

Lockyer Valley Regional Council



TLPI 01/12 REGIONAL COUNCIL



Temporary Local Planning Instrument 01/12:
Gatton Planning Scheme 2007 – Flood
Regulation and Laidley Planning Scheme
2003 – Flood Regulation



For more information call 1300 005 872 or visit www.lockyervalley.qld.gov.au

Temporary Local Planning Instrument – Gatton Planning Scheme 2007 – Flood Regulation

Lockyer Valley Regional Council

Temporary Local Planning Instrument – 01/2012

Gatton Planning Scheme 2007 – Flood Regulation and Laidley Scheme – Flood Regulation

Short Title

1. This temporary local planning instrument (TLPI) may be cited as Temporary Local Planning Instrument – 01/2012 – Gatton Planning Scheme 2007 – Flood Regulation and Laidley Scheme – Flood Regulation.

Purpose

2. The purpose of this TLPI is to provide improved flood regulation based on the identification of flood inundation areas in the Gatton Planning Scheme.
3. To achieve this purpose, the TLPI will affect the operation of the Gatton Planning Scheme by:
 - (a) introducing into Part 3, a new Desired Environmental Outcome about development in flood inundated areas;
 - (b) introducing Overlay Map: Map F - Flood Inundation Areas which includes:
 - (i) Map F1 – identifies the Defined Flood Extent (DFX) which includes-
 - (A) the Defined Flood Event (DFE);
 - (B) Flood Investigation Areas; and
 - (C) Overland Flow Paths; and
 - (ii) Map F2 –identifies areas of High, Medium and Low Hazard within the DFE;
 - (c) introducing into Part 5, Assessment Categories and Relevant Assessment Criteria for Areas of Flood Inundation and changing the level of assessment on the basis of Overlay Map F.
 - (d) varying relevant provisions of the Gatton Shire Planning Scheme to give effect to the identification of High, Medium and Low Hazard Areas as identified in Attachment 1B.

Application of the TLPI

4. This TLPI applies to the areas identified as an area of flood hazard on Overlay Map F: Flood Inundation Areas except:
 - (a) where land is in the Commercial and/or Industry Zones unless development caters for vulnerable persons (as herein defined); or
 - (b) where building works are for:
 - (i) alterations to the floor area of an existing building; or
 - (ii) raising and existing building; or
 - (iii) repairing and existing building; or
 - (iv) adding an extra storey above an existing part of a building.
5. Despite subsection 4(a) Attachment 1B still applies to the extent described.

Relationship with the Gatton Planning Scheme

6. To the extent of any inconsistency between the Gatton Planning Scheme and this TLPI, this TLPI prevails.

Duration of the TLPI

7. This TLPI has effect for a period of up one (1) year from the date of commencement.

Definitions

8. Unless otherwise defined in this TLPI or the Gatton Planning Scheme, the terms used in this TLPI have the same meaning as defined in the *Sustainable Planning Act 2009*.

9. In this TLPI the following terms shall have the meaning below:

- (a) *“Additional Desired Environmental Outcome, Specific Outcomes, and Acceptable Solutions”* means the provisions contained in Attachment 4.
- (b) *“Defined Flood Extent”* means the area shown on Map F1- Flood Inundation Areas which includes:
 - (i) the Defined Flood Event (DFE);
 - (ii) Flood Investigation Areas; and
 - (iii) Overland Flow Paths.
- (c) *“Defined Flood Level”* means the flood level which the Council may from time to time determine. The defined flood level is calculated from determining the Reduced Level (RL), i.e. the relative height of a point in relation to a known datum of the Defined Flood Event (DFE) for a specific locality in relation to the Australian Height Datum (AHD).
- (d) *“Map F”* means Overlay Map F: Flood Inundation Areas, shown in Attachment 1A.
- (e) *“Flood Investigation Areas”* means indicative flood affected areas that require further detailed assessment as part of a development application to determine so that relevant assessment criteria for areas of flood inundation can be applied.
- (f) *“High Hazard Area”* means the area on the Flood Inundation Overlay identified as a High Hazard Area.
- (g) *“Low Hazard Area”* means the area on the Flood Inundation Overlay identified as a Low Hazard Area.
- (h) *“Medium Hazard Area”* means the area on the Flood Inundation Overlay identified as a Medium Hazard Area.
- (i) *“Overland Flow Paths”* means any low-lying natural drainage paths or channel, open space floodway channels, road reserves, pavement expanses or any other flow paths that can convey flows of water.
- (j) *“Vulnerable Persons”* means persons whom are identified as having a high degree of susceptibility and low resilience to flood hazard, variously defined include: unaccompanied minors, the infirm, mentally and physically disabled and elderly

and may include the following uses; child care centres, pre-schools, schools, hospitals, retirement homes and villages, nursing homes or hospices.

Effect of this TLPI

10. This TLPI suspends the operation of the provisions of the Gatton Planning Scheme identified in Attachment 1B.
11. The Overlay Map F: Flood Inundation Areas (Attachment 1A) is taken to be an overlay map for the purposes of section 1.10 and 1.11 of the Gatton Planning Scheme.
12. For the duration of the TLPI, the provisions contained in Attachment 1C provide altered assessment levels for land identified on Map F - Flood Inundation Areas.
13. Development specified in Table 1, Column 1 of Attachment 1D:
 - (a) has the level of assessment specified in Column 2; and
 - (b) must comply with the applicable codes in Column 3 and the Additional Desired Environmental Outcome, Specific Outcomes and Acceptable Solutions.
14. Map F1 of this TLPI represents Natural Hazard Management Areas (Flood) as defined in *Temporary State Planning Policy 2/11 Planning for stronger, more resilient floodplains, September 2011*.

Note: Map F1 may also be used to trigger additional design requirements related to flooding for building work assessable under the building assessment provisions, as set out in the Building Act 1975.

Note: The relevant building assessment provisions under the Building Act 1975 apply to all building work within the area identified on Map F1 and must take account of the flood potential within the area.

Note: Resilient building materials for use within the area on Map F1 should be determined in consultation with Council, in accordance with the relevant building assessment provisions.

Note: Refer to the Dangerous Goods Safety Management Act 2001 and associated Regulation, the Environmental Protection Act 1994 and the relevant building assessment provisions under the Building Act 1975 for requirements related to the manufacture and storage of hazardous substances.

Attachment 1A

OVERLAY MAP F: FLOOD INUNDATION AREAS

Insert Overlay Map F1

Insert Overlay Map F2

Attachment 1B

PROVISIONS OF THE GATTON PLANNING SCHEME WHICH ARE AMENDED

Page Number	Scheme Reference	Current Provision	Amended Provision (highlighted in bold type)
11	Section 3.1 DEO's part 3(i)	Planning and design takes into account the potential adverse effects from natural hazards such as bushfire, landslip or flooding	Planning and design takes into account the potential adverse effects from natural hazards such as bushfire, landslip or flooding and is consistent with the performance criteria of the Flood Inundation Overlay Code
123	Section 4.66 Specific Outcomes for Open Space and Recreation Zone, part (h)	Uses and works are located, designed and managed to minimize adverse effects on landscape and environmental values, (including significant natural vegetation values, water quality or other features of significance) and avoid constraints and hazards such as flooding or drainage problems, potential unstable land, erosion and bushfire risk.	Uses and works are located, designed and managed to minimize adverse effects on landscape and environmental values, (including significant natural vegetation values, water quality or other features of significance) and avoid constraints and hazards such as flood inundation or drainage problems, potential unstable land, erosion and bushfire risk.
129	Section 4.72 Specific outcomes for Community facilities zone, part 1(e)	New community facilities are located and sited to ensure they are able to function during and immediately after flood events.	New community facilities are located and sited to ensure they are able to function during and immediately after flood inundation events.
178	Earthworks Code Section 6.13 Specific Outcome and Probable Solutions for Code Assessable Development, A6.1	(b) does not cause any increase in flooding that will adversely affect the value, safety or use of any land in the vicinity;	(b) does not cause any increase in flood inundation that will adversely affect the value, safety or use of any land in the vicinity;
		(d) ameliorates any potential adverse affect on the existing drainage of the area including- (i) the area available in any natural or artificial watercourse for either present or estimated future flood flows; (ii) the flow of water in	(d) ameliorates any potential adverse affect on the existing drainage of the area including- (i) the area available in any natural or artificial watercourse for either present or estimated future flood inundation ; (ii) the flow of water in any

