



New South Wales

Deniliquin Local Environmental Plan 1997 (Amendment No 3)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

JOHN RAYNER, INTERIM GENERAL MANAGER
EDWARD RIVER COUNCIL
As delegate for the local plan-making authority

Deniliquin Local Environmental Plan 1997 (Amendment No 3)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Deniliquin Local Environmental Plan 1997 (Amendment No 3)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to certain land to which *Deniliquin Local Environmental Plan 1997* applies.

Schedule 1 Amendment of Deniliquin Local Environmental Plan 1997

[1] Clause 5 Definitions

Omit the definition of *flood liable land* from clause 5(1).

Insert in alphabetical order—

Flood Planning Map means the Deniliquin Local Environmental Plan 1997 Flood Planning Map.

[2] Clause 21

Omit the clause. Insert instead—

21 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 hazard, 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—
 - (a) land identified as “Flood planning area” on the Flood Planning Map, and
 - (b) other 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 *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005, unless it is otherwise defined in this clause.
- (5) In this clause—

land at or below the flood planning level means land at or below the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.