

In the matter of the
Commissions Of Inquiry Act 1950

Commission of Inquiry Order (No. 1) 2011

QUEENSLAND FLOODS COMMISSION OF INQUIRY

Witness Statement of John Stephen Adams

City Planner

Ipswich City Council

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JA-2	Memorandum to City Planner from Strategic Planning Officer regarding Temporary Local Planning Instrument 01/2011 - Flooding Regulation, attaching Attachment 1 - Proposed TLPI and Attachment B - TLPI Process	5 April 2011
JA-3	Report of Planning and Development Committee No. 2011(04)	11 April 2011
JA-4	Minutes of Ordinary Meeting	15 April 2011
JA-5	Letter from Queensland Government Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State to Ipswich City Council	23 May 2011
JA-6	Memorandum from Strategic Planning Officer to City Planner Re: Temporary Local Planning Instrument 01/2011 - Flooding Regulation	27 May 2011
JA-7	Ipswich City Council Information Sheet - Temporary Local Planning Instrument 01/2011 - Flood Regulation	June 2011
JA-8	Planning and Development Committee No. 2011(06)	7 June 2011
JA-9	Minutes of Ordinary Meeting	14 June 2011
JA-10	Ipswich City Council Temporary Local Planning Instrument 01/2011 Flooding Regulation	20 June 2011

Witness statement of John Stephen Adams

This written statement is provided in response to a Requirement dated 10 August 2011 to provide a written statement, under oath or affirmation, to the Queensland Floods Commission of Inquiry pursuant to section 5(1)(d) of the *Commissions of Inquiry Act 1950* (Qld).

I, **John Stephen Adams**, City Planner of the Ipswich City Council, (variously described throughout this statement as "ICC" or "Council"), 45 Roderick Street, Ipswich in the State of Queensland, affirm as follows:

Position and Qualifications

1. I am the City Planner for the City of Ipswich. I have worked for the ICC since 21 August 1981 and have been in my current position as City Planner since June 2008. As City Planner, I am the Department Head for the Planning and Development Department and have overall management responsibility for the strategic planning branch, engineering and environment branch, the development planning branch, building and plumbing branch and business support branch. In my current role, I assist the ICC's strategic implementation of its planning and development activities.
2. Prior to my position as City Planner, I was the Deputy Chief Town Planner and Strategic Planning Manager for approximately 20 years. In that position I was responsible for preparation and review of planning schemes and local area plans and various planning and development policies and also the formulation and implementation of ICC's heritage program. Prior to that, I worked at the ICC as a development planner and in that capacity was involved in the assessment of development applications.
3. I hold the following qualifications:
 - (a) Bachelor of Regional and Town Planning with Honours from the University of Queensland; and

(b) Diploma in Business.

4. I am also a fellow of the Planning Institute of Australia.

Commission of Inquiry Requirement Notices dated 10 August 2011

5. The Commission of Inquiry has issued 3 Requirements dated 10 August 2011 to myself and to the Chief Executive Officer of Ipswich City Council, Mr Carl Wulff, to provide written statements ("the Requirements"). There is:

(a) some overlap in the content of the Requirements issued to myself and Mr Wulff;

(b) some matters raised in the Requirements directed to me (for example details of Council infrastructure affected by flooding) which are better addressed by Mr Wulff; and

(c) some matters raised in the Requirement directed to Mr Wulff (for example changes to Council's land planning processes in response to the flood event) which are better addressed by me.

6. Where there is overlap in the Requirements, to avoid duplication, the most appropriate person as between myself and Mr Wulff will respond to the Requirement. Also, in the interests of efficiency and avoiding duplication, I will, where appropriate, cross-reference my statement to the statement of Mr Wulff. I will also, where appropriate, cross-reference my statement to earlier submissions made by Ipswich City Council to the Commission of Inquiry, without repeating the detailed information contained in those earlier submissions.

7. The First Requirement dated 10 August 2011 addressed to me requires that I address the following topics, which are discussed below:

(a) A summary of the assessment criteria contained in Council's Planning Scheme and how such criteria are used to assess development applications for development in the natural hazard management area.

- (b) A description of how the natural hazard management area as it relates to flood affected land is reflected in the planning scheme.
- (c) Details of Council's defined flood event including how the defined flood event was chosen and the way in which it was calculated or determined.
- (d) A description of any planning requirements for evacuation routes and or early warning systems for areas identified to be at a high risk of flooding.
- (e) A description of any controls or standards used to assess storage of chemicals or other environmentally relevant applications for development below the Q100 flood line or council's defined flood event including a description of conditions imposed by Council on the approval of development applications to ensure that hazardous materials affected by flood water do not affect public safety and/or the environment.
- (f) A description of how levee banks are regulated.

Summary of the assessment criteria in the Ipswich Planning Scheme and how such criteria are used to assess development applications for development in the natural hazard management area.

- 8. Whilst in my present role I do not have responsibility for day to day assessment of development applications, I am familiar with the provisions of the Ipswich Planning Scheme ("the 2006 Scheme") that deal with flooding and how those provisions are applied in development assessment.
- 9. The assessment criteria for development applications in the natural hazard management area are addressed in Division 4 of Part 11 of the 2006 Scheme under the Development Constraints Overlays Code. These assessment criteria have recently been replaced by the assessment criteria in Temporary Local Planning Instrument 01/2011 Flooding Regulation ("TLPI"). Both the assessment criteria in the 2006 Scheme and the TLPI are summarised below.

Assessment of Development Applications under the 2006 Scheme

10. The strategic planning outcomes for the City of Ipswich are determined by the Council and documented in its planning scheme.
11. The 2006 Scheme sets out the framework for assessing development in Ipswich City by:
 - (a) identifying development for which an approval from ICC is required ("assessable development") and development which does not require an approval if it is listed as exempt or if it complies with specified codes in the 2006 Scheme ("self-assessable development"); and
 - (b) identifying the planning outcomes sought to be achieved in the City and the planning criteria for assessing development.¹
12. The development of a planning scheme is a complex task and involves reconciling and balancing of a range of competing interests. In particular, the Ipswich City local government area has had a high population growth and has been identified by the State to accommodate significant growth targets. The current population of Ipswich City is 175,000. Whereas the South East Queensland Regional Plan 2009-2031 ("SEQRP 2031") sets a target for population growth in Ipswich by 2031 of 435,000. The planning scheme should address the housing and infrastructure needs for population growth, support economic development and employment opportunities for the local government population, whilst retaining residential and environmental amenity. For Ipswich City this needs to be addressed within a highly constrained development area. In particular, the 2006 Scheme identifies 18 mapped development constraints, ranging from bushfire risk areas, mining and land affected by subsidence, flooding and major stormwater flow paths, buffers to industry and service infrastructure and transport facilities, defence facilities, topographic constraints and catchment areas. Some 936 km² or 86% of the Ipswich local government area is affected by identified

¹ Section 1.1 of the 2006 Scheme.

development constraints. The planning scheme sets criteria for the impact of development constraints, where appropriate, to be managed through design of development so that land is not sterilised. The delivery of balanced planning outcomes also must address the sometimes competing expectations of the community, business and State and Commonwealth governments. The issues that the ICC has had to consider in developing the planning outcomes and assessment criteria for the 2006 Scheme are addressed further in paragraphs 20.1 to 20.14 of the Queensland Floods Commission of Inquiry Further Submission by the Ipswich City Council dated 28 April 2011 ("the Second Submission").

13. The 2006 Scheme was developed under the relevant enabling legislation for planning and development assessment which was the Integrated Planning Act 1997 ("IPA"). IPA has now been repealed and replaced by the Sustainable Planning Act 2009 ("SPA"). IPA introduced performance based planning, where no development was "prohibited" by a planning scheme. Development applications were to be assessed against performance criteria contained in codes within a planning scheme. The IPA governed how planning schemes were to be made and how development applications were to be made, assessed and decided. A planning scheme under IPA was, and under SPA is, also required to address specific statutory criteria. These are summarised in paragraphs 16.2 to 16.11 of the Second Submission. In particular, the extent of discretion that a local government has in making its planning scheme is limited by the requirements of the legislation. All planning schemes are required to be submitted to the Minister responsible for planning, to be assessed on whether or not the scheme appropriately addressed State interests. State interests are matters which, in the Minister's opinion, affect an economic or environmental interest of the State or region or matters to ensure there is an efficient, effective and accountable planning and development assessment system. In particular, the Minister determines whether or not the State Planning Policies and the South East Queensland Regional Plan are appropriately reflected in the scheme.

14. The 2006 Scheme includes a Strategic Framework², which does not have a role in development assessment and does not confer land use rights, but summarises the overall effect of the planning scheme provisions on development in Ipswich City. That Strategic Framework relevantly describes for flood liable land:³
- (a) residential uses are, with the exception of existing development or current existing approvals, generally located in areas to avoid identified development constraints;⁴
 - (b) business, commercial and industry uses are located and designed to avoid or mitigate, where relevant, the potential impact of identified development constraints;⁵
 - (c) open space and recreation uses, where relevant are located and designed to avoid or mitigate, the potential impact of identified development constraints (including flood liable land);⁶
 - (d) except for existing development or current existing approvals or relevant previously zoned land, the majority of uses are to be generally located outside the areas of flood liable land;⁷
 - (e) uses located within the areas of identified development constraint (including flood liable land) are to take into account siting and building design issues to reduce the impact of the constraints.⁸

² Part 1, Division 3 of the 2006 Scheme.

³ Only strategies with flood relevance have been extracted.

⁴ Section 1.6(8)(e) of the 2006 Scheme.

⁵ Section 1.6(10)(e)(ii) of the 2006 Scheme.

⁶ Section 1.6(13)(d)(i) of the 2006 Scheme.

⁷ Section 1.6(18) of the 2006 Scheme.

⁸ Section 1.6(19) of the 2006 scheme.

15. The 2006 Scheme allocates land within the local government area into zones. Additionally, development constraints are identified as overlays. The 2006 Scheme has two types of overlays. These apply to character places and, relevantly, development constraints shown on overlay maps (Overlay Maps OV1 to OV14). Of particular relevance is Overlay Map OV5 which relates to flooding and urban stormwater flow path areas. Overlays provide the secondary organisational layer in the 2006 Scheme and are based on special attributes of land that need to be protected, or that may constrain development.⁹
16. The 2006 Scheme also includes codes which apply to particular categories of development or in particular areas. Codes set out additional assessment criteria that will apply to development applications.
17. The zones and overlay codes contain assessment tables which identify assessable development, self-assessable development and development which is exempt from requiring a development application under the planning scheme. If development is identified as having a different assessment category under a zone than under an overlay, or under different overlays, the higher assessment category applies.¹⁰
18. The 2006 Scheme sets out a hierarchy of assessment criteria that are applied to development applications in the City, which are:
- (a) desired environmental outcomes;
 - (b) overall outcomes for zones and overlays, or for the purpose of a code;
 - (c) specific outcomes for zones, overlays and codes;
 - (d) probable solutions for a specific outcome, or acceptable solutions for complying with a self-assessable code.

⁹ Section 1.15 of the 2006 Scheme.

¹⁰ Section 1.16 (3) of 2006 Scheme.

19. The desired environmental outcomes in a planning scheme describe what is sought to be achieved by the planning scheme. Under the 2006 Scheme, desired environmental outcomes relevant to flooding are:

"the adverse effects from natural and other hazards, including flooding, land subsidence, bush fires, ordnance explosions and aircraft operations are minimised;"

"the health and safety of people, and the amenity they enjoy, are maximised, particularly in the urban and township areas where different types of uses are located close together."¹¹

20. Section 3.2 of the 2006 Scheme identifies the relevant performance indicators, including that *"where development has occurred it ... has been located away from areas subject to natural or other hazards or been designed to mitigate adverse impacts"*.¹²

21. Relevantly for flooding and prior to commencement of the Temporary Local Planning Instrument 01/2011 Flooding Regulation ("TLPI"), development applications were assessed having regard to Map OV5 and the Development Constraints Overlays Code. The Development Constraints Overlays Code specifies additional requirements for development affected by the flood lines on Map OV5, to those which would normally apply to development within a zone. The purpose of the Development Constraints Overlays Code as expressed in the 2006 Scheme, relevant to flooding is that:

- (a) the health and safety of the local government's population, investment in property and long term viability of significant economic resources are protected;

¹¹ Section 3.1 of the 2006 Scheme.

¹² Section 3.2 of the 2006 Scheme.

- (b) uses and works are located on land free from significant constraints upon development, or when within such areas, risk to property, health and safety is minimised;
 - (c) uses and works are sited, designed and constructed to avoid, minimise or withstand the incidence of a development constraint; and
 - (d) the number of people exposed to a development constraint is minimised.¹³
- 22.** The Development Constraints Overlays Code applies to development applications for all land affected by the flood lines as depicted on Map OV5. Whilst the 2006 Scheme could not under IPA and now SPA prohibit development of flood constrained land,¹⁴ the 2006 Scheme identifies the types of development within the flood lines on Map OV5 which require approval by ICC, the level of assessment for such approval and the criteria that should where possible be met by such development. Under the Development Constraints Overlays Code the only development types that are exempt or self-assessable are development that is less sensitive to flooding, such as parks or development that was the subject of an existing development commitment, such as an approval that predated the scheme or could have lawfully been developed without further planning approval prior to the scheme, such as a single residence in an existing Residential zone. How the Development Constraints Overlays Code applies to assessment of Development Applications prior to commencement of the TLPI is described at paragraphs 19.1 to 19.7 of the Second Submission. This is summarised below.
- 23.** The assessment levels for development on land affected by the flood lines on Map OV5 relevantly includes:
- (a) making a material change of use for residential development in a Residential Zone below the 1 in 20 development line, which development is code assessable. While

¹³ The overall outcomes sought are listed at section 11.4.3(2) of the 2006 Scheme.

¹⁴ A planning scheme may prohibit development only if the prohibition is stated in the Standard Planning Scheme Provisions.

the Development Constraints Overlays Code discourages residential development below the 1 in 20 development line, such development cannot be prohibited by a planning scheme. A single residential development in a Residential Zone on land between the 1 in 20 development line and 1 in 100 flood line is self-assessable. Otherwise residential development is code assessable where affected by the 1 in 20 development line or 1 in 100 flood line in Map OV5;

- (b) making a material change of use for a car park, forestry, plant nursery (wholesale) or other commercial, industrial or business use where land is affected by the 1 in 20 year development line or 1 in 100 flood line is code assessable;¹⁵
- (c) carrying out building work not associated with a material change of use is self-assessable if building work is on an existing building and the acceptable solutions of the applicable code for self-assessable development are complied with. Otherwise, such building work is code assessable;
- (d) clearing of native vegetation is self-assessable if it is limited clearing (less than 100 m²) and situated within the 1 in 20 development line or 1 in 100 flood line. Otherwise it is code assessable;
- (e) earthworks not associated with a material change of use is code assessable if land is affected by the 1 in 20 development line or 1 in 100 flood line;
- (f) reconfiguring a lot is code assessable;
- (g) all other types of development (other than park, agriculture, night courts and home based activities) are code assessable.