		any overland flow path; and (iii) the volume within a flood plain available	overland flow path; and (iii) the volume within a flood plain available
184-185	Services and Infrastructure Code; Section 6.25 Specific Outcome and probable Solutions for Code Assessable Development, A2.2	<p>A2.2 Where Council’s reticulated sewerage service is not available:</p> <p>(a) the minimum size of a lot is 3,000m² or the minimum size lot for a specific zone, whichever is the greater;</p> <p>(b) the proposed on-site effluent disposal system is located on the allotment in accordance with the Standard Sewerage Law 2001 and AS1547-2000;</p> <p>I the proposed on-site effluent disposal system is located on land which:</p> <p>(i) has slopes less than 10%; or</p> <p>(ii) the land is terraced to receive the full disposal area;</p> <p>(iii) is situated above the Q10 flood level;</p> <p>(iv) is above the level of 5 metre AHD;</p> <p>(v) contains soils with permeability greater than 0.05m / day and less than 3.5m / day;</p> <p>(i) contains soils which do not include mainly sand, gravel or fractured rock;</p> <p>(ii) is more than 0.6metres of the seasonally high water</p>	<p>A2.2 Where Council’s reticulated sewerage service is not available:</p> <p>(a) the minimum size of a lot is 3,000m² or the minimum size lot for a specific zone, whichever is the greater;</p> <p>(b) the proposed on-site effluent disposal system is located on the allotment in accordance with the <i>Standard Sewerage Law 2001 and AS1547-2000</i>;</p> <p>I the proposed on-site effluent disposal system is located on land which:</p> <p>(i) has slopes less than 10%; or</p> <p>(ii)the land is terraced to receive the full disposal area;</p> <p>(iii)contains soils with permeability greater than 0.05m / day and less than 3.5m / day;</p> <p>(iv) contains soils which do not include mainly sand, gravel or fractured rock;</p> <p>(v) is more than 0.6metres of the seasonally high water table;</p> <p>(vi) is more than 1.0 metre above bedrock;</p> <p>(d) the lot contains an area capable of supporting a land application area sized in accordance with the Interim Code of Practice for On-site Sewerage Facilities;</p> <p>(e) at least 100% of the design area is available on the lot</p>

		<p>table; (iii) is more than 1.0 metre above bedrock;</p> <p>(d) the lot contains an area capable of supporting a land application area sized in accordance with the Interim Code of Practice for On-site Sewerage Facilities;</p> <p>(e) at least 100% of the design area is available on the lot and reserved for waste disposal application; and</p> <p>(ii) the effluent irrigation area is not separated from the effluent source by features such as gullies, creeks, dams, roads, driveways etc.</p>	<p>and reserved for waste disposal application;</p> <p>(f) the finished surface level of any sewerage treatment system or openings into the sanitary drainage system is located a minimum of 150mm above the Defined Flood Level;</p> <p>(g) all electrical equipment of any sewerage treatment system that may be subject to water damage is located a minimum of 150mm above the Defined Flood Level;</p> <p>(h) all effluent land application areas proposed to be located below the Defined Flood Level are treated to an advanced secondary quality; and</p> <p>(iii) the effluent irrigation area is not separated from the effluent source by features such as gullies, creeks, dams, roads, driveways etc.</p>
<p>200</p>	<p>Accommodation Unit and Dual Occupancy Code; Section 6.47 Specific Outcomes and Probable Solutions for Code Assessable Development, P3</p>	<p>P3 An acceptable level of flood immunity is provided for new accommodation units and dual occupancy units.</p>	<p>P3 (a) Development in a High Hazard Area is avoided, including intensification of existing or approved uses.</p> <p>(b) Development in a Medium Hazard Area is avoided, including intensification of existing or approved uses.</p> <p>I In the Low Hazard Area, development that caters for vulnerable persons is avoided, but otherwise:</p> <p>(i) minimises risk from the adverse effects of flood</p>

			<p>inundation to the greatest extent practicable; and</p> <p>(ii) is designed so as to be capable of withstanding the static and dynamic loads, including debris loads, applicable in the Low Hazard Area.</p>
200	Accommodation Unit and Dual Occupancy Code; Section 6.47 Specific Outcomes and Probable Solutions for Code Assessable Development, A3	<p>A3.1 Within the Gatton town area, the habitable floor level is RL 102.041 plus 300mm.</p> <p>A3.2 Within the Helidon town area, the habitable floor level is RL 135 AHD plus 300mm.</p> <p>A3.3 Within the Withcott town area, the habitable floor level is RL235m AHD plus 300mm.</p>	<p>A3.1 Within the Gatton town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A3.2 Within the Helidon town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A3.3 Within the Withcott town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p>
205	Annexed Unit Code; Section 6.51 Specific Outcome and Probable Solutions for Code Assessable Development, P1	<p>P1 An acceptable level of flood immunity is provided for a new annexed unit.</p>	<p>P1 The floor levels of any habitable room of a proposed building or extension to an existing building are a minimum of 300mm above the Defined Flood Level</p>
205	Annexed Unit Code; Section 6.51 Specific Outcome and Probable Solutions for Code Assessable Development, A1	<p>A1.1 Within the Gatton town area, the habitable floor level is RL 102 AHD plus 300mm.</p> <p>A1.2 Within the Helidon town area, the habitable floor level is RL 135 AHD plus 300mm.</p> <p>A1.3 Within the Withcott town area, the habitable floor level is RL235m AHD plus 300mm.</p> <p>A1.4 Within the Murphys</p>	<p>A1.1 Within the Gatton town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A1.2 Within the Helidon town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A1.3 Within the Withcott town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p>

		<p>Creek village area, the habitable floor level is RL250m AHD plus 300mm.</p> <p>A1.5 Within the Grantham village area, a level not less than the level of the closest land listed in the table below, plus 300mm.</p> <p>RPD Address AHD (m)</p> <p>Lot 1 RP150034 50 Anzac Avenue 116.16</p> <p>Lot 1 RP92488 Gatton-Helidon Road 116.221</p> <p>Lot 3 RP108240 9 Anzac Avenue 117.324</p> <p>Lot 7 RP25735 3 Harris Street 117.995</p> <p>Lot 8 RP25736 8 Harris Street 117.843</p> <p>Lot s 15-16 RP25732 35 Harris Street 118.4</p> <p>A1.6 Otherwise, no probable solution is provided.</p>	<p>A1.4 Within the Murphys Creek village area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A1.5 Within the Grantham village area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p>
209	Caravan and Relocatable Home Parks Code; Section 6.55 Specific outcome and Probable Solutions for Code Assessable Development, A3.1	A3.1 A site provides for all residential buildings and structures and access to them, on stable and flood free land away from scenically or environmentally sensitive areas.	A3.1 A site provides for all residential buildings and structures and access to them, on stable land a minimum of 300mm above the Defined Flood Level away from scenically or environmentally sensitive areas.
211	Caretakers Residence; Section 6.59 Specific Outcome and Probable Solutions for Code Assessable Development, P2	P2 An acceptable level of flood immunity is provided for a new caretakers residence.	P2 A new caretaker's residence is designed so that the habitable floor level is a minimum of 300mm above the Defined Flood Level.
211	Caretakers Residence; Section 6.59 Specific Outcome and	A2.1 Within the Gatton town area, the habitable floor level is RL 102 AHD plus 300mm.	A2.1 Within the Gatton town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.

