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Liverpool Local Environmental Plan 2008

Current version for 1 January 2015 to date (accessed 7 January 2015 at 10:27)

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7.8 Flood planning

- (1) The objectives of this clause are:
 - (a) to maintain the existing flood regime and flow conveyance capacity, and
 - (b) to avoid significant adverse impacts on flood behaviour, and
 - (c) to limit uses to those compatible with flow conveyance function and flood hazard, and
 - (d) to minimise the risk to human life and damage to property from flooding.
- (2) Despite any other provision of this Plan, development consent is required for development for the following purposes on land in a flood planning area:
 - (a) earthworks,
 - (b) the erection of a building,
 - (c) the carrying out of a work,
 - (d) flood mitigation works (other than those carried out by a public authority).
- (2A) Development consent must not be granted to development in a flood planning area for the purposes of residential accommodation unless the consent authority is satisfied that the development:
 - (a) will not adversely affect flood behaviour and increase the potential for flooding to detrimentally affect other development or properties, and
 - (b) will not significantly alter flow distributions and velocities to the detriment of other properties or the environment, and
 - (c) will enable the safe occupation and evacuation of the land, and
 - (d) will not have a significant detrimental affect on the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of any riverbank or watercourse, and
 - (e) will not be likely to result in unsustainable social and economic costs to the flood

affected community or general community as a consequence of flooding, and

- (f) if located in the floodway, will be compatible with the flow of flood waters and with any flood hazard on that floodway.
- (3) Development consent must not be granted to development on flood prone land (other than development for the purposes of residential accommodation) unless the consent authority is satisfied that the development:
- (a) will not adversely affect flood behaviour and increase the potential for flooding to detrimentally affect other development or properties, and
 - (b) will not significantly alter flow distributions and velocities to the detriment of other properties or the environment, and
 - (c) will enable the safe occupation and evacuation of the land, and
 - (d) will not have a significant detrimental affect on the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of any riverbank or watercourse, and
 - (e) will not be likely to result in unsustainable social and economic costs to the flood affected community or general community as a consequence of flooding, and
 - (f) if located in the floodway, will be compatible with the flow of flood waters and with any flood hazard on that floodway.

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