24. Development applications for assessable development are assessed by ICC against the specific outcomes described in the Development Constraints Overlays Code. Development that is

¹⁵ Other uses identified in the table include agriculture, animal husbandry, home based activity, minor utility, night court and park.

consistent with the specific outcomes is considered to comply with the Code. The Code also describes probable solutions which are one way that those specific outcomes would be achieved. The specific outcomes and probable solutions are identified separately for land situated:

- (a) below the 1 in 20 development line for residential uses;
- (b) below the 1 in 20 development line for commercial, industrial and other non-residential uses;
- (c) between the 1 in 20 development line and the 1 in 100 flood line for residential uses; and
- (d) between the 1 in 20 development line and the 1 in 100 flood line for commercial, industrial and other non residential uses.¹⁶

25. The specific outcomes for each of these circumstances are set out at section 3.8 of Schedule 1 to the Second Submission.

26. In summary, the assessment criteria in the Development Constraints Overlays Code is directed to avoiding the intensification of residential uses and the provision of additional dwellings or residential lot reconfigurations in areas that were affected by the flood lines on Map OV5. Single residential uses on vacant land below the 1 in 20 flood level required approval of Council. While the Development Constraints Overlays Code discourages residential development below the 1 in 20 development line, such development cannot be prohibited by a planning scheme. Special dispensation may be applied to erect a second dwelling, to house family members on land situated between the 1 in 20 development line and 1 in 100 flood line. Single residential development on an existing vacant allotment of residential zoned land situated between the 1 in 20 development line and 1 in 100 flood line is self-assessable. Other

¹⁶ The specific outcomes in relation to flooding and urban stormwater flow path areas are contained at section 11.4.7 of the Ipswich Planning Scheme.

forms of dual occupancies, multiple residential uses or creation of additional residential lots are actively discouraged in land affected by the 1 in 100 flood line.

- 27.** Non-residential buildings under these provisions are encouraged where possible to be located and designed to avoid areas of significant flood flows and damage from flooding. Commercial, industrial and other non residential uses on suitably zoned land were, where possible, to locate parking or other low intensive activities or non habitable uses at ground level, with retail, commercial and work areas and expensive plant and equipment above.
- 28.** The Development Constraints Overlays Code also includes provisions relating to:
- (a) the design of buildings, in areas affected by significant flood flows, to withstand static and dynamic loads, including debris loads;
 - (b) where possible, locating habitable floor levels at least 250 mm above the adopted flood level;
 - (c) the use of water resistant building materials;
 - (d) the design and location of electrical installations;
 - (e) access routes and safe alternative emergency evacuation routes, where needed;
 - (f) ensuring the development (including earthworks and vegetation removal) does not increase the depth, duration or velocity of flood waters or reduce warning times for other properties within a flood plain; and
 - (g) the storage of materials which may cause a safety or environmental hazard if discharged during a flood.
- 29.** For community infrastructure, the Development Constraints Overlays Code requires that the infrastructure is able to function effectively during and immediately after flood hazard events. The probable solution in the Development Constraints Overlays Code is that key elements of community infrastructure be sited to achieve the levels of flood immunity set out in State

Planning Policy 1/03 Mitigating the Adverse Impacts of Flood, Bushfire and Landslide ("SPP 1/03") and its associated SPP 1/03 Guidelines.¹⁷

30. In addition to the Development Constraints Overlays Code, development applications are also assessed against the desired overall and specific outcomes for the zone in which the land is located. This is described in paragraph 19.7 and Schedule 1 of the Second Submission.
31. Reconfiguration applications are additionally assessed against the Reconfiguration of Lot Code. The Reconfiguration of Lot Code which relates to flooding is set out in paragraph 19.7 (g) of the Second Submission.
32. The applicant is required to provide sufficient material in its application to Council to enable the Council to assess the application. The ICC may also request further information to allow it to adequately assess a development application. Planning Scheme Policy 2 sets out the information that may be requested and specifically addresses matters relating to flooding and stormwater flow paths. For primarily those development applications on land below flood lines, ICC require up to date hydrological studies and up to date contour information to be submitted where appropriate.
33. The 2006 Scheme acknowledges that it cannot further regulate development commitments based on former zonings or current approvals for continued residential use.¹⁸ I understand that this acknowledgement reflected the statutory protection that is given to lawful uses in existence prior to the introduction of a new planning scheme and SPP 1/03, which specifies that existing development commitments are to be protected. This statutory protection is discussed in the Second Submission at paragraphs 12.8, 16.5 and 16.6. It is for this reason that

¹⁷ Sections 11.4.7(1)(f) and 11.4.7(2)(f) of the 2006 Scheme.

¹⁸ Sections 11.4.7 (c) of the 2006 Scheme.

a single residential development, within an existing Residential zone, between the 1 in 20 development line and 1 in 100 flood line constraints overlay, was self-assessable.¹⁹

Temporary Local Planning Instrument 01/2011 Flooding Regulation

34. As noted in paragraphs 25.8 and 25.9 of the Second Submission, ICC has adopted the TLPI. The purpose of the TLPI is to provide temporary planning measures for development assessment in response to the January 2011 flood event, pending permanent amendments to the 2006 Scheme, which will require a formal amendment of the scheme. The TLPI introduces revised flood regulation line mapping based on the outer limit of the existing 1 in 100 flood line, the January 2011 flood event and known information on the 1974 flood and contains additional measures for assessment of development applications affected by the revised flood regulation line. The TLPI commenced on 20 June 2011 and replaces the following provisions of the 2006 Scheme for a period of 12 months from commencement:

- (a) The replacement of the Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5).
- (b) The replacement of the following sections of the 2006 Scheme 2006:
 - (i) Part 11, Section 11.4.7 - Flooding and Urban Stormwater Flow Path Areas;
 - (ii) Part 11, Table 11.4.3: Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Making a Material Change of Use;
 - (iii) Part 11, Table 11.4.4: Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Other Development; and

¹⁹ Sections 11.4.7 (1) (c) (i) of the 2006 Scheme.

- (iv) Part 12, Section 12.15.4 - Earthworks Code (including Lot Filling)
Clause (8) Flooding and Drainage.

- 35. The TLPI will be used to assess development applications in areas affected by the 1 in 20 development line or flood regulation line.
- 36. A summary of the effect of the TLPI is set out in paragraph 25.9 of the Second Submission.
The changes introduced by the TLPI for development assessment were:
 - (a) the revised flood regulation line being the outer limit of the 1 in 100 flood line, flooding during the January 2011 flood event and the 1974 flood event;
 - (b) the requirement for a development approval for all new residential development on land located between the 1 in 20 development line or flood regulation line;
 - (c) an express intention that there be no intensification of residential uses within flood affected areas;
 - (d) unless otherwise determined by ICC, habitable floor levels have increased and must now be 500 mm above the flood regulation line;
 - (e) non-habitable areas must be designed so that they do not impede flood flows;
 - (f) that there are no earthworks or filling below the flood regulation line unless the land is located above the 1 in 20 development line and earthworks result in the rehabilitation and repair of the hydrological network and the riparian ecology and a flood assessment demonstrates that the works do not negatively impact on hydrology, increase flooding or drainage problems or negatively impact on other upstream or downstream property. Earthworks are to be avoided in natural gullies and overland flow paths; and

- (g) the inclusion of Special Opportunity Areas for four (4) flood affected precincts, which will facilitate the transition of uses from residential to less vulnerable non-residential land uses.
37. Where an existing development commitment, based on former zoning provisions, allows a single dwelling to be sited within areas below the adopted flood regulation line, the TLPI provides that where affected by significant flood flows (i.e. one metre or more in depth), such dwellings are to have greater flood immunity. This includes buildings being constructed of flood resistant material capable of withstanding the static and dynamic loads, including debris loads applicable to a flood event equivalent to the adopted flood regulation line, buildings being resistant to water damage and buildings and other structures, where possible, being constructed on the highest part of the site to increase flood immunity.
38. As was the case for development assessment under the 2006 Scheme, the TLPI provides criteria that apply to commercial, industrial and other non residential uses being developed on land below the flood regulation line, which include:
- (a) where possible design and layout to provide for parking, or other low intensive, or non habitable uses at ground level and retail, commercial and work areas located above the parking areas;
 - (b) plant and equipment and stock located so as to increase flood immunity;
 - (c) buildings are to be located so that they are not affected by significant flood flows;
 - (d) materials stored on site are not noxious or hazardous or those which may cause a deleterious affect on the environment if released by flood flows;
 - (e) buildings are to be designed to be flood resistant;
 - (f) emergency access routes are to be available; and

- (g) uses that involve concentrations of people in areas affected by significant flood flows are to be avoided.

Description of how the natural hazard management area as it relates to flood affected land is reflected in the planning scheme

39. I am aware that the Minister for Local Government and Planning identified SPP 1/03 as having been appropriately reflected in the planning scheme.²⁰ The effect of SPP 1/03 is addressed in the Second Submission at paragraphs 13.6 to 13.11 and Schedule 1. In particular, SPP 1/03 leaves the determination of a natural hazard management area for flood, to the discretion of the local government depending on the circumstances of individual localities. However it notes that generally the appropriate flood event for determining the natural hazard management area is the 1% Annual Exceedance Probability flood. The SPP 1/03 Guidelines recognise that there a range of competing interests that should be considered in a local government's adoption of a defined flood event, which include:

- (a) potential economic and social impacts of a range of flood events;
- (b) community desires and expectations;
- (c) environmental values of and objectives for the floodplain;
- (d) consistency with adopted defined flood events in adjoining localities (whether or not within the same local government area);
- (e) emergency response requirements e.g. warning times, refuges, evacuation routes, recovery measures; and
- (f) management and mitigation measures.²¹

²⁰ Page 1-ii of the 2006 Scheme.

²¹ Appendix 2 of the SPP 1/03 Guidelines.

40. The 2006 Scheme addressed natural hazard management areas in Division 4 of Part 11 under the Development Constraints Overlays Code. Relevant to flooding, Planning Scheme Map OV5 identified land within the planning scheme area that was affected by the 1 in 20 development line and the 1 in 100 flood line and urban stormwater flow path areas. The Development Constraints Overlays Code contained the assessment criteria relevant to development applications on land affected by either the 1 in 20 development line and the 1 in 100 flood line contained in Map OV5. This assessment criteria is discussed in paragraphs 24 to 29 above and paragraph 19 of the Second Submission.
41. The TLPI has now replaced Map OV5 and the development assessment criteria of Division 4 of Part 11 of the 2006 Scheme that applied to flood affected land. The TLPI is discussed at paragraphs 34 to 38 above.

How ICC's defined flood event was determined

42. In a planning context, the concept of a flood regulation line or defined flood event is used to assess development that could be adversely affected by river or creek inundation or backwater inundation. This is compared to a stormwater flow path or more localised drainage problem area that may also be affected by drainage problems from storm events. In development assessment the Council considers the impact of both flooding and stormwater drainage.
43. As noted in paragraph 40 above, the 2006 Scheme implemented development controls for the defined flood levels of a 1 in 20 development line and a 1 in 100 flood line. The TLPI has now replaced the 1 in 100 flood line by a flood regulation line that reflects the outer limit of the previous 1 in 100 flood line, flooding in the January 2011 flood event and the available information on flooding in the 1974 flood.
44. The ICC's Engineering Services Department provided to the ICC's Planning and Development Department, the relevant information for the flood lines contained in the 2006 Scheme. The information on which the 1 in 100 flood line was based is identified at paragraphs 14.8 to 14.11 and 18.2 to 18.4 of the Second Submission and accords generally with my recollection.

45. In summary, the 1 in 100 flood line reflects the expert flood modelling advice which was historically available to the ICC, with further refinements to reflect the more detailed flood information that has been made available to ICC through development application processes. Every 1 to 2 years, ICC undertakes an operational review of the planning scheme. These reviews, as far as flooding is concerned, incorporate any refinements in the data for flood lines provided by Council's Engineering Services Department when more detailed information on localised flood levels becomes available, or from information provided during development assessment processes. These reviews are not, however, generally used to change the substantive provisions or assumptions in the planning scheme.
46. The 1 in 20 development line is based on a long standing flood regulation line which was initially identified in the 1976 Town Planning Scheme for the former City of Ipswich and based on the 1976 Ipswich City Council Works Department Drainage Problem Area mapping of the 1 in 20 year flood line, which was reflected in By-Law 37 Drainage and Drainage Problem Areas ("By-Law 37").
47. The data used to inform the flood regulation line in the TLPI was the 1 in 100 flood line contained in Map OV5 of the 2006 Scheme and information the ICC had available on the January 2011 flood event, and the 1974 flood. The information on the extent of flooding from the January 2011 flood event is composite information obtained from the Department of Environment and Resource Management ("DERM") and the ICC. The data available to the ICC for this compilation was a debris line survey, interpretation of aerial mapping and information validated by community members. The information on which the extent of flooding during the 1974 flood was based was digitised information collated by the former Ipswich City Council from ground truthing.

Description of planning requirements for evacuation routes and or early warning systems

48. Access and emergency evacuation route provisions are contained in Section 11.4.7 of the Development Constraints Overlays Code in the 2006 Scheme. The Development Constraints

Overlays Code includes as a specific outcome for residential, commercial, industrial and non-residential development within the 1 in 20 development line, the 1 in 100 flood line and land within the Urban Stormwater Flow Path Areas that "*Access routes are designed or alternative emergency evacuation routes are provided so that in the event of a serious incident occupants can escape to a safe and secure area.*" The Development Constraints Overlays Code specifies a probable solution for evacuation routes that "*At least one road access will remain passable for the performance of emergency evacuations at a level of no more than 300mm below the adopted flood level.*"

49. These provisions have been continued in the TLPI.
50. These provisions apply to development applications assessed under the Development Constraints Overlays Code. The planning provisions can only be applied to new development that requires assessment. Existing older areas (both commercial and residential) generally have existing use rights, or development commitments based on existing zonings. The older areas of Ipswich were typically established using a grid network of streets, providing multiple escape route options away from flood waters.
51. The need to apply the specific outcomes and probable solution outlined above is not common, as new development has generally been located above the 1 in 100 flood line outside of existing developed areas.
52. I am not aware of any other policies or other documents of ICC which require property owners to have an evacuation plan and/or route in the case of flooding.
53. I am not aware of any early warning systems imposed on developments pursuant to the 2006 Scheme relating to flood warnings. It should be noted that generally the type of flooding experienced in Ipswich is not of a 'flash flood' nature, therefore in most instances there is sufficient time for emergency services and the police to evacuate people from areas that may experience flooding, such as in the January 2011 flood event.

Controls or standards used to assess storage of chemicals or other ERA applications for development below ICC's defined flood event including a description of conditions imposed by Council to ensure that hazardous materials affected by flood water do not affect public safety and/or the environment.