	Probable Solutions for Code Assessable Development, A2	<p>A2.2 Within the Helidon town area, the habitable floor level is RL 135 AHD plus 300mm.</p> <p>A2.3 Within the Withcott town area, the habitable floor level is RL235m AHD plus 300mm.</p> <p>A2.4 Within the Murphys Creek village area, the habitable floor level is RL250m AHD plus 300mm.</p> <p>A2.5 Within the Grantham village area, a level not less than the level of the closest land listed in the table below, plus 300mm. RPD Address AHD (m) Lot 1 RP150034 50 Anzac Avenue 116.16 Lot 1 RP92488 Gatton-Helidon Road 116.221 Lot 3 RP108240 9 Anzac Avenue 117.324 Lot 7 RP25735 3 Harris Street 117.995 Lot 8 RP25736 8 Harris Street 117.843 Lot s 15-16 RP25732 35 Harris Street 118.4</p> <p>A2.6 Otherwise, no probable solution is provided.</p>	<p>A2.2 Within the Helidon town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A2.3 Within the Withcott town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A2.4 Within the Murphys Creek village area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A2.5 Within the Grantham village area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p>
213	Dwelling House Code; Section 6.62 Specific Outcome and Probable Solutions for Code Assessable Development, P2	P2 An acceptable level of flood immunity is provided for a new Dwelling house.	P2 A new dwelling house is designed so that the habitable floor level is a minimum of 300mm above the Defined Flood Level.
213	Dwelling House Code; Section 6.62	A2.1 Within the Gatton town area, the habitable floor	A2.1 Within the Gatton town area, the habitable floor level is a

	<p>Specific Outcome and Probable Solutions for Code Assessable Development, A2</p>	<p>level is RL 102 AHD plus 300mm.</p> <p>A2.2 Within the Helidon town area, the habitable floor level is RL 135 AHD plus 300mm.</p> <p>A2.3 Within the Withcott town area, the habitable floor level is RL235m AHD plus 300mm.</p> <p>A2.4 Within the Murphys Creek village area, the habitable floor level is RL250m AHD plus 300mm.</p> <p>A2.5 Within the Grantham village area, a level not less than the level of the closest land listed in the table below, plus 300mm.</p> <p>RPD Address AHD (m)</p> <p>Lot 1 RP150034 50 Anzac Avenue 116.16</p> <p>Lot 1 RP92488 Gatton-Helidon Road 116.221</p> <p>Lot 3 RP108240 9 Anzac Avenue 117.324</p> <p>Lot 7 RP25735 3 Harris Street 117.995</p> <p>Lot 8 RP25736 8 Harris Street 117.843</p> <p>Lot s 15-16 RP25732 35 Harris Street 118.4</p> <p>A2.6 Otherwise, no probable solution is provided.</p>	<p>minimum of 300mm above the Defined Flood Level.</p> <p>A2.2 Within the Helidon town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A2.3 Within the Withcott town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A2.4 Within the Murphys Creek village area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A2.5 Within the Grantham village area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p>
<p>220</p>	<p>Small Lot House; Section 6.74 Specific Outcome and Probable</p>	<p>P1 An acceptable level of flood immunity is provided for a small lot house.</p>	<p>P1 A small lot house is designed so that the habitable floor level is a minimum of 300mm above the Defined</p>

	Solutions for Code Assessable Development, P1		Flood Level.
220	Small Lot House; Section 6.74 Specific Outcome and Probable Solutions for Code Assessable Development, A1	<p>A1.1 Within the Gatton town area, the habitable floor level is RL 102 AHD plus 300mm.</p> <p>A1.2 Within the Helidon town area, the habitable floor level is RL 135 AHD plus 300mm.</p> <p>A1.3 Within the Withcott town area, the habitable floor level is RL235m AHD plus 300mm.</p> <p>A1.4 Within the Murphys Creek village area, the habitable floor level is RL250m AHD plus 300mm.</p> <p>A1.5 Within the Grantham village area, a level not less than the level of the closest land listed in the table below, plus 300mm.</p> <p>RPD Address AHD (m)</p> <p>Lot 1 RP150034 50 Anzac Avenue 116.16</p> <p>Lot 1 RP92488 Gatton-Helidon Road 116.221</p> <p>Lot 3 RP108240 9 Anzac Avenue 117.324</p> <p>Lot 7 RP25735 3 Harris Street 117.995</p> <p>Lot 8 RP25736 8 Harris Street 117.843</p> <p>Lot s 15-16 RP25732 35 Harris Street 118.4</p> <p>A1.6 Otherwise, no probable solution is provided.</p>	<p>A1.1 Within the Gatton town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A1.2 Within the Helidon town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A1.3 Within the Withcott town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A1.4 Within the Murphys Creek village area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A1.5 Within the Grantham village area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p>
224	Commercial Premises and Shops Code; Section 6.78 Specific Outcome	<p>P2 An acceptable level of flood immunity is provided for new commercial premises</p>	<p>P2 (a) New commercial premises and shops are designed to:</p> <p>(i) minimize risk from the adverse effects of flood</p>

	and Probable Solutions for Code Assessable Development, P2	and shops.	<p>inundation to the greatest extent practicable; and</p> <p>(ii) Is to be capable of withstanding the static and dynamic loads, including debris loads.</p> <p>(b) Development that caters for vulnerable persons is avoided in areas subject to flood inundation.</p>
224	Commercial Premises and Shops Code; Section 6.78 Specific Outcome and Probable Solutions for Code Assessable Development, A2	<p>A2.1 Within the Gatton town area, the habitable floor level is RL 102 AHD plus 300mm.</p> <p>A2.2 Within the Helidon town area, the habitable floor level is RL 135 AHD plus 300mm.</p> <p>A2.3 Within the Withcott town area, the habitable floor level is RL235m AHD plus 300mm.</p> <p>A2.4 Within the Murphys Creek village area, the habitable floor level is RL250m AHD plus 300mm.</p> <p>A2.5 Within the Grantham village area, a level not less than the level of the closest land listed in the table below, plus 300mm.</p> <p>RPD Address AHD (m)</p> <p>Lot 1 RP150034 50 Anzac Avenue 116.16</p> <p>Lot 1 RP92488 Gatton-Helidon Road 116.221</p> <p>Lot 3 RP108240 9 Anzac Avenue 117.324</p> <p>Lot 7 RP25735 3 Harris Street 117.995</p> <p>Lot 8 RP25736 8 Harris Street 117.843</p> <p>Lot s 15-16 RP25732 35 Harris Street 118.4</p>	<p>A2.1 Within the Gatton town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A2.2 Within the Helidon town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A2.3 Within the Withcott town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A2.4 Within the Murphys Creek village area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A2.5 Within the Grantham village area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p>

