



New South Wales

## **Lismore Local Environmental Plan 2000 (Amendment No 26)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (GRA6323447/PC)

FRANK SARTOR, M.P.,  
Minister for Planning

## **2006 No 626**

Clause 1            Lismore Local Environmental Plan 2000 (Amendment No 26)

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## **Lismore Local Environmental Plan 2000 (Amendment No 26)**

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Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Lismore Local Environmental Plan 2000 (Amendment No 26)*.

### **2 Aim of plan**

This plan aims to amend clause 22 (Development on flood affected land) of the *Lismore Local Environmental Plan 2000* to enable certain building works to be carried out on particular floodways.

### **3 Land to which plan applies**

This plan applies to all land shown as floodway on Map 1 of the *Lismore Floodplain Management Plan* dated October 2002 and deposited in the office of the Council of the City of Lismore.

### **4 Amendment of Lismore Local Environmental Plan 2000**

*Lismore Local Environmental Plan 2000* is amended as set out in Schedule 1.

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 22 Development on flood affected land

Insert after clause 22 (2):

- (2A) Despite the provisions of Part 3, the consent authority must not grant consent to an alteration to an existing building on land shown as floodway on Map 1 of the *Lismore Floodplain Management Plan* unless all of the following are satisfied:
- (a) the alteration will not result in the creation of any new dwelling,
  - (b) there is no expansion of the building footprint,
  - (c) all building work that is not internal is above the flood standard,
  - (d) any new materials at or below the flood standard in internal work are flood compatible,
  - (e) a certificate is provided from a suitably qualified engineer that states that the building (including its foundations) when modified will be able to withstand the impacts of the floodwaters and debris in the floodway for floods up to the 1 in 500 year average recurrence interval (ARI) flood.

### [2] Clause 22 (5)

Insert in alphabetical order:

*average recurrence interval (ARI)* means the average period between the recurrence of a storm event of a given rainfall intensity. The ARI represents a statistical probability.