54. Provisions relating to the storage of hazardous materials and chemicals are contained in Section 11.4.7 of the Development Constraints Overlays Code in the 2006 Scheme. This Code includes as a specific outcome for commercial, industrial and non residential development within the 1 in 20 development line, the 1 in 100 flood line and land within the Urban Stormwater Flow Path Areas that:

"Materials stored on-site—

(A) are those that are readily able to be moved in a flood event;

(B) are not hazardous or noxious, or comprise materials that may cause a deleterious effect on the environment if discharged in a flood event; and

(C) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood."

55. These provisions have been included within the TLPI.

56. An example of the type of condition imposed pursuant to Section 11.4.7 of the 2006 Scheme is condition 5 in the decision notice dated 17 May 2011 for Development Application No. 1726/2011, for an extension (ancillary storage) to an existing use which condition limits the types of materials that can be stored in the extension, as set out below:

"5. Flood Mitigation

(a) The development must comply with Ipswich City Council's Planning Scheme Part 11-Overlays Div 4 - Development Constraints Overlay Part 11.4.7 (d) in regards to building construction, including the use of building materials resistant to water damage. To this end,

the electrical switchboard(s), electrical connections and data cabling within the development must be positioned above the 1974 flood line. The developer is required to submit full details of the building construction demonstrating compliance with this condition, to the assessment manager for approval, prior to the approval of any building works.

(b) Materials stored on-site must be readily able to be moved in a flood event, must not be hazardous or noxious, must not comprise materials that may cause a deleterious effect on the environment if discharged in a flood event, and where capable of creating a safety hazard by being shifted by flood waters, must be contained in order to minimise movement in times of flood".

57. It should be noted that generally the type of flooding experienced in Ipswich is not of a 'flash flood' nature, thereby providing opportunity in most instances to remove hazardous materials from storage areas that may experience flooding such as in the January 2011 flood event.
58. As noted above, the need to apply this specific outcome is not common as new development has generally been located above or filled to the 1 in 100 flood line, outside of existing developed areas.
59. Under the Environmental Protection Act 1994 ("EP Act"), the ICC has responsibility to assess development applications for material change of use for devolved environmentally relevant activities. Development that stores dangerous goods requires a development approval for an Environmentally Relevant Activity ("ERA") No. 8 under the EP Act. Local government has responsibility to assess ERA No. 8 applications where the chemical storage consists of 10m³ to 500m³ of certain specified chemicals. Local government does not regulate storage above or below this threshold, or development involving:
- (a) in-transit storage of chemicals; or
 - (b) storing chemicals for carrying out an activity under ERA 7 (chemical manufacturing); or

- (c) transporting petroleum under the Petroleum Act 1923 or the Petroleum and Gas (Production and Safety) Act 2004.

Otherwise the Chief Executive of DERM has assessment responsibility for ERA No. 8 chemical storage.

60. When assessing the general design and construction of a dangerous goods storage facility, the assessment of flood or stormwater controls are principally assessed as part of the design, safety and suitability of the structure. In assessing development applications for devolved ERA No. 8 applications the ICC would generally assess the location of the facility having regard to the adopted flood level and Section 3.2.1 (c) of *AS 1940:2004 – The Storage and Handling of Flammable and Combustible Liquids* and *Dangerous Goods Safety Management Act 2001*, ("AS 1940:2004") which provides for any intended installation for the storage and handling of dangerous goods to be designed and constructed so that it is suitable for the conditions of use and the risk of natural disasters such as flood to also be considered.
61. An example of conditions imposed by ICC relating to storage of hazardous materials imposed as part of a devolved ERA Development Approval are those imposed on a development approval for environmentally relevant activity 8 (chemical storage) at 1 Hawkins Road Bundamba, which was within stage 1 of the Citiswich development. The development was on land above the 1 in 100 flood line. The conditions applied by Council were in accordance with the relevant code of practice (former Australian Institute of Petroleum Code of Practice) or other suitable guidelines and standards (including AS 1940:2004 and Australian Standards 4897:2008 – *The design, installation and operation of underground petroleum storage systems* ("AS 4897:2008") and AS 4976:2008 – *The removal and disposal of underground petroleum storage tanks*). In summary, the conditions address the design of containment for petroleum product storage, emergency response procedures to be established consistent with AS 1940:2004 as a minimum, the establishment of inventory control procedures in accordance with AS 1940:2004 and AS4897:2008, equipment integrity testing and spill controls.

62. When an application is received for the storage of hazardous materials and chemicals, the ICC, in my experience, assesses the application on its own facts having regard to the proposed storage requirements of the use and the relevant provisions of the planning scheme and other relevant legislation as necessary.
63. The Queensland Government administers all dangerous goods storage under the Dangerous Goods Safety Management Act 2001 ("DGSM Act") except for the storage of flammable or combustible liquids. Where storage of flammable or combustible liquids ("FCL's") are proposed, the operator of the storage site may require a license from the local government under the DGSM Act. As part of this application a risk assessment is required to be provided by the applicant. A flammable and combustible liquids license will generally require as a condition that infrastructure is designed and constructed to meet, as a minimum, AS 1940:2004. Site specific requirements for dangerous good storage may include that a Certificate of Compliance be provided from a qualified and independent person that bunding, signage, placarding and fire fighting equipment is provided in accordance with AS 1940:2004, electrical equipment meets relevant Australian standards and emergency plans and procedures meet the requirements of the DGSM Act.

How levee banks are regulated

64. Schedule 8 - Exempt Earthworks of the 2006 Scheme identifies the extent of earthworks permitted under the planning scheme without requiring operational works approval, which schedule is Annexure JA-1.
65. The provision of levee banks is not a common occurrence in Ipswich and I am not aware of any specific existing examples. I understand that after the 2011 flood event Council has commissioned a study by Parsons Brinkerhoff to examine the feasibility of constructing levees to better protect critical locations particularly within and adjoining the Ipswich CBD and Goodna Town Centre.

66. The provision of a levee bank is unlikely to comply with the exempt criteria contained in Schedule 8 of the 2006 Scheme and particularly the requirements for average depth of works, batter requirements, and would likely interfere with the natural flow of stormwater. In this case development of levee banks would require an operational works approval under the planning scheme.

Details of ICC infrastructure affected by flooding, measures used to protect ICC infrastructure and details of stormwater design capacity and urban run-off capacity

67. The First Requirement dated 10 August 2011 directed to me requires that I provide information in respect of the following topics (numbering refers to paragraph numbering in the First Requirement):
- (8) Details of Council infrastructure (sewer, roads, stormwater etc) that was affected by flooding during the period 1 December 2010 to 31 January 2011;
 - (9) A description of the measures used by Council to protect Council infrastructure (sewer, roads, stormwater etc) and to ensure such infrastructure functions during a defined flood event.
68. The Second Requirement dated 10 August 2011 directed to me requires that I provide information in respect of the following topics:
- (1) Details of any Council infrastructure that was affected by flooding between the period 1 December 2010 to 31 January 2011;
 - (2) Details of any flood mitigation infrastructure (for example flood detention basins, storm water culverts, back flow devices) in the Council's area including a description of the maintenance programs for such infrastructure;

- (3) Details of the stormwater design capacity and urban run-off capacity, sewerage design capacity and the most recent review of these capacities including details of any plans to upgrade.
69. Whilst, as Council's head of the Department of Planning & Development, I have a level of knowledge and awareness as to each of the matters raised in the First Requirement numbered (8) and (9) and the Second Requirement numbered (1) to (3) above, these are essentially engineering issues and better addressed by Council's Chief Executive Officer, Mr Wulff.
70. I have read what Mr Wulff has set out in his statement to the Commission as to these matters and have nothing to add to what he has said.

Requirement directed to Mr Carl Wulff of 10 August 2011

71. The Requirement dated 10 August 2011 directed to Mr Carl Wulff requires that information be provided in respect of the following topics (numbering refers to numbering in the Requirement of Mr Carl Wulff):
- (1) details of any draft flood studies obtained or made available to the Council since March 2011;
 - (2) any changes to Council's land planning process policies or other statutory Instruments in response to flooding that occurred during the period between 1 December 2010 and 31 January 2011;
 - (7) any policies or other documents which require property owners to have an evacuation plan and for route in case of flooding.

I comment on each of these matters in the paragraphs that follow.

Draft flood studies obtained or received by ICC since March 2011

72. In the Planning and Development department of ICC, development applications made to ICC are sometimes supported by reports and correspondence dealing with one or more of overland

flow, stormwater and flooding issues in respect of particular development applications and are therefore generally site specific. I have read what Mr Wulff has set out in his statement to the Commission as to the Requirement and note that he has identified documents in respect to this Requirement.

Changes to Council's land planning processes policies or other statutory instruments in response to flooding that occurred during the period between 1 December 2010 and 21 January 2011

73. Early in the flood recovery, ICC established a Forward Planning Sub Group to address forward land use planning as a consequence of the January 2011 Flood Event. That Forward Planning Sub Group was comprised of representatives from Council's Planning and Development, Engineering Services and Health Parks and Recreation departments and the Queensland Government Department of Local Government and Planning ("DLGP"). The Forward Planning Sub Group was tasked with the coordination of the development and implementation of recommendations to improve preparation and planning for future flood threats and risks, particularly where they relate to land use planning and development activities.
74. The activities of the Forward Planning Sub Group are set out in the Second Submission at paragraph 24. Its activities included obtaining mapping of the January 2011 flood event, an initial strategic planning flooding impact analysis to inform a planning response and the preparation of the TLPI. The strategic planning analysis of the main flood affected areas is described at paragraph 23 of the Second Submission. This strategic planning analysis provided background for the inclusion of the Special Opportunity Areas in the TLPI.
75. The ICC also formulated a Flood Recovery Assistance Package (see Schedule 6 to the Second Submission) which was designed to reduce development approval "red tape" and associated fees in order to stimulate and assist the flood recovery efforts for residents, businesses and other land users.
76. As noted in paragraph 34 above, ICC has adopted the TLPI to provide temporary planning measures for development assessment in response to the January 2011 flood event, pending

permanent amendments to the 2006 Scheme. The TLPI is described in paragraphs 34 to 38 above and paragraphs 25.8 and 25.9 of the Second Submission. Relevant documents to the adoption of the TLPI are attached as follows:

Annexure	Document Description	Author	Date
JA-2	Memorandum to City Planner from Strategic Planning Officer regarding Temporary Local Planning Instrument 01/2011 - Flooding Regulation, attaching Attachment 1 - Proposed TLPI and Attachment B - TLPI Process	Strategic Planning Manager	5 April 2011
JA-3	Report of Planning and Development Committee No. 2011(04)	Unknown	11 April 2011
JA-4	Minutes of Ordinary Meeting	Unknown	15 April 2011
JA-5	Letter from Queensland Government Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State to Ipswich City Council	The Honourable Paul Lucas MP	23 May 2011
JA-6	Memorandum from Strategic Planning Officer to City Planner Re: Temporary Local Planning Instrument 01/2011 - Flooding Regulation	Strategic Planning Manager	27 May 2011
JA-7	Ipswich City Council Information Sheet - Temporary Local Planning Instrument 01/2011 - Flood Regulation	Ipswich City Council	June 2011

Annexure	Document Description	Author	Date
JA-8	Planning and Development Committee No. 2011(06)	Unknown	7 June 2011
JA-9	Minutes of Ordinary Meeting	Unknown	14 June 2011
JA-10	Ipswich City Council Temporary Local Planning Instrument 01/2011 Flooding Regulation	Ipswich City Council	20 June 2011

Requirements for evacuation plans or route in case of flooding

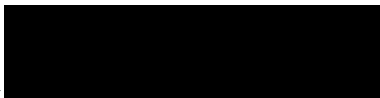
77. This is addressed in paragraphs 48 to 52 above.

Other matters

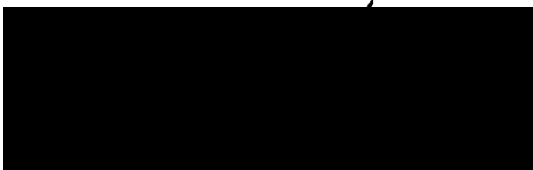
78. I have sighted the Commission's Requirements dated 5 August 2011 and 10 August 2011 for ICC to provide information documents and records. In respect of the Requirement to provide property and development application files for properties listed in paragraph 4 of the Commissions Requirement of 5 August 2011 and paragraph 3 of the Commissions Requirement of 10 August 2011, I have reviewed whether or not those properties were affected by the January 2011 flood event or the 1974 flood event from ICC records. Of those properties, the properties described in paragraph 4a, 4j, 4o, 4p, 4q, 4r, 4s, 4t of the Commission's Requirement of 5 August 2011 were not affected by either the January 2011 flood event or the 1974 flood event. Property described in paragraph 4l of the Commission's Requirement of 5 August 2011 was not affected by the January 2011 flood event, but was affected by the 1974 event.

79. In respect of the other properties I propose to deliver a further statement to the Commission within 2 weeks of the date of this statement. This statement will include a summary of relevant planning information that the ICC has for those properties.

AFFIRMED this 2nd of September 2011 at Ipswich in the State of Queensland in the presence of:



.....
John Stephen Adams (Deponent)



Annexure JA-1

SCHEDULE 8—EXEMPT EARTHWORKS

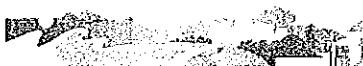
The following are the criteria for exempt Earthworks.

- (1) Earthworks which—
- (a) do not comprise more than 1000m² in area;
 - (b) do not exceed an average depth of 500mm; or
 - (c) do not exceed a maximum depth of 800mm; or
 - (d) do not involve earth batters with a slope greater than 1 in 8; or
 - (e) do not interfere with the natural flow of stormwater; or
 - (f) are not undertaken in a natural gully or overland flow path or below the adopted flood level; or
 - (g) are not undertaken within a public utilities easement; or
 - (h) are not within 3 metres of an adjoining property; or
 - (i) involve fill material which is clean, dry, solid, inert material; or
 - (j) are not within 3 metres of a Local Government infrastructure item.

NOTE 1

Materials that are considered to be unsuitable for use as fill include—

- (a) organic soils, such as many topsoils, severely root-affected subsoils and peat;
- (b) materials contaminated through past site usage which may contain toxic substances or soluble compounds harmful to water supply or agriculture;
- (c) materials containing substances which can be dissolved or leached out in the presence of moisture (e.g. gypsum), or which undergo volume change or loss of strength when disturbed and exposed to moisture (e.g. some shales and sandstones), unless these matters are specifically addressed in the design;
- (d) silts, or materials that have the deleterious engineering properties of silt;
- (e) other materials with properties that are unsuitable for the forming of structural fill; and
- (f) fill which contains wood, metal, plastic, boulders or other material that may decompose or cause the creation of voids.