		A2.6 Otherwise, no probable solution is provided.	
238	Service Station and Car Wash Code; Section 6.82 Specific Outcome and Probable Solutions for Code Assessable Development, P2	P2 An acceptable level of flood immunity is provided for a new service station and car wash.	P2 A new service station and car wash is designed to: (i) Minimize risk from the adverse effects of flood inundation to the greatest extent practicable; and (ii) to be capable of withstanding the static and dynamic loads, including debris loads.
238	Service Station and Car Wash Code; Section 6.82 Specific Outcome and Probable Solutions for Code Assessable Development, A2	<p>A2.1 Within the Gatton town area, the habitable floor level is RL 102 AHD plus 300mm.</p> <p>A2.2 Within the Helidon town area, the habitable floor level is RL 135 AHD plus 300mm.</p> <p>A2.3 Within the Withcott town area, the habitable floor level is RL235m AHD plus 300mm.</p> <p>A2.4 Within the Murphys Creek village area, the habitable floor level is RL250m AHD plus 300mm.</p> <p>A2.5 Within the Grantham village area, a level not less than the level of the closest land listed in the table below, plus 300mm.</p> <p>RPD Address AHD (m)</p> <p>Lot 1 RP150034 50 Anzac Avenue 116.16</p> <p>Lot 1 RP92488 Gatton-Helidon Road 116.221</p> <p>Lot 3 RP108240 9 Anzac Avenue 117.324</p> <p>Lot 7 RP25735 3 Harris Street 117.995</p> <p>Lot 8 RP25736 8 Harris</p>	<p>A2.1 Within the Gatton town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A2.2 Within the Helidon town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A2.3 Within the Withcott town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A2.4 Within the Murphys Creek village area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A2.5 Within the Grantham village area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p>

		<p>Street 117.843 Lot s 15-16 RP25732 35 Harris Street 118.4</p> <p>A2.6 Otherwise, no probable solution is provided.</p>	
247	<p>Industrial Development Code; Section 6.88 Specific Outcome and Probable Solutions for Code Assessable Development, P2</p>	<p>P2 An acceptable level of flood immunity is provided for new industrial development.</p>	<p>P2 (a) New industrial development is designed to:</p> <p>(i) minimize risk from the adverse effects of flood inundation to the greatest extent practicable; and</p> <p>(ii) to be capable of withstanding the static and dynamic loads, including debris loads.</p> <p>(b) Development that caters for vulnerable persons is avoided.</p>
247	<p>Industrial Development Code; Section 6.88 Specific Outcome and Probable Solutions for Code Assessable Development, A2</p>	<p>A2.1 Within the Gatton town area, the habitable floor level is RL 102 AHD plus 300mm.</p> <p>A2.2 Within the Helidon town area, the habitable floor level is RL 135 AHD plus 300mm.</p> <p>A2.3 Within the Withcott town area, the habitable floor level is RL235m AHD plus 300mm.</p> <p>A2.4 Within the Murphys Creek village area, the habitable floor level is RL250m AHD plus 300mm.</p> <p>A2.5 Within the Grantham village area, a level not less than the level of the closest land listed in the table below, plus 300mm.</p> <p>RPD Address AHD (m) Lot 1 RP150034 50 Anzac Avenue 116.16 Lot 1 RP92488 Gatton-Helidon Road 116.221</p>	<p>A2.1 Within the Gatton town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A2.2 Within the Helidon town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A2.3 Within the Withcott town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A2.4 Within the Murphys Creek village area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A2.5 Within the Grantham village area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p>

		<p>Lot 3 RP108240 9 Anzac Avenue 117.324 Lot 7 RP25735 3 Harris Street 117.995 Lot 8 RP25736 8 Harris Street 117.843 Lot s 15-16 RP25732 35 Harris Street 118.4</p> <p>A2.6 Otherwise, no probable solution is provided.</p>	
252	<p>Intensive Animal Industries, Animal Product Processing Industries, Kennels and Catteries Code; Section 6.91 Specific Outcome and Probable Solutions for Code Assessable Development, P2</p>	<p>P2. Facilities are developed on a site which:</p> <p>(a) comprises undulating or flat terrain, (b) is sufficiently elevated to facilitate ventilation and drainage, I has adequate vehicle access, (d) is not subject to flooding, and (e) is supplied with a reliable, good quality water supply.</p>	<p>P2. Facilities are developed on a site which:</p> <p>(a) comprises undulating or flat terrain, (b) is sufficiently elevated to facilitate ventilation and drainage, I has adequate vehicle access, (d) is not subject to flood hazard and (e) is supplied with a reliable, good quality water supply.</p>
252	<p>Intensive Animal Industries, Animal Product Processing Industries, Kennels and Catteries Code; Section 6.91 Specific Outcome and Probable Solutions for Code Assessable Development, A2</p>	<p>A2.1 Facilities are developed on a site which:</p> <p>(a) has land with slopes less than 10%; (b) is not on land subject to flooding at a frequency of greater than 1 in 50 years; I is otherwise not low-lying; (d) has sealed road access ; (e) is provided with a reliable water supply and has a capacity to store a minimum of 2 days' supply; and (f) is connected to an electricity supply.</p>	<p>A2.1 Facilities are developed on a site which:</p> <p>(a) has land with slopes less than 10%; (b) is not within a high or medium level flood hazard; I is otherwise not low-lying; (d) has sealed road access ; (e) is provided with a reliable water supply and has a capacity to store a minimum of 2 days' supply; and (f) is connected to an electricity supply.</p>
260	<p>Reconfiguring a Lot Code; Section 6.107 Specific Outcome and Probable</p>	<p><i>Flood Immunity</i> P1. An acceptable level of flood immunity is provided for new residential lots.</p>	<p>P1 (a) Development in a High Hazard Area is avoided, including intensification of</p>

	<p>Solutions for Code Assessable Development, P1</p>		<p>existing or approved uses.</p> <p>(b) Development in a Medium Hazard Area is avoided, including intensification of existing or approved uses.</p> <p>(iv) In the Low Hazard Area, development that caters for vulnerable persons is avoided, but otherwise:</p> <p>(v) minimises risk from the adverse effects of flood inundation to the greatest extent practicable; and</p> <p>(vi) is designed so as to be capable of withstanding the static and dynamic loads, including debris loads, applicable in the Low Hazard Area.</p>
<p>260-261</p>	<p>Reconfiguring a Lot Code; Section 6.107 Specific Outcome and Probable Solutions for Code Assessable Development, A1</p>	<p>A1.1 Within the Gatton town area, the habitable floor level is RL 102 AHD plus 300mm.</p> <p>A1.2 Within the Helidon town area, the habitable floor level is RL 135 AHD plus 300mm.</p> <p>A1.3 Within the Withcott town area, the habitable floor level is RL235m AHD plus 300mm.</p> <p>A1.4 Within the Murphys Creek village area, the habitable floor level is RL250m AHD plus 300mm.</p> <p>A1.5 Within the Grantham village area, a level not less</p>	<p>A1.1 Within the Gatton town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A1.2 Within the Helidon town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A1.3 Within the Withcott town area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A1.4 Within the Murphys Creek village area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p> <p>A1.5 Within the Grantham village</p>

