

unnedah LEP 1998 - (Change in definition of flood prone land.
Proposal Title :	Gunnedah LEP 1998 - Change in definition of flood prone land.
	This Planning Proposal seeks to amend the Gunnedah LEP 1998 by changing the definition of flood prone land to take into account recent studies and reports that provide more accurate information on potential flood behaviour in Gunnedah.
PP Number :	PP_2011_GUNNE_003_00 Dop File No : 11/16719
lanning Team Recom	mendation
Preparation of the plann	ing proposal supported at this stage : Recommended with Conditions
S.117 directions :	3.1 Residential Zones 4.3 Flood Prone Land 6.1 Approval and Referral Requirements
Additional Information :	It is recommended that:
	1. the Planning Proposal be supported;
	2. the Planning Proposal be amended prior to exhibition to replace the definition of "flood prone land" in the LEP with the definition of "flood planning level". Flood planning level is to be defined as "the level of a 1:100ARI (average recurrent interval) flood event plus 0.5 metres freeboard".
	3. Council undertake consultation with the following Public Authorities: - Office of Environment and Heritage on flooding issues.
	4. the flood mapping that supports the Planning Proposal (Namoi Valley Floodplain Atlas 1980, the Gunnedah Carroll Floodplain Management Study and Plan 1999 and the Blackjack Creek Floodplain Risk Management Study and Plan 2011) be amended as necessary in consultation with Office of Environment and Heritage to incorporate a 0.5m freeboard where appropriate, and are placed on exhibition with the Planning Proposal;
	5. the Planning Proposal be considered as 'low impact' and is exhibited for a period of 14 days; and
	6. the Planning Proposal should be completed within 9 months.
Supporting Reasons :	The Planning Proposal will update the LEP flood controls and will allow Council to utilise the most current and relevant flood data and information in its assessment processes as a consent authority.
anel Recommendatio	n
Recommendation Date :	22-Sep-2011 Gateway Recommendation : Passed with Conditions
Panel Recommendation :	The Planning Proposa should proceed, subject to the following conditions:
	1. Council is to replace the definition of "flood prone land" in the planning proposal with the Standard Instrument definition of "flood planning level" as "the level of a 1:100ARI (average recurrent interval) flood event plus 0.5 metres freeboard".

2. Council is to amend Clause 26 of the Gunnedah LEP 1998 to replace the current words of "flood prone land" with "land below the flood planning level".

3. Council is to prepare mapping in consultation with the Office of Environment and

Gunnedah LEP 1998 - Change in definition of flood prone land.

	Heritage, to incorporate a 0.5m freeboard where appropriate and to place it on exhibition with the planning proposal.
	4. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
	(a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning 2009) and must be made publicly available for 14 days; and (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).
	5. Consultation is required with the following public authority under section 56(2)(d) of the EP&A Act:
	Office of Environment and Heritage
	The public authority is to be provided with a copy of the planning proposal and any relevant supporting material. The public authority is to be given at least 21 days to comment on the proposal, or to indicate that it will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.
	6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
	7. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.
Signature:	Ceat
Printed Name:	Neif M. Goffin Date: 28.9.11