Annexure JA-2

Planning and Development Committee	
Mtg Date: 11/04/2011	OAR: YES
Authorisation: John Adams	

ITEM 4

5 April 2011

MEMORANDUM

TO: CITY PLANNER

FROM: STRATEGIC PLANNING MANAGER

RE: TEMPORARY LOCAL PLANNING INSTRUMENT 01/2011 - FLOODING
REGULATION

INTRODUCTION:

This is a report by the Strategic Planning Manager dated 5 April 2011 concerning proposed Temporary Local Planning Instrument 01/2011 - Flooding Regulation.

BACKGROUND:

A Temporary Local Planning Instrument (TLPI) is a statutory instrument that assists in advancing the purpose of the *Sustainable Planning Act 2009* (SPA) by protecting a planning scheme area from adverse impacts.

The proposed TLPI provides a temporary planning mechanism to suspend the existing flood regulations in the Ipswich Planning Scheme for a period of up to 12 months. The TLPI does not change or amend the Planning Scheme, rather it overrides the relevant provisions and replaces them with improved flood regulations to control development within flood affected areas.

The TLPI preparation was informed by a review of the Ipswich Planning Scheme, individual Councillor meetings held in March 2011 and through research undertaken by Council's Forward Planning Flood Recovery Sub Group. The TLPI will provide improved flood regulation based on a Revised Flood Regulation Line and associated development provisions to regulate new development and earthworks within flood affected areas.

The proposed TLPI will:

1. Suspend the operation of the Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5) dated February 2009 and replace this Overlay Map with the Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5) dated March 2011 as contained in Attachment A - Proposed TLPI. The Overlay Map (OV5) dated March 2011 has been prepared based on a composite outer limit of the 1 in 100 Flood Line, 1974 Flood Event, and verified data provided by the Department of Environment and Resource Management (DERM) for the 2011 Flood Event.
2. Suspend the operation of the following sections of the Ipswich Planning Scheme:
 - (a) Part 11, Section 11.4.7 - Flooding and Urban Stormwater Flow Path Areas;
 - (b) Part 11, Table 11.4.3: Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Making a Material Change of Use;
 - (c) Part 11, Table 11.4.4: Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Other Development; and
 - (d) Part 12, Section 12.15.4 - Earthworks Code (including Lot Filling) Clause (8) Flooding and Drainage.

The proposed TLPI replaces the abovementioned sections with the provisions contained in Attachment A - Proposed TLPI, a summary of which is provided below:

- replaces references to the 1 in 100 Flood Line with the adopted Flood Regulation Line;
- discourages further intensification of residential uses within flood affected areas on land situated below the adopted Flood Regulation Line, including the development of dual occupancy, multiple residential uses, and the reconfiguration of land to create additional lots, with no further intensification of residential uses to occur on land below the 1 in 20 Development Line;
- provides for special dispensation to erect an ancillary unit or a second dwelling to house family members on land situated between the 1 in 20 Development Line and the adopted Flood Regulation Line based on the extent of flood immunity achieved;
- requires code assessable applications for new development where existing development commitments exist (ie construction of a dwelling on a vacant residential zoned lot);
- provides for habitable rooms of a proposed building to be a minimum of 500mm above the adopted Flood Regulation Line;
- ensures building materials and surface treatments used below the adopted flood regulation line are resistant to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment;
- ensures there are no earthworks (including filling) on land below the adopted Flood Regulation Line, unless:
 - (a) the land is located above the 1 in 20 Development Line; and
 - (b) such earthworks result in the rehabilitation and repair of the hydrological network and the riparian ecology of the waterway; and

- (c) an assessment, undertaken by a suitably qualified consultant, demonstrates that the reforming of the land does not negatively impact on the overall hydrology, hydraulics and flood capacity of the waterway and does not in any way result in the reduction of flood storage capacity on the site;
 - ensures electrical switchboards, data servers and the like are sited in the area of greatest flood immunity.
3. The proposed TLPI also provides reduced assessment levels for specified uses to encourage the transition of existing flood affected mixed use / residential areas to low impact, non residential uses. These provisions apply to the areas designated in Attachment A - Proposed TLPI with three (3) Special Opportunity Areas proposed, being:
- Woogaroo Creek Special Opportunity Area;
 - Goodna North Special Opportunity Area; and
 - Mihi Creek Special Opportunity Area.

These areas are subject to Specific Outcomes that ensure:

- the further intensification of residential uses is avoided;
- non residential uses do not have a significant detrimental impact on the amenity of nearby residents;
- non residential uses do not detract from the achievement of the network of centres as depicted in Schedule 7, Map 3; and
- building heights are generally restricted to no more than two storeys.

The development of Business Use, Carpark, Community Use, Entertainment Use, General Store, Night Court, Plant Nursery (Wholesale), Recreation Use (excluding motor sports) and Service Trades Use within the Special Opportunity Areas will attract reduced assessment levels to remove the requirement for public notification.

State Government

On 31 January 2011, the Queensland Government provided a template for a TLPI to assist in streamlining the development assessment process in areas adversely affected by flooding (to reduce the level of assessment under Planning Schemes). The adoption of the provided TLPI template by local government is optional and may be adapted to suit the needs of the local government.

Review of the template and Ipswich Planning Scheme highlighted that the proposed TLPI would not provide any significant additional benefit to streamlining re-development in Ipswich. The repair, maintenance and re-building of flood affected development is generally exempt or self assessable development under the existing Ipswich Planning Scheme.

Although this TLPI has not been used, the standard format of the template was utilised in developing the proposed TLPI for flooding regulation.

PROCESS:

Section 105 - *Process to make temporary local planning instrument* of the *Sustainable Planning Act 2009* identifies a local government may make a TLPI for all or part of its planning scheme area only if the Minister is satisfied—

- (a) there is a significant risk of serious environmental harm, or serious adverse cultural, economic or social conditions happening in the planning scheme area;
- (b) the delay involved in using the process stated in the guideline mentioned in section 117(1) to amend the planning scheme would increase the risk;
- (c) State interests would not be adversely affected by the proposed temporary local planning instrument; and
- (d) the proposed temporary local planning instrument appropriately reflects the standard planning scheme provisions.

Statutory Guideline 02/09: *Making or Amending Local Planning Instruments* contains the process for Council to prepare a TLPI. The process for making a TLPI is summarised below:

Step 1:

Local government proposes to prepare a TLPI and seeks Ministers approval. The local government must give a copy of the proposed TLPI to the Minister with written advice about why the local government proposes to make the TLPI.

Step 2:

The Minister must consider the proposed TLPI and advise the local government in writing that it may:

- (a) adopt the proposed instrument, with or without conditions; or
- (b) not adopt the proposed instrument.

The local government must comply with any conditions imposed by the Minister.

Step 3:

After receiving advice from the Minister, the local government must decide to:

- (a) adopt the proposed TLPI; or
- (b) not adopt the proposed TLPI.

If the local government decides not to adopt the proposed TLPI, the local government must give the Minister written notice about its decision, including reasons for its decision.

Step 4:

After the TLPI is adopted, the local government must place a notice in a local newspaper, the gazette and on the local government's website stating:




- (a) the name of the local government;
- (b) the date the TLPI was adopted;
- (c) the date the TLPI commences and the date it will cease to have effect;
- (d) the purpose and general effect of the TLPI;

- (e) if the TLPI only applies to part of the planning scheme area, a description and the location of that area; and
- (f) where people can inspect and purchase a copy of the TLPI.

The local government must also give the chief executive of the Department of Local Government and Planning (DLGP) a copy of the notice mentioned above.

Attachment B contains the TLPI process as extracted from the Statutory Guideline 02/09 - Making or Amending Local Planning Instruments. The timeframes identified are indicative only.

ATTACHMENTS:

Name of Attachment	Attachment
Attachment A - Proposed TLPI – Amended at Council Ordinary meeting of 15.04.2011. aip	 Attachment A  Attachment A
Attachment B - TLPI Process	 Attachment B

RECOMMENDATION:

Amended at Council Ordinary meeting of 15.04.2011. aip

- A. That Council resolve to adopt the Temporary Local Planning Instrument 01/2011 - Flooding Regulation as detailed in Attachment A to the report by the Strategic Planning Manager dated 5 April 2011, as amended.
- B. That the proposed Temporary Local Planning Instrument be forwarded for consideration to the Minister for Local Government in accordance with the provisions of Section 105 of the *Sustainable Planning Act 2009 (SPA)* and Statutory Guideline 02/09 - Making or Amending Local Planning Instruments.

STRATEGIC PLANNING MANAGER

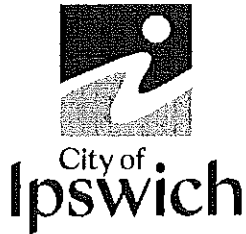
I concur with the recommendations contained in this report.

John Adams
CITY PLANNER



Attachment A

Proposed TLPI



Ipswich City Council

Temporary Local Planning Instrument
01/2011
Flooding Regulation

This Temporary Local Planning Instrument encompasses:

- (1) The replacement of the Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5).
- (2) The replacement of the following sections of the Ipswich Planning Scheme 2006:
 - (a) Part 11, Section 11.4.7 - Flooding and Urban Stormwater Flow Path Areas;
 - (b) Part 11, Table 11.4.3: Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Making a Material Change of Use;
 - (c) Part 11, Table 11.4.4: Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Other Development; and
 - (d) Part 12, Section 12.15.4 - Earthworks Code (including Lot Filling) Clause (8) Flooding and Drainage.
- (3) The inclusion of Special Opportunity Areas for three (3) flood affected precincts.

This is to certify that this is a true and correct copy of Temporary Local Planning Instrument (TLPI) 01/2011 adopted on (insert date) and commenced on (insert date). The TLPI will cease to have effect on (insert date) or when it is repealed in accordance with the provisions of the *Sustainable Planning Act 2009*.

Chief Executive Officer

Date (insert date)

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Part 1 - Short Title

- 1.1 This Temporary Local Planning Instrument (TLPI) may be cited as Temporary Local Planning Instrument 01/2011 (Flooding Regulation).

Part 2 - Purpose of the TLPI

- 2.1 The purpose of this TLPI, made under Chapter 3, Part 3 of the *Sustainable Planning Act 2009*, is to provide improved flood regulation based on a Revised Flood Regulation Line and associated development provisions.
- 2.2 To achieve this purpose, the TLPI will:
- (a) replace the Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5) to incorporate a Revised Flood Regulation Line;
 - (b) replace components of the Ipswich Planning Scheme 2006 to reflect the Revised Flood Regulation Line and enhance the application of existing flood regulations; and
 - (c) include Special Opportunity Areas to encourage the transition of existing flood affected residential areas to low impact non residential uses.

Part 3 - Application of the TLPI

- 3.1 This TLPI applies to the area to which the Ipswich Planning Scheme 2006 applies.
- 3.2 This TLPI overrides the provisions contained in the Ipswich Planning Scheme 2006 to the extent of matters that this TLPI relates to as outlined in Part 7.

Part 4 - Relationship with Planning Scheme

- 4.1 To the extent of any inconsistency between the Ipswich Planning Scheme 2006 and the TLPI, the TLPI prevails.

Part 5 - Duration of the TLPI

- 5.1 This TLPI will have effect in accordance with the *Sustainable Planning Act 2009* for a period not exceeding 12 months from the date of commencement of the TLPI.
- 5.2 This TLPI takes effect from (insert date) and will cease to have effect on (insert date).



Part 6 - Definitions

- 6.1 The terms used in this TLPI have the same meaning as defined in the *Sustainable Planning Act 2009*, unless otherwise defined in this TLPI or the Ipswich Planning Scheme 2006.

Part 7 - Effect of this TLPI

7.1 Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5)

This TLPI suspends the operation of the Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5) dated February 2009 and replaces this Overlay Map with the Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5) dated March 2011 as contained in Attachment 1.

7.2 Part 11, Section 11.4.7 - Flooding and Urban Stormwater Flow Path Areas

This TLPI suspends the operation of the following sections of the Ipswich Planning Scheme 2006:

- (a) Part 11, Section 11.4.7 - Flooding and Urban Stormwater Flow Path Areas;
- (b) Part 11, Table 11.4.3: Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Making a Material Change of Use;
- (c) Part 11, Table 11.4.4: Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Other Development; and
- (d) Part 12, Section 12.15.4 - Earthworks Code (including Lot Filling) Clause (8) Flooding and Drainage;

and replaces these sections with those contained in Attachment 2.

7.3 Special Opportunity Areas

For the duration of this TLPI, the provisions contained in Attachment 3 provide reduced assessment levels for specified uses to encourage the transition of existing flood affected residential areas to low impact, non residential uses. These provisions apply to the areas designated in Attachment 4.



Attachment 1

A. Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5)

NOTE 1

This TLPI suspends the operation of the Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5) dated February 2009 and replaces this Overlay Map with the attached Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5) dated March 2011.





OV5

OVERLAY MAP

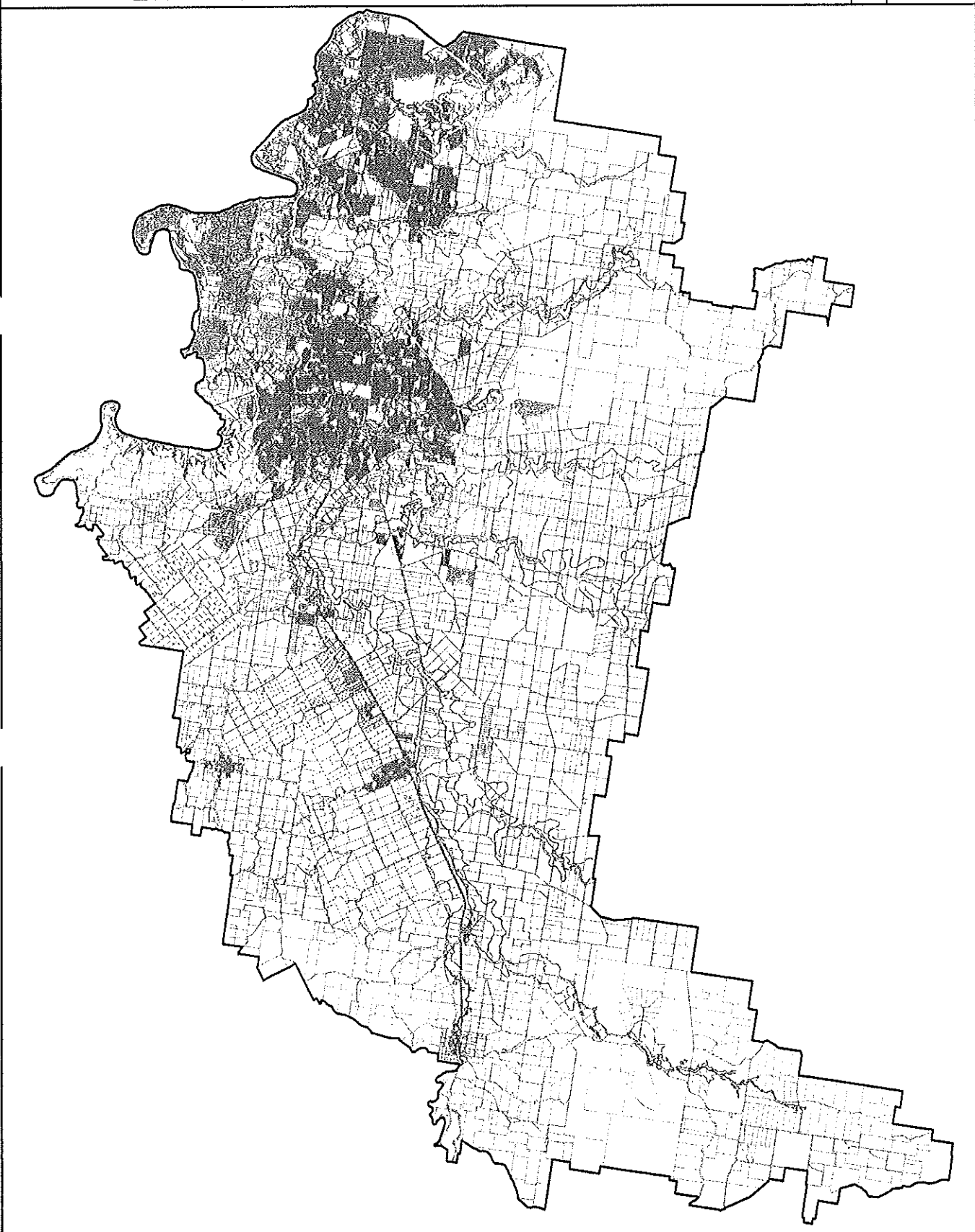
Flooding and Urban Stormwater Flow Path Areas

- Proposed Flood Regulation Line
- 1 in 20 Development Line
- Urban Stormwater Flow Path Areas
- Indicators are Subject to Further Detailed Assessment
- Power / Watercourse
- City Boundary

NOTE: Further details in relation to this map may be obtained from the Ipswich City Council Engineering Department.