		<p>that the level of the closest land listed in the table below, plus 300mm.</p> <p>RPD Address AHD (m)</p> <p>Lot 1 RP150034 50 Anzac Avenue 116.16</p> <p>Lot 1 RP92488 Gatton-Helidon Road 116.221</p> <p>Lot 3 RP108240 9 Anzac Avenue 117.324</p> <p>Lot 7 RP25735 3 Harris Street 117.995</p> <p>Lot 8 RP25736 8 Harris Street 117.843</p> <p>Lot s 15-16 RP25732 35 Harris Street 118.4</p> <p>A1.6 Otherwise, no probable solution is provided.</p>	<p>area, the habitable floor level is a minimum of 300mm above the Defined Flood Level.</p>
261	Reconfiguring a Lot Code; Section 6.107 Specific Outcome and Probable Solutions for Code Assessable Development, P3	<p>P3 New lots respond appropriately to the physical characteristics of the land and, and minimize risk to life and property as a result of any potential natural hazards. Relevant considerations include</p> <p>(i). slope;</p> <p>(ii). Flooding;</p> <p>(iii). Bushfire risk;</p> <p>(iv). Agricultural suitability; and</p> <p>(v). areas of ecological or scenic value.</p>	<p>P3 New lots respond appropriately to the physical characteristics of the land and, and minimize risk to life and property as a result of any potential natural hazards. Relevant considerations include</p> <p>(vii) slope;</p> <p>(ii) flood inundation;</p> <p>(iii) bushfire risk;</p> <p>(iv) agricultural suitability; and</p> <p>(v) areas of ecological or scenic value.</p>
267-268	Reconfiguring a Lot Code; Section 6.107 Specific Outcome and Probable Solutions for Code Assessable Development, A19	<p>A19.4 Where connection to Council’s reticulated sewerage service is not available:</p> <p>(viii) the minimum size of a lot is 3,000m2 or the minimum size lot for a specific zone, whichever is the greater; and</p> <p>(b) each lot is connected to an approved common effluent drainage</p>	<p>A19.4 Where Council’s reticulated sewerage service is not available:</p> <p>(a) the minimum size of a lot is 3,000m2 or the minimum size lot for a specific zone, whichever is the greater;</p> <p>(b) the proposed on-site effluent disposal system is located on the allotment in accordance with the <i>Standard Sewerage Law 2001 and AS1547-2000</i>;</p>

		<p>scheme, and where that is not available;</p> <p>(ix) each lot disposes waste on-site for the specified use; and</p> <p>(x) the proposed on-site effluent disposal system is located on the allotment in accordance with the <i>Standard Sewerage Law 2001</i> and AS1547-2000; and</p> <p>(xi) the proposed on-site effluent disposal system is located on land which:</p> <p>(xii) has slopes less than 10% OR the land is terraced to receive the full disposal area;</p> <p>II. is situated above the Q10 flood level;</p> <p>III. is above the 5 metre AHD;</p> <p>IV. contains soils with permeability greater than 0.05m / day and less than 3.5m / day;</p> <p>V. contains soils which do not include mainly sand, gravel or fractured rock;</p> <p>VI. is more than 0.6metres of the seasonally high water table;</p> <p>VII. is more than 1.0 metre above bedrock;</p> <p>(xiii) each lot contains an area capable of supporting a land application area sized in accordance with the <u>Interim Code of</u></p>	<p>I the proposed on-site effluent disposal system is located on land which:</p> <p>(i) has slopes less than 10%; or</p> <p>(ii) the land is terraced to receive the full disposal area;</p> <p>(iii) contains soils with permeability greater than 0.05m / day and less than 3.5m / day;</p> <p>(iv) contains soils which do not include mainly sand, gravel or fractured rock;</p> <p>(v) is more than 0.6metres of the seasonally high water table;</p> <p>(vi) is more than 1.0 metre above bedrock;</p> <p>(d) each lot contains an area capable of supporting a land application area sized in accordance with the Interim Code of Practice for On-site Sewerage Facilities;</p> <p>(e) at least 100% of the design area is available on the lot and reserved for waste disposal application;</p> <p>(f) the finished surface level of any sewerage treatment system or openings into the sanitary drainage system is located a minimum of 150mm above the Defined Flood Level.</p> <p>(g) all electrical equipment of any sewerage treatment system that may be subject to water damage is located a minimum of 150mm above the Defined Flood Level.</p>
--	--	--	---

		<p><i>Practice for On-site Sewerage Facilities’15;</i></p> <p>(xiv) an area of up to 100% of the design area is available on each lot and reserved for waste disposal application; and</p> <p>(e) the effluent irrigation area is a minimum of 50 metres from features such as gullies, waterways and wetlands.</p>	<p>(h) all proposed effluent land application areas proposed to be located below the Defined Flood Level are treated to an advanced secondary quality.</p> <p>(i) the effluent irrigation area is a minimum of 50 metres from features such as gullies, waterways and wetlands.</p>
272	Reconfiguring a Lot Code; Section 6.107 Specific Outcome and Probable Solutions for Code Assessable Development, P37	<p>P37. In addition to provisions at P14 and P15, the major drainage network has the capacity to control stormwater flows under normal, and minor system blockage conditions for a 1 in 100 year rainfall event so that:</p> <p>(a) no dwelling is inundated during a 1 in 100 year flood,</p> <p>(b) habitable rooms have floor levels 250 mm above the estimated flood level resultant from a 1 in 100 year flood are protected, floodways are restricted to areas where there is minimal risk of damage to life or property, and</p> <p>(xv) runoff is directed to a lawful point of discharge through competently designed and constructed outlet works.</p>	<p>P37. In addition to provisions at P14 and P15, the major drainage network has the capacity to control stormwater flows under normal, and minor system blockage conditions to accommodate the Defined Flood Event:</p> <p>(a) development envelopes on new lots are identified and provided above the Defined Flood Level,</p> <p>(b) overland flow paths are restricted to areas where there is minimal risk of damage to life or property, and</p> <p>I runoff is directed to a lawful point of discharge through competently designed and constructed outlet works</p>
274	Reconfiguring a Lot Code; Section 6.107 Specific Outcome	<p>P42. The boundaries of existing lots may be rearranged where this would:</p>	<p>P42. The boundaries of existing lots may be rearranged where this would:</p>

	and Probable Solutions for Code Assessable Development, P42	(xvi) aggregate agricultural land resources and maximizes the utility of the land for rural purposes, (b) provide for better land management; I respond to site characteristics and potential hazards, including soil erosion and bushfire risk, flood liability; and (xvii) protect special features such as vegetation and habitat, creeks, important landscape features and views, and features of cultural importance;	(a) aggregate agricultural land resources and maximizes the utility of the land for rural purposes, (b) provide for better land management; I respond to site characteristics and potential hazards, including soil erosion and bushfire risk, flood inundation ; and (d) protect special features such as vegetation and habitat, creeks, important landscape features and views, and features of cultural importance;
274	Reconfiguring a Lot Code; Section 6.107 Specific Outcome and Probable Solutions for Code Assessable Development, A43.1	A43.1 New lots resulting from the realignment have a minimum area of 1.0 hectare, and contain: (a) flood free building sites; (b) slopes less than 20%; I effluent disposal areas; and (d) maintain a viable land size for ongoing agricultural use if on good quality agricultural land.	A43.1 New lots resulting from the realignment have a minimum area of 1.0 hectare: (a) provide development envelopes located above the Defined Flood Level ; (b) have slopes less than 20%; I have effluent disposal areas; and (d) maintain a viable land size for ongoing agricultural use if on good quality agricultural land.
278	Section 7.2 Schedule 1 – Dictionary		The following definitions are inserted into the scheme: (a) “Additional Desired Environmental Outcome, Specific Outcomes, and Acceptable Solutions” means the provisions contained in Attachment 4. (b) “Defined Flood Extent” means the area shown on Map F1- Flood Inundation

