

Part 1 - Objectives

The primary objective of this planning proposal is to ensure the Liverpool Local Environmental Plan 2008 places appropriate planning provisions on flood prone land whilst removing flood restrictions from land which is not at risk.

Part 2 - Explanation of Provisions

The aims of this planning proposal will be achieved through removing the Flood Prone Land Area Map from the Liverpool Local Environmental Plan 2008 (LLEP 2008) and amending Clause 7.8 Flood Planning provisions. The four proposed amendments are:

1. To amend Clause 7.8 Flood Planning to the following model clause:

7.8 Flood Planning

(1) *The objectives of this clause are as follows:*

- a) to minimise the flood risk to life and property associated with the use of land,*
- b) to allow development on land that is compatible with the land's flood having taking into account projected changes as a result of climate change,*
- c) to avoid significant adverse impacts on flood behaviour and the environment.*

(2) *This clause applies to land at or below the flood planning level.*

(3) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:*

- a) is compatible with the flood hazard of the land; and*
- b) will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and*
- c) incorporates appropriate measures to manage risk to life from flood, and*
- d) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and*
- e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.*

(4) *A word or expression used in this clause has the same meaning as it has in the NSW Government's Floodplain Development Manual published in 2005, unless it is otherwise defined in this clause.*

(5) *In this clause, **flood planning level** means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.*

2. To remove all the Flood Prone Land Mapping from the Liverpool LEP 2008, (FLD001 to FLD015).
3. To remove *Flood Planning Area* and *Flood Planning Area Map* from the LLEP Dictionary.
4. To amend references of 'flood planning area' to 'flood planning land' in Clause 3.2 Complying Development 3A(f)(ii).