Scale 1:100,000
March 2011



Attachment 2

A. Part 11, Section 11.4.7 - Flooding and Urban Stormwater Flow Path Areas

This Temporary Local Planning Instrument suspends the operation of Part 11, Section 11.4.7 - Flooding and Urban Stormwater Flow Path Areas of the Ipswich Planning Scheme 2006 and replaces it with the following:

11.4.7 Flooding and Urban Stormwater Flow Path Areas

NOTE 11.4.7A

(1) The provisions of this section apply to land identified on Map C/11 as being—

- (a) below the 1 in 20 development line; or
- (b) below the adopted flood regulation line; or
- (c) within an urban stormwater flow path area.

(2) Flood affected areas and urban stormwater flow path areas are depicted in two maps of the Ipswich Plains—

- (a) urban areas – representing Ipswich Council areas as delineated by a technical report of study of an urban flood event; and
- (b) flood flow – indicating and subject to further detailed assessment as part of a development application.

(3) The 1 in 20 development line is based on a rain threshold flood regulation line established following the 1974 event that caused the Ipswich Ipswich City Council area prior to its incorporation with the Ipswich Municipal Council.

(4) In special cases, further information submitted to a Council, such as a flood assessment, be considered as part of the development application process.

(5) Further information on the requirements for a flood assessment are contained in Planning Scheme Policy 2 – Urban and Local Government May 2006.

(1) Specific Outcomes

(a) Land Situated Below the 1 in 20 Development Line – Residential Uses

- (i) There is no intensification of residential uses within flood affected areas on land situated below the 1 in 20 development line, including the provision of an auxiliary unit.
- (ii) Where a development commitment, based on former zoning provisions, allows a dwelling to be sited within areas affected by significant flood flows (i.e. one metre or more in depth), such dwellings are designed to be capable of withstanding the static and dynamic loads, including debris loads, applicable to a flood event equivalent to the adopted flood regulation line.

NOTE 11.4.7B
Where no flow and velocity information is known for the adopted flood regulation line (modelled or otherwise) the maximum known flows and velocities are to be used for flood events in consultation with Council.

- (iii) Unless otherwise determined by Council, the floor levels of any habitable rooms of a proposed building are a minimum of 500mm above the adopted flood regulation line, whilst having regard to the visual amenity and streetscape impacts on nearby dwellings, associated with the raising of floor levels and the resulting height of buildings.
- (iv) The design and layout of residential buildings provides for—
 - (A) parking and other low intensive, non habitable uses at ground level (e.g. temporary storage of readily removable items); and
 - (B) habitable rooms above, to increase flood immunity.
- (v) The areas below habitable rooms—



- (A) are to be left open so as not to impede flood flows;
 - (B) may be used for the parking of vehicles or the storage of large items that are readily able to be moved in the event of a flood;
 - (C) may be screened for security purposes using timber battens where such screening does not impede flood flows; and
 - (D) may use timber batten gates such that the gates do not impede flood flows, with the use of solid fill gates, roll-a-doors or tilt doors to be avoided.
- (vi) The building materials and surface treatments used below the adopted flood regulation line are resistant to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment.

NOTE 11.4.7C

Flood resistant materials such as core filled concrete block / brick are to be used as alternatives to materials such as gyprock / particle board to minimise replacement / repair and provide for ease of cleaning in the event of a flood.

- (vii) Buildings and other structures are sited on the highest part of the site to increase flood immunity.
- (viii) Electrical installations are sited in the area of greatest flood immunity.
- (ix) Electrical switchboards, main data servers and the like are positioned above the adopted flood regulation line with all electrical and data installations below this level designed and constructed to withstand submergence in flood water.
- (x) Access routes are designed or alternative emergency evacuation routes are provided so that in a flood event occupants can escape to a safe and secure area.
- (xi) The development does not increase the flood hazard (e.g. by way of increased depth, duration or velocity of flood waters or a reduction in warning times) for other properties within a flood plain.
- (xii) There is no filling of land or reduction of flood storage capacity below the 1 in 20 development line.
- (xiii) The clearing of native vegetation within the stream banks is avoided.

(b) Land Situated Below the 1 in 20 Development Line – Commercial, Industrial and Other Non Residential Uses

- (i) Where possible, the design and layout of buildings provides for—
 - (A) parking, or other low intensive, or non habitable uses at ground level; and
 - (B) retail, commercial and work areas above the parking areas, to increase flood immunity.
- (ii) Expensive plant and equipment and stock are located in the area of the site or building with the greatest flood immunity.

NOTE 11.4.7D

Owners/applicants should undertake their own risk assessment to determine the floor level that maximises flood immunity having regard to the above.

- (iii) The building materials and surface treatments used below the adopted flood regulation line are resistant to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment.

NOTE 11.4.7E

Flood resistant materials such as core filled concrete block / brick are to be used as alternatives to materials such as gyprock / particle board to minimise replacement / repair and provide for ease of cleaning in the event of a flood.

- (iv) Electrical installations are sited in the area of greatest flood immunity.
- (v) Electrical switchboards, main data servers and the like are positioned above the adopted flood regulation line with all electrical and data installations below this level designed and constructed to withstand submergence in flood water.



- (vi) Access routes are designed or alternative emergency evacuation routes are provided so that in a flood event occupants can escape to a safe and secure area.
- (vii) The concentration of people in flood affected areas, particularly within areas affected by significant flood flows (i.e. one metre or more in depth), is avoided unless it can be demonstrated that the overall use is appropriate, eg sporting fields, and where there is likely to be adequate warning and access to a safe evacuation route in the event of a flood.
- (viii) Buildings are located to avoid areas affected by significant flood flows (i.e. one metre or more in depth), or where there is no alternative, buildings are designed to be capable of withstanding the static and dynamic loads, including debris loads, applicable to a flood event equivalent to the adopted flood regulation line.

NOTE 11.4.7F

Where no flow and velocity information is known for the adopted flood regulation line (modelled or otherwise) the maximum known flows and velocities are to be used for flood events in consultation with Council.

- (ix) Materials stored on-site—
 - (A) are those that are readily able to be moved in a flood event;
 - (B) are not hazardous or noxious, or comprise materials that may cause a deleterious effect on the environment if discharged in a flood event; and
 - (C) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.
 - (x) The development does not increase the flood hazard (e.g. by way of increased depth, duration or velocity of flood waters or a reduction in warning times) for other properties.
 - (xi) There is no filling of land or reduction of flood storage capacity below the 1 in 20 development line.
 - (xii) The clearing of native vegetation within the stream banks is avoided.
- (c) **Land Situated Between the 1 in 20 Development Line and the Adopted Flood Regulation Line – Residential Uses**
- (i) The planning scheme acknowledges development commitments, based on former zonings or current approvals, for continued residential use.
 - (ii) There is no intensification of residential uses within flood affected areas on land situated below the adopted flood regulation line, including the development of dual occupancy, multiple residential uses, and the reconfiguration of land to create additional lots.
 - (iii) Special dispensation may be obtained to erect an ancillary unit or a second dwelling to house family members on land situated between the 1 in 20 development line and the adopted flood regulation line based on the extent of flood immunity achieved.
 - (iv) Where a development commitment, based on former zoning provisions, allows a dwelling to be sited within areas affected by significant flood flows (i.e. one metre or more in depth), such dwellings are designed to be capable of withstanding the static and dynamic loads, including debris loads, applicable to a flood event equivalent to the adopted flood regulation line.

NOTE 11.4.7G

Where no flow and velocity information is known for the adopted flood regulation line (modelled or otherwise) the maximum known flows and velocities are to be used for flood events in consultation with Council.

- (v) Unless otherwise determined by Council, the floor levels of any habitable rooms of a proposed building are a minimum of 500mm above the adopted flood regulation line, whilst having regard to the visual amenity and streetscape impacts on nearby dwellings, associated with the raising of floor levels and the resulting height of buildings.



- (vi) The design and layout of residential buildings provides for—
 - (A) parking and other low intensive, non habitable uses at ground level (e.g. temporary storage of readily removable items); and
 - (B) habitable rooms above, to increase flood immunity.
- (vii) The areas below habitable rooms—
 - (A) are to be left open so as not to impede flood flows;
 - (B) may be used for the parking of vehicles or the storage of large items that are readily able to be moved in the event of a flood;
 - (C) may be screened for security purposes using timber battens where such screening does not impede flood flows; and
 - (D) may use timber batten gates such that the gates do not impede flood flows, with the use of solid fill gates, roll-a-doors or tilt doors to be avoided.
- (viii) The building materials and surface treatments used below the adopted flood regulation line are resistant to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment.

NOTE 11.4.7H

Flood resistant materials such as core filled concrete block / brick are to be used as alternatives to materials such as gyprock / particle board to minimise replacement / repair and provide for ease of cleaning in the event of a flood.

- (ix) Buildings and other structures are sited on the highest part of the site to increase flood immunity.
- (x) Electrical installations are sited in the area of greatest flood immunity.
- (xi) Electrical switchboards, main data servers and the like are positioned above the adopted flood regulation line with all electrical and data installations below this level designed and constructed to withstand submergence in flood water.
- (xii) Access routes are designed or alternative emergency evacuation routes are provided so that in a flood event occupants can escape to a safe and secure area.
- (xiii) The development does not increase the flood hazard (e.g. by way of increased depth, duration or velocity of flood waters or a reduction in warning times) for other properties.
- (xiv) The clearing of native vegetation within the stream banks is avoided.
- (xv) There are no earthworks (including filling) on land below the adopted flood regulation line, unless:
 - (A) the land is located above the 1 in 20 development line; and
 - (B) such earthworks result in the rehabilitation and repair of the hydrological network and the riparian ecology of the waterway; and
 - (C) an assessment, undertaken by a suitably qualified consultant, demonstrates that the reforming of the land does not negatively impact on the overall hydrology, hydraulics and flood capacity of the waterway and does not in any way result in the reduction of flood storage capacity on the site.

NOTE 11.4.7I

Council and the community have particular concerns about the cumulative adverse impact of any fill undertaken below the adopted flood regulation line.

- (d) **Land Situated Between the 1 in 20 Development Line and the Adopted Flood Regulation Line – Commercial, Industrial and Other Non Residential Uses**
 - (i) The design and layout of buildings provides for—
 - (A) parking, or other low intensive, or non habitable uses at ground level; and
 - (B) retail, commercial and work areas above the parking areas, to increase flood immunity.
 - (ii) Expensive plant and equipment and stock are located in the area of the site or building with the greatest flood immunity.



NOTE 11.4.7J

Owners/applicants should undertake their own risk assessment to determine the floor level that maximises flood immunity having regard to the above.

- (iii) The building materials and surface treatments used below the adopted flood regulation line are resistant to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment.

NOTE 11.4.7K

Flood resistant materials such as core filled concrete block / brick are to be used as alternatives to materials such as gyprock / particle board to minimise replacement / repair and provide for ease of cleaning in the event of a flood.

- (iv) Buildings and other structures are sited on the highest part of the site to increase flood immunity.
- (v) Electrical installations are sited in the area of greatest flood immunity.
- (vi) Electrical switchboards, main data servers and the like are positioned above the adopted flood regulation line with all electrical and data installations below this level designed and constructed to withstand submergence in flood water.
- (vii) Access routes are designed or alternative emergency evacuation routes are provided so that in a flood event occupants can escape to a safe and secure area.
- (viii) Buildings are located to avoid areas affected by significant flood flows (i.e. one metre or more in depth), or where there is no alternative, buildings are designed to be capable of withstanding the static and dynamic loads, including debris loads, applicable to a flood event equivalent to the adopted flood regulation line.

NOTE 11.4.7L

Where no flow and velocity information is known for the adopted flood regulation line (modelled or otherwise) the maximum known flows and velocities are to be used for flood events in consultation with Council.

- (ix) Materials stored on-site—
 - (A) are those that are readily able to be moved in a flood event;
 - (B) are not hazardous or noxious, or comprise materials that may cause a deleterious effect on the environment if discharged in a flood event; and
 - (C) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.
- (x) The development does not increase the flood hazard (e.g. by way of increased depth, duration or velocity of flood waters or a reduction in warning times) for other properties.
- (xi) The clearing of native vegetation within the stream banks is avoided.
- (xii) There are no earthworks (including filling) on land below the adopted flood regulation line, unless:
 - (A) the land is located above the 1 in 20 development line; and
 - (B) such earthworks result in the rehabilitation and repair of the hydrological network and the riparian ecology of the waterway; and
 - (C) an assessment, undertaken by a suitably qualified consultant, demonstrates that the reforming of the land does not negatively impact on the overall hydrology, hydraulics and flood capacity of the waterway and does not in any way result in the reduction of flood storage capacity on the site.

NOTE 11.4.7M

Council and the community have particular concerns about the cumulative adverse impact of any fill undertaken below the adopted flood regulation line.



(e) Urban Stormwater Flow Path Areas**NOTE 11.4.7N**

- (1) Stormwater flows can affect the amenity of a property and its improvements if adequate provision is not made to address stormwater flows being generated on, or upstream of the property.
- (2) In addition, situations can arise that may result in risk to life and significant damage to the property or its improvements if adequate consideration is not given to external stormwater flows during the design and construction of new uses and works.