		<p>Areas which includes:</p> <ul style="list-style-type: none"> (i) the Defined Flood Event (DFE); (ii) Flood Investigation Areas; and (iii) Overland Flow Paths. <p>I “Defined Flood Level” means the flood level which the Council may from time to time determine. The defined flood level is calculated from determining the Reduced Level (RL), i.e. the relative height of a point in relation to a known datum of the Defined Flood Event (DFE) for a specific locality in relation to the Australian Height Datum (AHD).</p> <p>(d) “Flood Inundation Overlay” means Overlay Map F: Flood Inundation Areas shown in Attachment 2A.</p> <p>(e) “Flood Investigation Areas” means indicative flood affected areas that require further detailed assessment as part of a development application to determine so that relevant assessment criteria for areas of flood inundation can be applied.</p> <p>(f) “High Hazard Area” means the area on the Flood Inundation Overlay identified as a High Hazard Area.</p> <p>(g) “Low Hazard Area” means the area on the Flood Inundation Overlay identified as a Low Hazard Area.</p> <p>(h) “Medium Hazard Area” means the area on the Flood Inundation Overlay identified as a Medium Hazard Area.</p>
--	--	---

			<p>(i) “Overland Flow Paths” means any low-lying natural drainage paths or channel, open space floodway channels, road reserves, pavement expanses or any other flow paths that can convey flows of water.</p> <p>(j) “Tables 23B (Revised) and 24B (Revised)” means the provisions contained in Attachment 2B.</p> <p>(k) “Vulnerable Persons” means persons whom are identified as having a high degree of susceptibility and low resilience to flood hazard, variously defined include: unaccompanied minors, the infirm, mentally and physically disabled and elderly and may include the following uses; child care centres, pre-schools, schools, hospitals, retirement homes and villages, nursing homes or hospices.</p>
330	Section 8.4 PSP No. 3 – Preparation of Management Plans.	Part 3(b) Requires a description of the sites natural drainage patterns, water bodies, wetlands and floodplains and seasonally wet areas etc and the fisheries values of these features.	Part 3(b) Requires a description of the sites natural drainage patterns, water bodies, wetlands and flood inundation areas and seasonally wet areas etc and the fisheries values of these features.
337	Section 8.7 PSP No. 6 – Earthworks	Part 2.2 Requires a hydraulic study including details regarding flood levels and impact on adjoining, upstream or down stream properties	Part 2.2 Requires a hydraulic study including details regarding flood inundation and impact on adjoining, upstream or down stream properties

Attachment 1C

DIVISION 19 – ASSESSMENT TABLE FOR OVERLAY MAP F: - FLOOD INUNDATION AREAS

5.65 Assessment categories for Flood Inundation Overlay

The assessment categories are identified for development affected by Overlay Map F:- Flood Inundation Areas in Column 2 of Table 1.

(xviii) Relevant assessment criteria for development affected by Overlay Map F: - Flood Inundation Areas

- (1) The relevant assessment criteria for development affected by Overlay Map F: - Flood Inundation Areas are referred to in Column 3 of Table 1.
- (2) For code assessable development the relevant assessment criteria are the applicable codes.

TABLE 1

ASSESSMENT CATEGORY AND RELEVANT ASSESSMENT CRITERIA FOR FLOOD INUNDATION OVERLAY CODE

Column 1 Defined Use/Type of Development	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria
Any Material Change of Use	Code Assessable	Flood Inundation Overlay Code
Reconfiguring of a Lot	Code Assessable	Flood Inundation Overlay Code
Building work not associated with a material change of use and for construction of Class 1b, 2, 3, 10a and 10b buildings and structures (as defined by the BCA)	Code Assessable	Flood Inundation Overlay Code
Other Building work not associated with a Material Change of Use	Code Assessable	Flood Inundation Overlay Code
Building works for construction of buildings and structures of a Class other than Class 1b, 2, 3, 10a and 10b	Code Assessable	Flood Inundation Overlay Code

Operational Work	Code Assessable	Flood Inundation Overlay Code
-------------------------	------------------------	-------------------------------

Attachment 1D

Desired Environmental Outcome (p)

The adverse effects of flood inundation on development:

- (a) in the High and Medium Hazard Areas are avoided;
- (b) in the Low Hazard Area are minimised to the greatest extent practicable and development is designed to provide protection to persons and property.

DIVISION 20 – ASSESSMENT CRITERIA FOR FLOOD INUNDATION OVERLAY

5.67 Flood Inundation Overlay Code

The provisions of this division comprise the Flood Inundation Overlay Code.

5.68 Compliance with Flood Inundation Overlay Code

Development that is consistent with the performance criteria in section 5.71 complies with the Flood Inundation Overlay Code.

5.69 Overall Outcome for Flood Inundation Overlay Code

The overall outcomes are the purpose of the Flood Inundation Overlay Code.

(xix) Purpose of Code

The purpose of this code is to:

- (a) avoid the adverse effects of flood inundation in the High and Medium Hazard Areas;
- (b) in the Low Hazard Area, minimize to the greatest extent practicable, the adverse effects of flood inundation and ensure that development is designed to provide protection to persons and property.

(xx) Specific Outcomes and Probable Solutions

<p style="text-align: center;">Column 1 Specific Outcomes</p>	<p style="text-align: center;">Column 2 Probable Solutions</p>
<p>P1. Development in a High Hazard Area is avoided.</p>	<p>A1.1 No probable solution is provided</p>
<p>P2. Development in a Medium Hazard Area is avoided.</p>	<p>A2.1 No probable solution is provided</p>
<p>P3. In the Low Hazard Area, development that caters for vulnerable persons is avoided, but otherwise:</p> <ul style="list-style-type: none"> (a) minimize risk from the adverse effects of flood inundation to the greatest extent practicable; and (b) development is designed so as to be capable of withstanding the static and dynamic loads, including debris loads, applicable in the Low Hazard Area; and (c) access routes to and from the site and within the site are provided so that in a flood event, occupants can escape to a safe and secure area in accordance with current emergency management procedures. <p><i>Note: Applicants are advised to refer to the latest Queensland Evacuation Guidelines for Disaster Management Groups for guidance on the process for evacuation planning and the latest Lockyer Valley Regional Council Disaster Management</i></p>	<p>A3.1 The floor levels of any habitable room of a proposed building or extension to an existing building are a minimum of 300mm above the Defined Flood Level; and</p> <p>A3.2 The design and layout of residential property provides for:</p> <ul style="list-style-type: none"> (a) at ground level, parking of vehicles or storage of items that are capable of being readily moved in the event of flood inundation; and (b) habitable rooms above ground level; and <p>A3.3 The area below habitable rooms:</p> <ul style="list-style-type: none"> (a) is to be left open so as to not impede flood inundation; (b) may be used for parking of vehicles or storage of items that are capable of being readily moved in the event of flood inundation; and (c) may be screened to a permeability of 50% so as not to impede the flow of flood inundation (e.g. using timber battens with a batten width gap between each batten); and <p>A3.4 Buildings and structures are sited on the highest part of the site to improve flood immunity; and</p> <p>A3.5 Electrical installations are sited in the area of greatest flood immunity; and</p> <p>A3.6 Electrical switchboards, main data</p>

<p><i>Plan – Evacuation Sub Plan.</i></p>	<p>servers, telecommunication and switchboards are located above the Defined Flood Level with all other electrical and data installation facilities below the Defined Flood Level to be designed and constructed to withstand inundation of flood inundation; and</p> <p>A3.7 The finished surface level of any sewerage treatment system or openings into the sanitary drainage system is to be a minimum of 150mm above the Defined Flood Level; and</p> <p>A3.8 All electrical equipment of any sewerage treatment system that may be subject to water damage is to be a minimum of 150mm above the Defined Flood Level; and</p> <p>A3.9 All proposed effluent land application areas that will be located below the Defined Flood Level are treated to an advanced secondary quality; and</p> <p>A3.10 Development provides at least one road access to service the development which is capable of remaining passable for the purpose of emergency evacuations at a level higher than the Defined Flood Level; and</p> <p>A3.11 Development does not increase the flood hazard within the flood inundation area; and</p> <p>A3.12 Operational works including filling or extraction avoid altering the predevelopment profile of the site; and</p> <p>A3.13 The building materials and surface treatments used below the Defined Flood Level:</p> <ul style="list-style-type: none"> (a) are resilient to water damage and do not include wall cavities; and (b) minimize risk from the adverse effects of flood inundation to the
---	---

