the draft Policy is unclear and raises many questions. It should of course be a source of unmistakable intent and direction that the community accepts and understands.

Instead, it is apparently contemptuous of the community's views and Camden Council policy on conservation of Camden's unique heritage. The HCA concessional development clause is inexplicable and indefensible. IT MUST BE DELETED.

Lack of consistency with the NSW Government response to the 2022 flooding events, including in Camden, makes no sense to the community. It does not meet community expectations that a major and definitive change in government direction is ignored.

There has been no attempt to engage the community which is directly affected by the draft Policy.

Very importantly the draft Policy does not sufficiently address safe and timely evacuation of Camden's floodplain, including Camden HCA/CBD which contains many sensitive uses including schools and senior's living.

The studies and mapping do not show how they are based on up-to-date data. They also do not incorporate long-lived and first-hand experience as valuable information on changes in flood patterns and behaviour, real-life evacuation issues and how they may be resolved.

The studies also do not explain logically, in accordance with climate science, how FPLs and concessional development are consistent with predicted climate change. It seems that Camden Council does not have a formal climate change policy. The climate change approach is out of step with societal expectations and the unexplained the 10% blanket adjustment is disturbing.

It is not apparent how the studies relate to the draft Policy. The very practical issues that Camden faces are somehow lost or unaddressed in their overwhelming amount of detail. It follows that the community cannot have confidence in the draft Policy.

Camden's Flood Risk Management Policy needs to readily understood by the community. It needs to be informed by lived experience and solve problems that residents and businesses have encountered this year. It must reference recent unusual events. Community engagement is required, as well as the opportunity to have questions answered. This is essential for people to feel respected and to accept the Policy as in the best public interest of protecting lives and property.

We trust that our questions throughout this submission, as promised<sup>14</sup>, will be answered as explanations and actions and not by assertions.

However, given their number (28) and fundamental nature we must conclude and submit that the Exhibition as it stands can only be withdrawn.

Camden's Flood Risk Management Policy must be reformulated to exclude the HCA concessional development clause, be based on current information and be understandable and acceptable to the community.

Yours sincerely

A handwritten signature in cursive script that reads "Glenda Davis".

Glenda Davis

President

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<sup>14</sup> See Appendix

**glenda@davisco.com.au**

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**From:** Flood Plains <Floodplains@camden.nsw.gov.au>  
**Sent:** Thursday, 18 August 2022 1:16 PM  
**To:** glenda@davisco.com.au; Flood Plains  
**Cc:** admin@crag.org.au  
**Subject:** RE: Floodplain management exhibition and request

Dear Glenda




Thank you for your email.



Please submit all your concerns as a submission. We will address them. If required, a meeting will be arranged later. If maps are not clear, please call 'Floodplain Management Team' of the Council, they will direct you to maps.

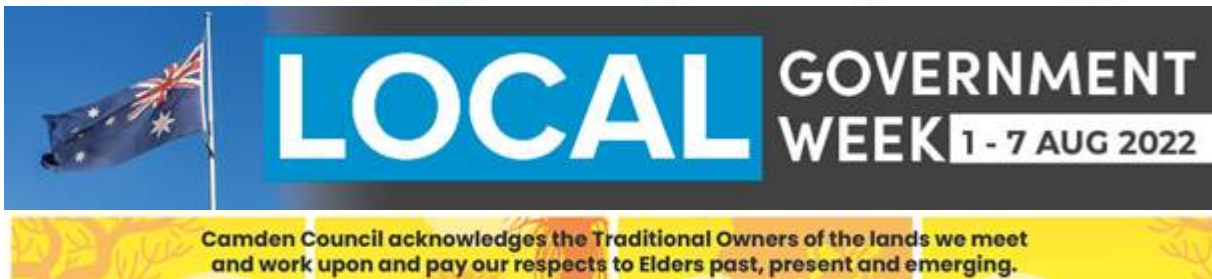
The flood related development controls are outcomes of 'Floodplain Risk Management Study and Plans (FRMSP)'. For Nepean River it is in public exhibition. The Upper South Creek FRMSP was adopted by the Council in 2019 (after public exhibition). Part of it was further reviewed under the updated Upper South Creek Flood Study (currently in public exhibition).

Regards

## Camden Council

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**From:** glenda@davisco.com.au <glenda@davisco.com.au>  
**Sent:** Wednesday, 17 August 2022 11:54 AM  
**To:** Flood Plains <Floodplains@camden.nsw.gov.au>  
**Cc:** admin@crag.org.au  
**Subject:** RE: Floodplain management exhibition and request

**Warning - This email originates from an external organisation**

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Dear Maria and Floodplain team,

Thank you for your time yesterday and explanations which I have passed on to our membership. Also thank you for extending the submission date to Monday, much appreciated.