- (i) Access routes are designed or alternative evacuation routes are provided so that in the event of a serious incident occupants can escape to a safe and secure area.
- (ii) Adequate stormwater drainage infrastructure and suitable overland flow paths are provided to carry the 1 in 100 Average Recurrence Interval (ARI) stormwater flow through the property while providing a freeboard of 500mm on the floors of all habitable areas and minimising damage owing to scouring from excessive flow velocities.
- (iii) Buildings and other works are designed and located so that nearby properties are not affected by any surcharge/afflux generated as a result of the buildings or other works.
- (iv) Buildings and other works are designed and located to accommodate existing and proposed stormwater drainage infrastructure and overland flow paths.
- (v) Any damage to existing stormwater drainage infrastructure and overland flow paths resulting from building and other works are rectified prior to the commencement of the new use.

(f) Community Infrastructure

- (i) Key elements of community infrastructure are able to function effectively during and immediately after flood hazard events.

(2) Probable Solutions**(a) Electrical Installations**

- (i) The incoming power supply, including all metering equipment is, where possible, located above the adopted flood regulation line.
- (ii) Electrical switchboards, main data servers and the like are positioned above the adopted flood regulation line with all electrical and data installations below this level designed and constructed to withstand submergence in flood water.
- (iii) All wiring, power outlets and switches are, to the maximum extent possible, located above the adopted flood regulation line.
- (iv) All conduits located below the adopted flood regulation line are installed so that they will be self-draining.
- (v) Heating and air conditioning systems are, to the maximum extent possible, located above the adopted flood regulation line.

(b) Structural Adequacy

- (i) Buildings are designed to provide the following minimum safety factors when subjected to significant flood flows (i.e. one metre or more in depth)—
 - (A) 1.5 against failure by sliding or overturning; and
 - (B) 1.33 against flotation.
- (ii) Footings and foundations are designed to take account of any reduced bearing capacity on account of submerged soil.

(c) Evacuation Routes

- (i) At least one road access will remain passable for the performance of emergency evacuations at a level of no more than 300mm below the adopted flood regulation line.

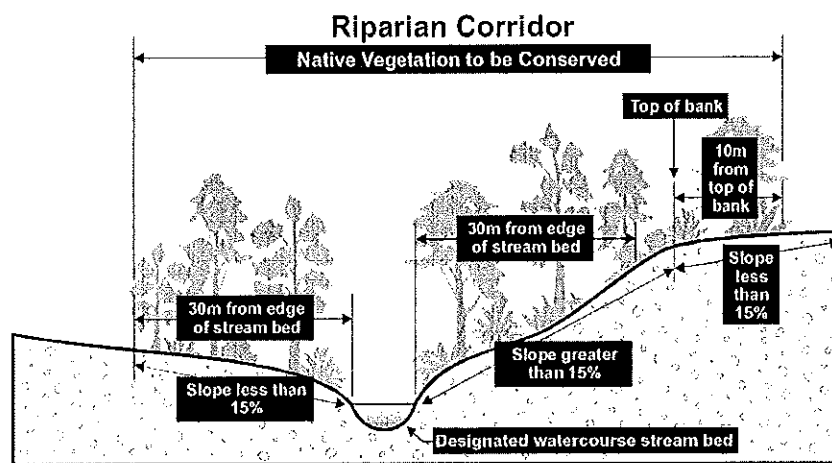
(d) Earthworks

- (i) Earthworks do not negatively affect flood conveyance characteristics or reduce flood storage capacity through the importation of fill to the site, or any alteration to a watercourse or floodway.



- (e) **Clearing of Vegetation**
 - (i) Clearing of vegetation does not involve the removal of native vegetation from land within a Designated Watercourse or land within 30m of a Designated Watercourse or within 10 metres of the top of the bank of a Designated Watercourse where the slope of the bank exceeds 15% (refer Figure 11.4.12).
- (f) **Community Infrastructure**
 - (i) Key elements of community infrastructure are sited and designed to achieve the levels of flood immunity as set out in the State Planning Policy and associated Guidelines for Natural Disaster Mitigation.

Figure 11.4.12: Defining Extent of Riparian Corridor for Protection of Native Vegetation



B. Part 11, Table 11.4.3 - Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Making a Material Change of Use and Table 11.4.4 - Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Other Development

This Temporary Local Planning Instrument suspends the operation of Part 11, Table 11.4.3 - Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Making a Material Change of Use and Table 11.4.4 - Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Other Development of the Ipswich Planning Scheme 2006 and replaces it with the following:



Table 11.4.3: Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Making a Material Change of Use

Column 1 Defined use or use class	Column 2 Assessment category	Column 3 Relevant assessment criteria—applicable code if development is self-assessable or requires code assessment
Agriculture	Code Assessable if the land is located within the defence facilities development constraint overlay— (a) and within an unexploded ordnance area (refer Map OV7E); or (b) the use involves turf farming, a vineyard or fruit farming within 8km of the air base runway (refer Map OV7B). Exempt otherwise.	Development Constraints Overlays Code (Part 11, division 4)
Animal Husbandry	Exempt	
Carpark	Code Assessable, where land affected by the— (a) difficult topography development constraint overlay (refer Map OV4); or (b) 1 in 20 development line or adopted flood regulation line constraints overlays (refer Map OV5); or (c) urban stormwater flow path area development constraint overlay (refer Map OV5); or (d) buffers to highways and regional transport corridors development constraint overlay (refer Map OV6); or (e) unexploded ordnance development constraint overlay (refer Map OV7E). Exempt, otherwise.	Development Constraints Overlays Code (Part 11, division 4) Parking Code (Part 12, division 9)
Forestry	Exempt, where land affected by the— (a) key resource areas, haul routes and existing mines development constraint overlay (refer Map OV2); or (b) bushfire risk areas development constraint overlay (refer Map OV1); or (c) high pressure oil and pipelines development constraint overlay (refer Map OV11). Code Assessable otherwise.	Development Constraints Overlays Code (Part 11, division 4)
Home Based Activity	Exempt	
Minor Utility	Exempt	
Night Court	Code Assessable where the land is located within the defence facilities development constraint overlay and within the operational airspace, explosive storage safety area or public safety area of the Amberley Air Base (refer Maps OV7A, OV7B and OV7D). Exempt otherwise.	Development Constraints Overlays Code (Part 11, division 4)



Column 1 Defined use or use class	Column 2 Assessment category	Column 3 Relevant assessment criteria—applicable code if development is self-assessable or requires code assessment
Park	<p>Code Assessable where the land is located within the defence facilities development constraint overlay and within the—</p> <ul style="list-style-type: none"> (a) operational airspace, explosive storage safety area or public safety area of the Amberley Air Base (refer Maps OV7A, OV7B and OV7D); or (b) unexploded ordnance area (refer Map OV7E). <p>Exempt otherwise.</p>	<p>Development Constraints Overlays Code (Part 11, division 4) Recreation and Entertainment Code (Part 12, division 11)</p>
Plant Nursery (wholesale)	<p>Code Assessable where land affected by—</p> <ul style="list-style-type: none"> (a) difficult topography development constraint overlay (refer Map OV4); or (b) 1 in 20 development line or adopted flood regulation line constraints overlays (refer Map OV5); or (c) urban stormwater flow path area development constraint overlay (refer Map OV5); or (d) unexploded ordnance development constraint overlay (refer Map OV7E); or (e) operational airspace development constraint overlay (refer Map OV7A and OV7B). <p>Exempt otherwise.</p>	<p>Development Constraints Overlays Code (Part 11, division 4)</p>
Single Residential	<p>Self Assessable, if—</p> <ul style="list-style-type: none"> (a) within the High Pressure Pipelines Overlay (refer Map OV11); or (b) situated within a Residential Zone, and— <ul style="list-style-type: none"> (i) within the rail corridor overlay (refer Map OV14); or (ii) within the existing and committed residential areas as mapped on the 2006 Australia Noise Exposure Forecast (ANEF) Contours Overlay (Refer Map OV7C). <p>Code Assessable otherwise.</p>	<p>If Self Assessable—acceptable solutions for Single Residential in section 12.6.5(8) in the Residential Code (Part 12, division 6). If Code Assessable—Development Constraints Overlays Code (Part 11, division 4).</p>
Other (defined use or use class)	Assessment Category	Relevant assessment criteria—applicable code if development is self-assessable or requires code assessment
All, except uses otherwise identified in this Table.	Code Assessable	Development Constraints Overlays Code (Part 11, division 4)



Table 11.4.4: Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Other Development

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria—applicable code if development is self-assessable or requires code assessment
Carrying out building work not associated with a material change of use	Self Assessable, if— <ul style="list-style-type: none"> (a) building work on an existing building on site; and (b) the land is situated outside the defence facilities, operational airspace development constraint overlay (refer Map OV7A and OV7B); and (c) the acceptable solutions of the applicable code for self assessable development are complied with; and (d) is not an auxiliary unit. Code Assessable otherwise.	If Self Assessable—Planning Scheme Building Matters Code (Part 12, division 16). If Code Assessable— <ul style="list-style-type: none"> (a) Development Constraints Overlays Code (Part 11, division 4); (b) Planning Scheme Building Matters Code (Part 12, division 16).
Clearing of Vegetation— not associated with a material change of use	Exempt, if land affected by the— <ul style="list-style-type: none"> (a) bushfire risk areas development constraint overlay (refer Map OV1); or (b) key resource areas, haul routes and existing mines development constraint overlay and comprising a Known Resource (refer Map OV2); or (c) high pressure oil and gas pipelines development constraints overlay (refer Map OV11); or (d) high voltage electricity transmission lines development constraints overlay (refer Map OV13); or (e) defence facilities development constraint overlay (refer Maps OV7A to OV7E). Self Assessable, if— <ul style="list-style-type: none"> (a) the acceptable solutions of the applicable code for Self Assessable development are complied with; and (b) involving clearing of less than 100m² in area in any one year; and (c) situated within— <ul style="list-style-type: none"> (i) key resource areas, haul routes and existing mines development constraint overlay and comprising a Key Resource Area; or (ii) difficult topography development constraint overlay (refer Map OV4); or (iii) the 1 in 20 development line or adopted flood regulation line constraints overlay (refer Map OV5); or (iv) urban stormwater flow path area development constraint overlay (refer Map OV5); or (v) buffers to highway and regional transport corridors development constraint overlay (refer Map OV6); 	If Self Assessable—acceptable solutions applicable to clauses (1) to (4) in column 2 of Table 12.4.1 in the Vegetation Management Code (Part 12, division 4). If Code Assessable— <ul style="list-style-type: none"> (a) Development Constraints Overlays Code (Part 11, division 4); (b) Vegetation Management Code (Part 12, division 4).



Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria—applicable code if development is self-assessable or requires code assessment
	or (vi) motorsports buffers development constraint overlay (refer Map OV8); or (vii) wastewater treatment buffers development constraint overlay (refer Map OV9); or (viii) Swanbank Power Station buffer development constraint overlay (refer Map OV10); or (ix) Warrill Creek Water Catchment development constraint overlay (refer Map OV12). Code Assessable otherwise.	
Earthworks—not associated with a material change of use	Code Assessable, if land affected by the— (a) difficult topography development constraint overlay (refer Map OV4); or (b) 1 in 20 development line or adopted flood regulation line constraints overlays (refer Map OV5); or (c) urban stormwater flow path area development constraint overlay (refer Map OV5). Exempt, otherwise.	Development Constraints Overlays Code (Part 11, division 4) Earthworks Code (Part 12, division 15)
Minor Building Work	Exempt	
Placing advertising device on premises	Code Assessable, if situated within the buffers to highways and regional transport corridors development constraints overlay (refer Map OV6). Exempt, otherwise.	Development Constraints Overlays Code (Part 11, division 4) Advertising Devices Code (Part 12, division 14)
Reconfiguring a lot	Code Assessable	Development Constraints Overlays Code (Part 11, division 4) Reconfiguring a Lot Code (Part 12, division 5)
Carrying out work for reconfiguring a lot	Code Assessable	Development Constraints Overlays Code (Part 11, division 4) Reconfiguring a Lot Code (Part 12, division 5)
Other	Exempt	



C. Part 12, Section 12.15.4 - Earthworks Code (including Lot Filling) Clause (8) Flooding and Drainage

This Temporary Local Planning Instrument suspends the operation of Part 12, Section 12.15.4 – Earthworks Code (including Lot Filling) Clause (8) Flooding and Drainage of the Ipswich Planning Scheme 2006 and replaces it with the following:

Flooding and Drainage

(8)

Specific Outcomes

- (a) There are no earthworks (including filling) on land below the adopted flood regulation line, unless:
 - (i) the land is located above the 1 in 20 development line; and
 - (ii) such earthworks result in the rehabilitation and repair of the hydrological network and the riparian ecology of the waterway; and
 - (iii) an assessment, undertaken by a suitably qualified consultant, demonstrates that the reforming of the land does not negatively impact on the overall hydrology, hydraulics and flood capacity of the waterway and does not in any way result in the reduction of flood storage capacity on the site.
- (b) Earthworks —
 - (i) do not cause any increase in flooding or drainage problems;
 - (ii) do not cause an impediment to flood waters; or
 - (iii) do not negatively impact upstream or down stream properties.
- (c) Earthworks are avoided in natural gullies and overland flow paths.

NOTE 12.15.4F	
(1)	Council and its contractors have particular concern about the cumulative adverse impact of any fill undertaken below the adopted flood regulation line.
(2)	If any property may be adversely affected in regard to drainage, written notification of the proposed activity together with the following property details and written consent from the property owner is provided to the Local Government:
(3)	In normal cases, written notification such as a hydraulic study will need to be submitted to the Local Government for consideration as part of the development approval process.
(4)	Further information on the requirements for the specific technical standards are contained in Planning Control Policy 2 – Infrastructure Local Government May 2009.



Attachment 3**A. Assessment Criteria Applicable to Special Opportunity Areas****NOTE 1**

The following Specific Outcomes are applicable to uses identified for reduced assessment levels to encourage the transition of existing flood affected residential areas to low impact, non residential uses.

The following Specific Outcomes apply to the Special Opportunity Areas designated in Attachment 4:

Special Opportunity Areas**Specific Outcomes**

- (1) Further intensification of residential uses is avoided and existing residential uses are transitioned to low impact, non residential uses.
- (2) Non residential uses do not have a significant detrimental impact on the amenity of nearby residents, including through the generation of—
 - (i) odours;
 - (ii) noise;
 - (iii) waste products;
 - (iv) dust;
 - (v) traffic;
 - (vi) electrical interference; or
 - (vii) lighting.
- (3) Non residential uses do not detract from the achievement of the designated network of major centres, neighbourhood centres and local retail and commercial areas as depicted in Schedule 7, Map 3.
- (4) Building heights are generally limited to no more than two storeys, unless in having regard to the flood impact across the land, it is demonstrated that an additional building height is appropriate with—
 - (i) the character and visual amenity of the surrounding area and streetscape;
 - (ii) the extent of fall across the land and nearby land; and
 - (iii) the desired scale and intensity of the development.