	<p>greatest extent practicable; and (c) are to be capable of withstanding the static and dynamic loads, including debris loads; and</p> <p>A3.14 Development does not expose vulnerable persons to increased flood inundation levels.</p>
<p>P4. In the Investigation Area, development that caters for vulnerable persons is avoided, but otherwise: (a) minimises risk from the adverse effects of flood inundation to the greatest extent practicable; and (b) only occurs where it is designed to respond to the hazard level applicable to the site.</p> <p><i>Note: Land in the Investigation Area is susceptible to some degree of flood inundation. Detailed modelling of this land has not been performed. The purpose of this land is to determine through site specific assessment the suitability of land for development subject to its hazard classification.</i></p>	<p>A4.1 A local flood study is undertaken by a suitably qualified person; and</p> <p>A4.2 Development responds appropriately to the extent, nature and type of risk identified through this study</p> <p><i>Note: The assessment of development in the Investigation Area will require the submission of a local flood study for assessment by Council Officers. This study will require the determination of the extent, nature and type of flood risk applicable to the subject land. Details of the content and format of this study can be found in the supporting documentation.</i></p>

Temporary Local Planning Instrument – Laidley Planning Scheme – Flood Regulation

Lockyer Valley Regional Council

Temporary Local Planning Instrument – 01/12

Gatton Planning Scheme 2007 – Flood Regulation and Laidley Shire Planning Scheme – Flood Regulation

Short Title

1. This Temporary Local Planning Instrument (“*TLPI*”) may be cited as Temporary Local Planning Instrument 01/12 – Gatton Planning Scheme 2007 – Flood Regulation and Laidley Shire Planning Scheme – Flood Regulation.

Purpose

2. The purpose of this TLPI is to provide improved flood regulation based on the identification of a revised flood inundation area in the Laidley Shire Planning Scheme.
3. To achieve this purpose, the TLPI will affect the operation of the Laidley Shire Planning Scheme by:
 - (d) introducing into Part 3, a new Desired Environmental Outcome about development in flood inundated areas;
 - (e) introducing Overlay Map: Map F – Flood Inundation Areas which includes-
 - (i) Map F1 – identifies the Defined Flood Extent (DFX) which includes
 - (A) the Defined Flood Event (DFE);
 - (B) Flood Investigation Areas; and
 - (C) Overland Flow Paths; and
 - (ii) Map F2 – which identifies areas of High, Medium and Low Hazard within the DFE;
 - (f) varying other relevant provisions of the Laidley Shire Planning Scheme to give effect to the revised flood inundation area and the identification of High, Medium and Low Hazard Areas.

Application of the TLPI

4. This TLPI applies to the areas identified on Areas Map: Overlay Map F: Areas of Natural and Environmental Significance – Flood Inundation Areas in the Laidley Shire Planning Scheme, and applies to the whole of the area of the former Laidley Shire except:
 - (a) where land is in the Business Area and/or Industrial Area unless development caters for vulnerable persons (as herein defined); or
 - (b) where building works are for:
 - (i) **alterations to the floor area of an existing building; or**
 - (ii) **raising and existing building; or**
 - (iii) **repairing and existing building; or**
 - (iv) **adding an extra storey above an existing part of a building.**

Relationship with the Laidley Shire Planning Scheme

5. To the extent of any inconsistency between the Laidley Shire Planning Scheme and the TLPI, this TLPI prevails.

Duration of the TLPI

6. This TLPI has effect for a period of up to one (1) year from the date of commencement.

Definitions

7. Unless otherwise defined in this TLPI or the Laidley Shire Planning Scheme, the terms used in this TLPI have the same meaning as defined in the *Sustainable Planning Act 2009*.
8. In this TLPI the following terms shall have the meanings below:
 - (a) “Additional Desired Environmental Outcome, Specific Outcomes, and Acceptable Solutions” means the provisions contained in Attachment 4.
 - (b) “Defined Flood Extent” means the area shown on Map F1- Flood Inundation Areas which includes:
 - (xxi) the Defined Flood Event (DFE);
 - (ii) Flood Investigation Areas; and
 - (xxii) Overland Flow Paths.
 - (k) “*Defined Flood Level*” means the flood level which the Council may from time to time determine. The defined flood level is calculated from determining the Reduced Level (RL), i.e. the relative height of a point in relation to a known datum of the Defined Flood Event (DFE) for a specific locality in relation to the Australian Height Datum (AHD).
 - (c) “*Flood Inundation Overlay*” means Overlay Map F: Flood Inundation Areas shown in Attachment 2A.
 - (d) “*Flood Investigation Areas*” means indicative flood affected areas that require further detailed assessment as part of a development application to determine so that relevant assessment criteria for areas of flood inundation can be applied.
 - (e) “*High Hazard Area*” means the area on the Flood Inundation Overlay identified as a High Hazard Area.
 - (f) “*Low Hazard Area*” means the area on the Flood Inundation Overlay identified as a Low Hazard Area.
 - (g) “*Medium Hazard Area*” means the area on the Flood Inundation Overlay identified as a Medium Hazard Area.
 - (h) “*Overland Flow Paths*” means any low-lying natural drainage paths or channel, open space floodway channels, road reserves, pavement expanses or any other flow paths that can convey flows of water.
 - (i) “*Tables 23B (Revised) and 24B (Revised)*” means the provisions contained in Attachment 2B.

- (j) “*Vulnerable Persons*” means persons whom are identified as having a high degree of susceptibility and low resilience to flood hazard, variously defined include: unaccompanied minors, the infirm, mentally and physically disabled and elderly and may include the following uses; child care centres, pre-schools, schools, hospitals, retirement homes and villages, nursing homes or hospices.

Effect of this TLPI

- 9. This TLPI suspends the operation of the:
 - (a) Provisions of the Laidley Planning Scheme identified in Attachment 2C.
 - (b) Desired Environmental Outcome 3.1(3)K in Part 3, Division 1, insofar as it relates to “*flooding*”;
 - (c) Overlay Map F: Areas of Natural and Environmental Significance, Flood Inundation Areas;
 - (d) Assessment Tables 23B and 24B in Part 5, Division 1; and
 - (e) The provisions contained in Part 6, Division 2 – Assessment Criteria for Overlays insofar as they relate to Flood Inundation Areas.
- 10. Development located on Map F – Flood Inundation Areas and identified in Column 1 of Tables 23B (Revised) and 24B (Revised) on land identified as an area of flood hazard on Overlay Map F – Flood Inundation Areas has:
 - (a) the level of assessment specified in Column 2; and
 - (b) must comply with the applicable codes in Column 3 and the Additional Desired Environmental Outcome, Specific Outcomes and Acceptable Solutions.
- 11. Map F – Flood Inundation Areas of this TLPI represents Natural Hazard Management Areas (Flood) as defined in *Temporary State Planning Policy 2/11 Planning for stronger, more resilient floodplains, September 2011*.

Note: Map F1 may also be used to trigger additional design requirements related to flooding for building work assessable under the building assessment provisions, as set out in the Building Act 1975.

Note: The relevant building assessment provisions under the Building Act 1975 apply to all building work within the area identified on Map F1 and must take account of the flood potential within the area.

