

Reference: 2098589



28 February 2023

Department of Planning and Environment  
12 Darcy Street  
PARAMATTA NSW 2150

To whom it may concern,

**RE: Special Flood Considerations Clause Exhibition.**

Lithgow City Council thanks the Department of Planning and Environment for the opportunity to give feedback on the proposed changes to the Special Flood Consideration Clause.

Lithgow City Council at officer level is in support of **option two** as identified in the *Explanation of Intended Effect: Special Flood Considerations Clause* which seeks to implement Clause 5.22 "Special Flood Consideration" into all Local Environmental Plans, including the Lithgow Local Environmental Plan (LEP) 2014.

Due to Council's reporting timelines, a formal resolution from Council to endorse the proposed Special Flood Considerations Clause could not be sought prior to the exhibition closure date. Should a Council resolution be required by the Department, a report can be prepared for Council's March Meeting on the 27 March 2023.

Council did not opt-in to Special Flood Consideration Clause in 2021 as Council was in the process of developing a Floodplain Risk Management Study and Plan and was waiting on the recommendations of the plan to guide strategic implementation of planning controls within our flood prone areas.

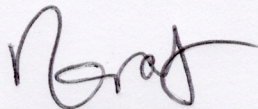
Since then, Council has prepared a Draft Lithgow Floodplain Risk Management Study and Plan which is currently proceeding to Public Exhibition. The flood management measures which are numerically ranked by the plan determined that the introduction of Clause 5.22 into the Lithgow LEP 2014 is the top priority.

In regard to the proposed additional housekeeping amendments, Council is in support of removing flood maps in Local Environmental Plans where they are no longer referenced. Council notes that the flood map located in the Lithgow LEP 2014 is from a study in 1994 and is not the most current flood data Council has available. Council intends to move the maps from the LEP to Council's Development Control Plan.

As Lithgow City Council did not opt-in to the 2021 special flood considerations clause, the remaining two proposed housekeeping amendments do not impact the Lithgow LEP 2014.

Should you wish to contact Council regarding any of the feedback provided, please contact Council's Strategic Land Use Officer Christian Matthews on 02 6354 9999 or by email at [Christian.Matthews@lithgow.nsw.gov.au](mailto:Christian.Matthews@lithgow.nsw.gov.au)

Yours sincerely



**Michael McGrath**  
DIRECTOR PEOPLE & SERVICES