B. Assessment Categories and Relevant Assessment Criteria for Special Opportunity Areas—Making a Material Change of Use

This TLPI replaces the existing Assessment Categories and Relevant Assessment Criteria Tables contained in the Ipswich Planning Scheme 2006 for the uses identified in Table 1 below for land within the Special Opportunity Areas as designated in Attachment 4. The Ipswich Planning Scheme 2006 shall be used for all other uses in the designated Special Opportunity Areas in conjunction with Table 11.4.3 and Table 11.4.4 in Attachment 2.



Table 1: Assessment Categories and Relevant Assessment Criteria for Special Opportunity Areas—Making a Material Change of Use

Column 1 Defined use or use class ¹	Column 2 Assessment category	Column 3 Relevant assessment criteria—applicable code if development is self-assessable or requires code assessment
NON RESIDENTIAL USES		
Business Use	Exempt if— (a) a business use located within an existing building approved or lawfully used for a business use; and (b) operating between the hours of 6.00 a.m. and 10.00 p.m.; and (c) the requisite number of parking spaces are provided for the use in accordance with Table 12.9.1 of the Parking Code (Part 12, division 9). Code Assessable otherwise.	Relevant Urban Areas Code (Part 4) Commercial and Industrial Code (Part 12, division 7) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9)
Carpark	Code Assessable	Relevant Urban Areas Code (Part 4) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9)
Community Use	Code Assessable	Relevant Urban Areas Code (Part 4) Recreation and Entertainment Code (Part 12, division 11) Community Use Code (Part 12, division 12) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9)
Entertainment Use	Code Assessable	Relevant Urban Areas Code (Part 4) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9)
General Store	Code Assessable	Relevant Urban Areas Code (Part 4) Commercial and Industrial Code (Part 12, division 7) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9)
Night Court	Code Assessable	Relevant Urban Areas Code (Part 4) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9)
Plant Nursery (Wholesale)	Code Assessable	Relevant Urban Areas Code (Part 4) Commercial and Industrial Code (Part 12, division 7) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9)

¹ See Ipswich Planning Scheme 2006, Schedule 1 (dictionary), division 1 (defined uses and use classes).



Column 1 Defined use or use class ²	Column 2 Assessment category	Column 3 Relevant assessment criteria—applicable code if development is self-assessable or requires code assessment
NON RESIDENTIAL USES		
Recreation Use (excluding motor sports)	Impact Assessable if motor sports. Code Assessable otherwise.	Relevant Urban Areas Code (Part 4) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9) Recreation and Entertainment Code (Part 12, division 11)
Service Trades Use	Code Assessable	Relevant Urban Areas Code (Part 4) Commercial and Industrial Code (Part 12, division 7) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9)

NOTE 2

- (1) Appropriate non residential uses encouraged within the Special Opportunity Areas may include—
 - (a) bulky goods sales;
 - (b) garden centre;
 - (c) plant nursery; and
 - (d) vehicle sales premises.
- (2) Inappropriate non residential uses that are not likely be approved within the Special Opportunity Areas are those that would be heavily impacted by flooding and include—
 - (a) crematorium;
 - (b) funeral premises;
 - (c) hospital;
 - (d) self storage units; and
 - (e) warehousing.

² See Ipswich Planning Scheme 2006, Schedule 1 (dictionary), division 1 (defined uses and use classes).



Attachment 4**A. Special Opportunity Areas Maps****NOTE 1**

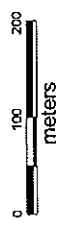
- (1) For the duration of this TLPI, the provisions contained in Attachment 3 apply to the attached Special Opportunity Areas (Special Opportunity Maps 1 and 2) providing reduced assessment levels for specified uses to encourage the transition of existing flood affected residential areas to low impact, non residential uses.
- (2) The Goodna North area contains an existing mix of residential and non residential uses and is also designated as a potential neighbourhood centre site on Map 3, Schedule 7.
- (3) The Woogaroo Creek area contains a caravan park with dwellings particularly susceptible to flooding – transitioning of this area to non residential uses is considered to be a particularly high priority.
- (4) The Mihi Creek area comprises a small existing mixed use precinct immediately adjoining Mihi Creek, Brassall.





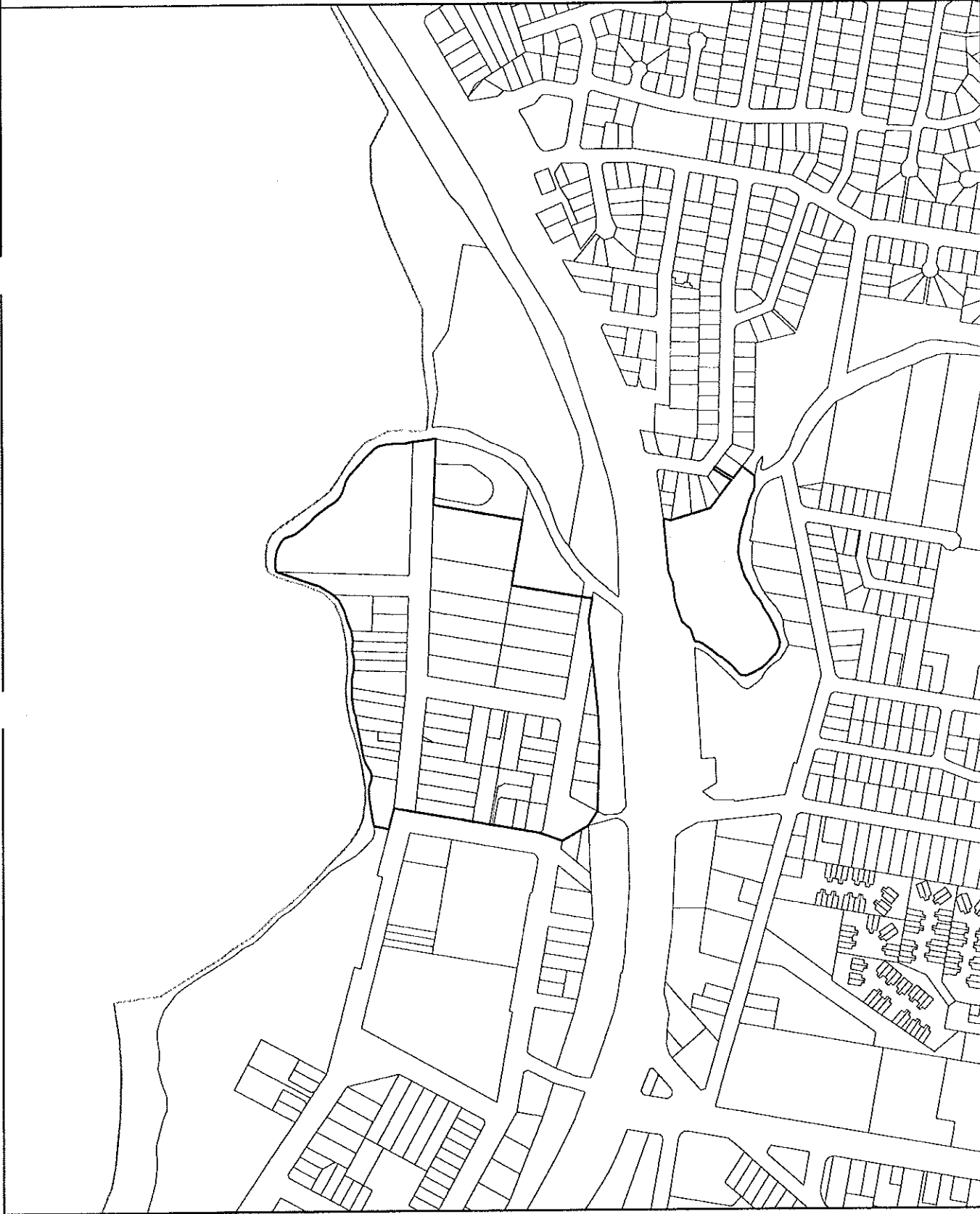
Special Opportunity Areas Map 1

- Proposed Green Space Opportunity Area
- Green Space Opportunity Area
- ICE LGA Boundary



Scale 1:6,000
MPS/01/2011

Map 1






Scale 1:2,000
March 2011



Special Opportunity Areas Map 2

-  New Class Special Opportunity Area
-  ICE Class Boundary



Attachment B

TLPI Process

Process to make a temporary local planning instrument

Stage 1 Proposal

Step 1. Local government proposes to prepare a temporary local planning instrument.
(20 business days)

Step 2. Minister considers the proposal.
(20 business days)

Stage 2 Adoption

Step 3. Local government decides whether to adopt.
(10 business days)

Step 4. Public notification.
(5 business days)

Figure 3. Process for making a temporary local planning instrument

Annexure JA-3

PLANNING AND DEVELOPMENT COMMITTEE NO. 2011(04)

11 APRIL 2011

REPORT

COUNCILLORS' ATTENDANCE: Councillor Tully (Chairperson); Councillors P Pisasale (Mayor), Attwood (Deputy Mayor), Morrison, Nardi, Bromage, Antonioli, Pahlke, Morrow (Observer), C Pisasale (Observer) and Ireland (Observer)

COUNCILLOR'S APOLOGIES: Nil

1. HERITAGE CONSULTATIVE COMMITTEE MEETING NO. 166 AND THE HERITAGE MONUMENTS AND MEMORIALS COMMITTEE MEETING NO. 72

With reference to a report by the Strategic Planning Manager dated 4 April 2011 forwarding for Council's information the minutes of the meeting of the Heritage Consultative Committee No. 166 held on Thursday, 2 December 2010 and the minutes of the meeting of the Heritage Monuments & Memorials Committee No. 72 held on Thursday, 25 November 2010.

RECOMMENDATION

That the report be received and the contents noted.

2. HERITAGE CONSULTATIVE COMMITTEE MEETING NO. 167 AND THE HERITAGE MONUMENTS AND MEMORIALS COMMITTEE MEETING NO. 73

With reference to a report by the Strategic Planning Manager dated 4 April 2011 forwarding for Council's information the minutes of the meeting of the Heritage Consultative Committee No. 167 held on Thursday, 24 February 2011 and the minutes of the meeting of the Heritage Monuments & Memorials Committee No. 73 held on Thursday, 10 February 2011.

RECOMMENDATION

That the report be received and the contents noted.

3. PLANNING SCHEME AMENDMENT PACKAGE 2009 - 05 TRADITIONAL NEIGHBOURHOOD DESIGN CODE

With reference to a report by the Strategic Planning Manager dated 4 April 2011 concerning the amendment of the Ipswich Planning Scheme to include a new Part 12, Division 3 – Traditional Neighbourhood Design Code.

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SIGNATURE OF CHAIRPERSON

RECOMMENDATION

- A. That Council resolve to adopt the Planning Scheme Amendment Package 2009 - 05 Traditional Neighbourhood Design Code as detailed in the report by the Strategic Planning Manager dated 4 April 2011.
- B. That Council resolve that the commencement date for the amendment to the Ipswich Planning Scheme be Tuesday 3 May, 2011 and the amendments to the Ipswich Planning Scheme be noted accordingly.
- C. That the Strategic Planning Manager be requested to attend to the relevant matters associated with the implementation of the amendments to the Ipswich Planning Scheme, including:
1. amending the relevant documents and Council databases;
 2. placement of a gazettal notice and public notice of the adoption of the amendments; and
 3. forwarding notification of the adoption of the Planning Scheme Amendment Package 2009 - 05 Traditional Neighbourhood Design Code to the Chief Executive of the Department of Local Government and Planning, pursuant to the provisions of the *repealed Integrated Planning Act 1997*.

In accordance with section 173 of the *Local Government Act 2009*, Councillor Tully informed the meeting that he has, or could reasonably be taken to have, a conflict of interest in Item 4.

The nature of the interest is that Cr Tully is a landowner of property in the flood affected area of Goodna.

The majority of councillors entitled to vote decided that Councillor Tully does not have a conflict of interest in Item 4.

Councillor Tully abstained from voting on the matter.

The majority of Councillors entitled to vote, voted for the recommendation.

4. TEMPORARY LOCAL PLANNING INSTRUMENT 01/2011 - FLOODING REGULATION

With reference to a report by the Strategic Planning Manager dated 5 April 2011 concerning proposed Temporary Local Planning Instrument 01/2011 - Flooding Regulation.

RECOMMENDATION

- A. That Council resolve to adopt the Temporary Local Planning Instrument 01/2011 - Flooding Regulation as detailed in Attachment A to the report by the Strategic Planning Manager dated 5 April 2011.
 - B. That the proposed Temporary Local Planning Instrument be forwarded for consideration to the Minister for Local Government in accordance with the provisions of Section 105 of the *Sustainable Planning Act 2009* (SPA) and Statutory Guideline 02/09 - Making or Amending Local Planning Instruments.
-

5. NATIONAL GROWTH AREAS ALLIANCE (NGAA) – UPDATE REPORT FOR THE SEPTEMBER TO DECEMBER 2010 PERIOD

With reference to a report by the City Planner dated 16 March 2011 concerning the activities of the National Growth Areas Alliance (NGAA) for the September to December 2010 period.

RECOMMENDATION

That the report be received and the contents noted.

6. NOTIFICATION OF MINERAL DEVELOPMENT LICENCE NUMBER 172 - DIVISION 10

With reference to a report by the Development Planning Manager dated 1 April 2011 concerning notification from the Ebenezer Mining Company (EMC) Pty Ltd to affected landowners that the Minister for Natural Resources, Mines and Energy and the Minister for Trade in Queensland has granted Ebenezer Mining Company Pty Ltd a Mineral Development License (MDL 172).

RECOMMENDATION

- A. That the report be received and the contents noted.
 - B. That the Minister for Natural Resources, Mines and Energy and the Minister for Trade be advised that Ipswich City Council supports a Community Consultation process prior to the granting of all Mineral Development Licences, Mining Leases and Extensions and Exploratory Permits for Coal.
-

7. COURT ACTION STATUS REPORT

With reference to a report by the Development Planning Manager dated 1 April 2011 concerning the status of outstanding court action.

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SIGNATURE OF CHAIRPERSON

RECOMMENDATION

That the report be received and the contents noted.

8. DEVELOPMENT APPLICATION 7522/2009/CA - MATERIAL CHANGE OF USE (MULTIPLE RESIDENTIAL – RELOCATABLE HOME PARK) AND CARRYING OUT OPERATIONAL WORK - BAL LOT 534 BROADFOOT DRIVE (LOT 534 RP885382) AND 155 WOOGAROO STREET (LOT 1 RP193051), GOODNA - DIVISION 2

With reference to a report by the Development Planning Manager dated 5 April 2011 concerning Development Application 7522/2009/CA.

RECOMMENDATION

- A. That the developer be advised that development application no. 7522/09 is determined as outlined below and is subject to the conditions specified in Attachment A below.