Note: Resilient building materials for use within the area on Map F1 should be determined in consultation with Council, in accordance with the relevant building assessment provisions.

Note: Refer to the Dangerous Goods Safety Management Act 2001 and associated Regulation, the Environmental Protection Act 1994 and the relevant building assessment provisions under the Building Act 1975 for requirements related to the manufacture and storage of hazardous substances.

Attachment 2A

**REVISED OVERLAY MAP: AREAS OF NATURAL AND
ENVIRONMENTAL SIGNIFICANCE,
MAP F – FLOOD INUNDATION AREA**

Insert Overlay Map F1

Insert Overlay Map F2

Attachment 2B

TABLE 23B (REVISED)

Overlap Map F - Flood Inundation Areas – Making a Material Change of Use (including associated works)

Column 1 Defined Use or Use Class	Column 2 Assessment Category	Column 3 Applicable Code
Agriculture	Exempt if no building work proposed; Code Assessable if – building work proposed	If Code Assessable – Areas of Natural and Environmental Significance Overlay Code
Public Infrastructure	Exempt for facilities and infrastructure in existing identified and proposed corridors and sites as indicated on Overlay Map F	
Sport and Recreation	Exempt if no building work proposed; Code Assessable if – building work proposed	If Code Assessable – Areas of Natural and Environmental Significance Overlay Code
Use for a Road	Exempt All Circumstances	
All Other Uses	Code Assessable if the site area is located within an area identified on Overlay Map F - Flood Inundation Areas whether or not involving building works	Areas of Natural and Environmental Significance Overlay Code

TABLE 24B

Overlap Map F– Other Development

Column 1 Defined Use or Use Class	Column 2 Assessment Category	Column 3 Applicable Code
Reconfiguring a lot	Code Assessable if the site is located within an area covered by Map F1- Flood Inundation Areas	Areas of Natural Environmental Significance Overlay Code
Carrying out building works not associated with a material change of use	Code Assessable if the site is located within an area covered by Map F1	Areas of Natural Environmental Significance Overlay Code
Carrying out operational works for reconfiguring a lot	Code Assessable if the site is located within an area covered by Map F1	Areas of Natural Environmental Significance Overlay Code
Carrying out operational works for filling or excavating not associated with reconfiguring a lot or a material change of use	Code Assessable where the extent of cut or fill exceeds 10m ³ and the site is located within an area covered by Map F1- Flood Inundation Areas, except where the works are associated with bona fide operation of agricultural activities	Areas of Natural Environmental Significance Overlay Code
Advertising Device, where not associated with a material change of use	Code Assessable if the site is located within an area covered by Map F1	Areas of Natural Environmental Significance Overlay Code
Extracting Gravel, Rock, Sand or Soil, where not associated with a material change of use	Code Assessable if the site is located within an area covered by Map F1	Areas of Natural Environmental Significance Overlay Code
Other	Exempt	

Attachment 2C

Desired Environmental Outcome K

The adverse effects of flood inundation on development:

- (c) in the High and Medium Hazard Areas are avoided;
- (d) in the Low Hazard Area are minimised to the greatest extent practicable and development is designed to provide protection to persons and property.

Flood Inundation Areas

Column 1 Specific Outcomes	Column 2 Acceptable Solutions
9A. Development in a High Hazard Area is avoided.	9A.1 No acceptable solution provided
9B. Development in a Medium Hazard Area is avoided.	9B.1 No acceptable solutions provided
<p>9C. In the Low Hazard Area, development that caters for vulnerable persons is avoided, but otherwise:</p> <ul style="list-style-type: none"> (a) minimize risk from the adverse effects of flood inundation to the greatest extent practicable; and (b) is designed so as to be capable of withstanding the static and dynamic loads, including debris loads, applicable in the Low Hazard Area; and (c) access routes to and from the site and within the site are provided so that in a flood event, occupants can escape to a safe and secure area in accordance with current emergency management procedures. <p><i>Note: Applicants are advised to refer to the latest Queensland Evacuation</i></p>	<p>9C.1 The floor levels of any habitable room of a proposed building or extension to an existing building are a minimum of 300mm above the Defined Flood Level; and</p> <p>9C.2 The design and layout of residential property provides for:</p> <ul style="list-style-type: none"> (a) at ground level, parking of vehicles or storage of items that are capable of being moved in the event of flood inundation; and (b) habitable rooms above ground level; and <p>9C.3 The area below habitable rooms:</p> <ul style="list-style-type: none"> (a) is to be left open so as to not impede flood inundation; (b) may be used for parking of vehicles or storage of items that are capable of being readily moved in the event of a flood; and (c) may be screened to a permeability of 50% so as not to impede the flow of flood inundation (e.g. using timber

<p><i>Guidelines for Disaster Management Groups for guidance on the process for evacuation planning and the latest Lockyer Valley Regional Council Disaster Management Plan – Evacuation Sub Plan.</i></p>	<p>battens with a batten width gap between each batten); and</p> <p>9C.4 Buildings and structures are sited on the highest part of the site to improve flood immunity; and</p> <p>9C.5 Electrical installations are sited in the area of greatest flood inundation immunity; and</p> <p>9C.6 Electrical switchboards, main data servers, telecommunication and switchboards are located above the Defined Flood Level with all other electrical and data installation facilities below the Defined Flood Level to be designed and constructed to withstand inundation of flood inundation; and</p> <p>9C.7 The finished surface level of any sewerage treatment system or openings into the sanitary drainage system is a minimum of 150mm above the Defined Flood Level; and</p> <p>9C.8 All electrical equipment that may be subject to water damage is to be a minimum of 150mm above the Defined Flood Level; and</p> <p>9C.9 All proposed effluent land application areas that will be located below the Defined Flood Level shall be treated to an advanced secondary quality; and</p> <p>9C.10 Development provides at least one road access to service the development which is capable of remaining passable for the purpose of emergency evacuations at a level higher than the Defined Flood Level; and</p> <p>9C.11 Development does not increase the flood hazard within the flood inundation area; and</p> <p>9C.12 Operational works including filling or extraction avoid altering the predevelopment profile of the site; and</p>
--	--

	<p>9C.13 The building materials and surface treatments used below the Defined Flood Level:</p> <ul style="list-style-type: none"> (a) are resilient to water damage and do not include wall cavities; and (b) minimize risk from the adverse effects of flood inundation to the greatest extent practicable; and (c) are be capable of withstanding the static and dynamic loads, including debris loads. <p>9C.14 Development does not expose vulnerable persons to increased flood inundation levels.</p>
<p>9D In the Investigation Area, development that caters for vulnerable persons is avoided, but otherwise:</p> <ul style="list-style-type: none"> (a) minimises risk from the adverse effects of flood inundation to the greatest extent practicable; and (b) only occurs where it is designed to respond to the hazard level applicable to the site. <p><i>Note: Land in the Investigation Area is susceptible to some degree of flood inundation. Detailed modelling of this land has not been performed. The purpose of this land is to determine through site specific assessment the suitability of land for development subject to its hazard classification.</i></p>	<p>9D.1 A local flood study is undertaken by a suitably qualified person; and</p> <p>9D.2 Development responds appropriately to the extent, nature and type of risk identified through this study.</p> <p><i>Note: The assessment of development in the Investigation Area will require the submission of a local flood study for assessment by Council Officers. This study will require the determination of the extent, nature and type of flood risk applicable to the subject land. Details of the content and format of this study can be found in the supporting documentation.</i></p>

Insert TLPI Maps

- **F1**
- **F1 – A to H**
- **F2**
- **F2 – A to H**