Feedback from CRAG was swift and I have summarised below the main points fed back so far. Many have expressed difficulty in getting their heads around the great number of documents and how they interconnect and asked why there are two submissions, one for policy and one for plans. Also that the mapping needs to be of higher resolution so that property boundaries in relation to flood ways and flood levels can be established. It is difficult to make a submission when there are so many exhibition documents and how they are used to inform the draft policy is not explained.

They go on to say that we need the opportunity to attend an information session so that questions can be answered and that a full overarching explanation of what the changes entail and mean going forward can be provided.

An information session would be appreciated, but if that is not possible given the timeframe, a number of people are asking for at least a meeting with Planners so that specific questions can be answered. Could this be arranged for tomorrow or Friday? If so that would be much appreciated.

Kind regards

Glenda  
0415 617 368  
cc CRAG Membership

Feedback so far as follows:

- The Heritage Conservation Area clause is not acceptable as it is really an invitation to demolish cottages and other fabric and replace them with inappropriate constructions that do not tell the story of Camden in NSW and Australian history. It is a listed conservation area, not an area for redevelopment. The first two concession categories with perhaps some tweaking are sufficient and would help protect heritage, lives and properties. We do not want a repeat of Lismore. It is foolhardy to increase development on the floodplain. Government is talking about buybacks in Lismore, Windsor etc. This is not consistent with the argument that land cannot be sterilised, yet this Policy permits more building in flood prone areas of Camden. The 1840 Macarthur town is contributory as a cultural centre, a small area of the Municipality and is very important to the community as it stands. It does not need to be overdeveloped or redeveloped to be useful. In fact that would destroy its point of difference and economic advantage. The question of who benefits by the special clause needs to be answered.
- Residents of the conservation area, many in the flood areas, need to be reassured that their homes and environment will not be destroyed by the concessional clause. They invested in good faith, relying on the planning instruments, that the area would be conserved not redeveloped. More recently the 2018 CTC Urban Design Framework also recommended that residential be included in the zoning so that the vibrancy of the town and foot traffic would be enhanced. The 2020 Local Strategic Planning Statement which aligns with the WCD Plan also has as a priority that *Local Priority L2 Celebrating and respecting Camden's proud heritage. These initiatives will ensure that Camden's valued heritage is protected from the impacts of development and can continue to be celebrated by the community.* (p. 45). We do not believe from the information to hand that the special clause is consistent with what the community wants or other Council policy.

- Residents, particularly those in Alpha Rd want to understand more about the levee options, and the likelihood of them being considered and what would be the effect of displaced floodwaters on other properties.
- How evacuation is to be managed is a big issue and needs to be explained. It seems the only evacuation centre on the Camden side of the river even being considered is Camden High School. Which would be completely cut off in a PMF, and limited access in any flood event, either to get there from Camden, or to get out to anywhere else. There is no suggestion of an evacuation centre in Camden township - where many people would be, and there are services, food and supplies, and a hospital. This is unsafe and unacceptable. Next closest would be Mawarra and Spring Farm PS, but they would be needed for people in those areas in a major event. And no good if the bypass is closed, which as experience tells us in any case becomes clogged and not everyone can necessarily reach Narellan in good time.
- There is confusion about how the effects of climate change are incorporated into the policy. Again we do not want a repeat of Lismore. The Policy at 2.4 was noted:

***Addressing Climate Change Impacts***

*Potential impacts from climate change were assessed by modelling the flood behaviour arising from increase in rainfall intensities through the flood risk management process as identified in Council's up-to-date Flood Study/Plan. The results showed that the Nepean River catchment is prone to large flood level increases as a result of the increased rainfall intensities from climate change. Under the climate change scenario, the flood levels increased by up to and over 1.5m within the catchment.*

Is this incorporated into the mapping and would this increase the concessional areas? It is not clear given the mapping is dated 2019. Again it is expressed that it is foolhardy to develop the floodplain, especially when there is ample flood free land in the LGA.

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**From:** [glenda@davisco.com.au](mailto:glenda@davisco.com.au) <[glenda@davisco.com.au](mailto:glenda@davisco.com.au)>  
**Sent:** Tuesday, 16 August 2022 1:39 PM  
**To:** 'floodplains@camden.nsw.gov.au' <[floodplains@camden.nsw.gov.au](mailto:floodplains@camden.nsw.gov.au)>  
**Cc:** 'admin@crag.org.au' <[admin@crag.org.au](mailto:admin@crag.org.au)>  
**Subject:** Floodplain management exhibition

Dear Floodplain team,

Could you advise whether we will be able to discuss questions from our membership today and if so could you provide an approximate time, many thanks

Glenda Davis  
 President  
 Camden Residents' Action Group Inc  
 Cc CRAG Committee  
 0415 617 368