1. Decision Details:

Development	Approval Type	Decision	Relevant Period
Material Change of Use of Premises (Multiple Residential – Relocatable Home Park) in Four (4) Stages	Development Permit	Approved subject to the conditions set out in Attachment A – Assessment Manager Conditions and Attachment B - Referral Agency Responses including conditions	Four (4) years
Operational Works (Internal - Bulk Earthworks)	Development Permit	Approved subject to the conditions set out in Attachment C Assessment Manager Conditions	Two (2) years

2. Preliminary Approval Affecting the Planning Scheme:

Not applicable to this decision.

3. Approved Plans

The approved plans for this development approval are:

- (a) The plans referred to in the table of approved plans (including the amendments that are required to be made to those plans); and
- (b) Where the amended version of the plans referred to in the table of approved plans have been approved by the assessment manager, the amended version of those plans; and
- (c) The approved plans are attached to this decision notice.

Table of Approved Plans:

Multiple Residential (Relocatable Home Park)

Plan/ Document No	Description	Prepared By	Date	Amendments Required
UD3202/Rev H	Plan of Development	Roberts Day	10/10/10	N/A
UD1/001/Rev I	Lot Number Plan	Roberts Day	10/10/10	N/A
UD1/002/Rev I	Layout Plan	Roberts Day	10/10/10	N/A
UD1/004/Rev I	Building Envelope Plan	Roberts Day	10/10/10	N/A
UD3202/Rev H	Thoroughfare Plan	Roberts Day	10/10/10	To accord with Condition 18 Roadworks
UD3202/Rev I	Movement Plan	Roberts Day	10/10/10	N/A
UD3202/Rev H	Illustrative Masterplan	Roberts Day	10/10/10	N/A
UD3202/Rev I	Staging Plan	Roberts Day	10/10/10	N/A
534/06/110/ RevA	Typical Site Plan (Manager's Residence)	Watermark	29/6/10	To accord with Condition 6 Fencing
534/06/110/ RevA	Elevations 1 and 2 (Manager's Residence)	Watermark	29/6/10	N/A

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534/06/110/ RevA	Elevations 3 and 4 (Manager's Residence)	Watermark	29/6/10	N/A
534/06/110/ RevA	Ground Floor Plan (Manager's Residence)	Watermark	29/6/10	N/A
534/06/110/ RevA	First Floor Plan (Manager's Residence)	Watermark	29/6/10	N/A
534/07/030/ RevA	Elevations (Community Facility)	Watermark	24/6/10	N/A
534/07/030/ RevA	Floor Plan (Community Facility)	Watermark	24/6/10	N/A
Jazz Designs Design C /100/A/SC	Cad Concept Lot 19 Design C -- Site Plan	Jazz Designs	17/11/09	To accord with Condition 6 Fencing
Jazz Designs Design C /200/A/SC	Cad Concept Lot 19 Design C -- Ground Floor	Jazz Designs	17/11/09	N/A
Jazz Designs Design C /300/A/SC	Cad Concept Lot 19 Design C -- Elevations	Jazz Designs	17/11/09	N/A
Jazz Designs Design B /100/A/SC	Cad Concept Lot 20 Design B -- Site Plan	Jazz Designs	17/11/09	To accord with Condition 6 Fencing
Jazz Designs Design B /200/A/SC	Cad Concept Lot 20 Design B -- Ground Floor Plan	Jazz Designs	17/11/09	N/A
Jazz Designs Design B /300/A/SC	Cad Concept Lot 20 Design B -- Elevations	Jazz Designs	17/11/09	N/A

Jazz Designs Design BB /100/A/SC	Cad Concept Lot 21 Design BB -- Site Plan	Jazz Designs	17/11/09	To accord with Condition 6 Fencing
Jazz Designs Design BB /200/A/SC	Cad Concept Lot 21 Design BB -- Ground Floor Plan	Jazz Designs	17/11/09	N/A
Jazz Designs Design BB /300/A/SC	Cad Concept Lot 21 Design BB -- Elevations	Jazz Designs	17/11/09	N/A
Jazz Designs Design BB /100/A/SC	Cad Concept Lot 216 Design BB -- Site Plan	Jazz Designs	17/11/09	To accord with Condition 6 Fencing
Jazz Designs Design BB /200/A/SC	Cad Concept Lot 216 Design BB -- Ground Floor Plan	Jazz Designs	17/11/09	N/A
Jazz Designs Design BB /300/A/SC	Cad Concept Lot 216 Design BB -- Elevations	Jazz Designs	17/11/09	N/A
Jazz Designs Design AA /100/A/SC	Cad Concept Lot 219 Design AA -- Site Plan	Jazz Designs	17/11/09	To accord with Condition 6 Fencing
Jazz Designs Design AA /200/A/SC	Cad Concept Lot 219 Design AA -- Ground Floor Plan	Jazz Designs	17/11/09	N/A
Jazz Designs Design AA /300/A/SC	Cad Concept Lot 219 Design AA -- Elevations	Jazz Designs	17/11/09	N/A
Jazz Designs Design AA /100/A/SC	Cad Concept Lot 22 Design AA -- Site Plan	Jazz Designs	17/11/09	To accord with Condition 6 Fencing
Jazz Designs Design AA /200/A/SC	Cad Concept Lot 22 Design AA -- Ground Floor Plan	Jazz Designs	17/11/09	N/A

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Jazz Designs Design AA /300/A/SC	Cad Concept Lot 22 Design AA – Elevations	Jazz Designs	17/11/09	N/A
534/09/100/ RevA	Site Plan Design Type A – Sheet Number 1	Building Group Australia	10/11/09	To accord with Condition 6 Fencing
534/09/100/ RevA	Floor Plan Design Type A – Sheet number 2	Building Group Australia	10/11/09	To accord with Condition 6 Fencing
534/09/100/ RevA	Elevations Design Type A – Sheet Number 3	Building Group Australia	10/11/09	N/A
534/09/100/ RevA	Elevations Design Type A – Sheet Number 4	Building Group Australia	10/11/09	N/A
534/09/101/ RevA	Site Plan Design Type B – Sheet Number 1	Building Group Australia	17/11/09	To accord with Condition 6 Fencing
534/09/101/ RevA	Floor Plan Design Type B – Sheet number 2	Building Group Australia	17/11/09	To accord with Condition 6 Fencing
534/09/101/ RevA	Elevations Design Type B – Sheet Number 3	Building Group Australia	17/11/09	N/A
534/09/101/ RevA	Elevations Design Type B – Sheet Number 4	Building Group Australia	17/11/09	N/A
534/09/102/ RevA	Site Plan - Lot 3 Design Type C – Sheet Number 1	Building Group Australia	17/11/09	To accord with Condition 6 Fencing
534/09/102/ RevA	Floor Plan - Lot 3 Design Type C – Sheet number 2	Building Group Australia	17/11/09	To accord with Condition 6 Fencing

534/09/102/ RevA	Elevations - Lot 3 Design Type C – Sheet Number 3	Building Group Australia	17/11/09	N/A
534/09/102/ RevA	Elevations - Lot 3 Design Type C – Sheet Number 4	Building Group Australia	17/11/09	N/A
534/09/103/ RevA	Site Plan - Lot 4 Design Type D – Sheet Number 1	Building Group Australia	17/11/09	To accord with Condition 6 Fencing
534/09/103/ RevA	Floor Plan - Lot 4 Design Type D – Sheet Number 2	Building Group Australia	17/11/09	To accord with Condition 6 Fencing
534/09/103/ RevA	Elevations - Lot 4 Design Type D – Sheet Number 3	Building Group Australia	17/11/09	N/A
534/09/103/ RevA	Elevations - Lot 4 Design Type D – Sheet Number 4	Building Group Australia	17/11/09	N/A
534/09/103/ RevA	Site Plan - Lot 164 Design Type E – Sheet Number 1	Building Group Australia	23/08/10	To accord with Condition 6 Fencing
534/09/103/ RevA	Floor Plan - Lot 164 Design Type E – Sheet Number 2	Building Group Australia	23/08/10	To accord with Condition 6 Fencing
534/09/103/ RevA	Elevations - Lot 164 Design Type E – Sheet Number 3	Building Group Australia	23/08/10	N/A
534/09/103/ RevA	Elevations - Lot 164 Design Type E – Sheet Number 4	Building Group Australia	23/08/10	N/A
534/09/103/ RevA	Site Plan - Lot 167 Design Type F – Sheet Number 1	Building Group Australia	31/08/10	To accord with Condition 6 Fencing

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534/09/103/ RevA	Floor Plan - Lot 167 Design Type F – Sheet Number 2	Building Group Australia	31/08/10	To accord with Condition 6 Fencing
534/09/103/ RevA	Elevations - Lot 167 Design Type F – Sheet Number 3	Building Group Australia	31/08/10	N/A
534/09/103/ RevA	Elevations - Lot 167 Design Type F – Sheet Number 4	Building Group Australia	31/08/10	N/A

Operational Works (Internal - Bulk Earthworks)

Plan/ Document No	Description	Prepared By	Date	Amendments Required
CD04-023/00/RevB	Cover Sheet, Drawing Schedule and Locality Plan	Civil Dimensions Consulting Engineers	Unknown	N/A
CD04-023/01/RevB	Site Layout Plan	Civil Dimensions Consulting Engineers	18/08/10	N/A
CD04-023/05/RevB	Control Line Setout Plan (1 of 3)	Civil Dimensions Consulting Engineers	17/09/10	N/A
CD04-023/06/Rev B	Control Line Setout Plan (2 of 3)	Civil Dimensions Consulting Engineers	18/08/10	N/A
CD04-023/07/Rev B	Control Line Setout Plan (3 of 3)	Civil Dimensions Consulting Engineers	18/08/10	N/A
CD04-023/08/Rev B	Existing & Finished Contour Plan	Civil Dimensions Consulting Engineers	18/08/10	N/A
CD04-023/09/Rev B	Retaining Wall Locations and Heights	Civil Dimensions Consulting Engineers	18/08/10	N/A

CD04-023/10/Rev B	Earthworks Sections (1 of 2)	Civil Dimensions Consulting Engineers	17/09/10	N/A
CD04-023/11/Rev B	Earthworks Sections (2 of 2)	Civil Dimensions Consulting Engineers	17/09/10	N/A
CD04-023/12/Rev A	Road 1 Longitudinal Section	Civil Dimensions Consulting Engineers	04/11/09	N/A
CD04-023/13/Rev A	Roads 2, 3 & 4 Longitudinal Sections	Civil Dimensions Consulting Engineers	04/11/09	N/A
CD04-023/14/Rev A	Roads 5 & 6 Longitudinal Sections	Civil Dimensions Consulting Engineers	04/11/09	N/A
CD04-023/15/Rev A	Road 7 Longitudinal Section	Civil Dimensions Consulting Engineers	04/11/09	N/A
CD04-023/16/Rev A	Roads 8 & 9 Longitudinal Section	Civil Dimensions Consulting Engineers	04/11/09	N/A
CD04-023/17/Rev B	Road 10 Longitudinal Section	Civil Dimensions Consulting Engineers	18/08/10	N/A
CD04-023/18/Rev A	Roads 11, 12 & 13 Longitudinal Section	Civil Dimensions Consulting Engineers	04/11/09	N/A
CD04-023/19/Rev B	Road 1 Cross Sections (1 of 4)	Civil Dimensions Consulting Engineers	17/09/10	N/A
CD04-023/20/Rev B	Road 1 Cross Sections (2 of 4)	Civil Dimensions Consulting Engineers	17/09/10	N/A
CD04-023/21/Rev A	Road 1 Cross Sections (3 of 4)	Civil Dimensions Consulting	04/11/09	N/A

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		Engineers		
CD04-023/22/Rev B	Road 1 Cross Sections (4 of 4)	Civil Dimensions Consulting Engineers	17/09/10	N/A
CD04-023/23/Rev A	Road 2 Cross Sections	Civil Dimensions Consulting Engineers	04/11/09	N/A
CD04-023/24/Rev A	Road 3 Cross Sections	Civil Dimensions Consulting Engineers	04/11/09	N/A
CD04-023/25/Rev A	Road 4 Cross Sections	Civil Dimensions Consulting Engineers	04/11/09	N/A
CD04-023/26/Rev A	Road 5 Cross Sections (1 of 2)	Civil Dimensions Consulting Engineers	04/11/09	N/A
CD04-023/27/Rev A	Road 5 Cross Sections (2 of 2)	Civil Dimensions Consulting Engineers	04/11/09	N/A
CD04-023/28/Rev A	Road 6 Cross Sections	Civil Dimensions Consulting Engineers	04/11/09	N/A
CD04-023/29/Rev A	Road 7 Cross Sections (1 of 2)	Civil Dimensions Consulting Engineers	04/11/09	N/A
CD04-023/30/Rev A	Road 7 Cross Sections (2 of 2)	Civil Dimensions Consulting Engineers	04/11/09	N/A
CD04-023/31/Rev A	Road 8 Cross Sections	Civil Dimensions Consulting Engineers	14/11/09	N/A
CD04-023/32/Rev A	Road 9 Cross Sections	Civil Dimensions Consulting Engineers	14/11/09	N/A

CD04-023/33/Rev B	Road 10 Cross Sections (1 of 6)	Civil Dimensions Consulting Engineers	18/08/10	N/A
CD04-023/34/Rev A	Road 10 Cross Sections (2 of 6)	Civil Dimensions Consulting Engineers	04/11/09	N/A
CD04-023/35/Rev B	Road 10 Cross Sections (3 of 6)	Civil Dimensions Consulting Engineers	17/09/10	N/A
CD04-023/36/Rev B	Road 10 Cross Sections (4 of 6)	Civil Dimensions Consulting Engineers	17/09/10	N/A
CD04-023/37/Rev B	Road 10 Cross Sections (5 of 6)	Civil Dimensions Consulting Engineers	17/09/10	N/A
CD04-023/38/Rev B	Road 10 Cross Sections (6 of 6)	Civil Dimensions Consulting Engineers	17/09/10	N/A
CD04-023/39/Rev A	Road 11 Cross Sections	Civil Dimensions Consulting Engineers	04/11/09	N/A
CD04-023/40/Rev A	Road 12 Cross Sections	Civil Dimensions Consulting Engineers	04/11/09	N/A
CD04-023/41/Rev A	Road 13 Cross Sections (1 of 2)	Civil Dimensions Consulting Engineers	04/11/09	N/A
CD04-023/42/Rev A	Road 13 Cross Sections (2 of 2)	Civil Dimensions Consulting Engineers	04/11/09	N/A
CD04-023/ESC1/Rev B	Erosion and Sediment Control Management Layout	Civil Dimensions Consulting Engineers	18/08/10	N/A
CD04-023/ESC2/Rev B	Erosion and Sediment	Civil Dimensions	18/08/10	N/A

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	Control Management Details	Consulting Engineers		
CD04-023/ESC3/Rev A	Sediment Basin Details and Notes	Civil Dimensions Consulting Engineers	18/08/10	N/A

4. Codes for Self Assessable Development

Not applicable to this decision.

5. Other Necessary Development Permits and/or Compliance Permits

Further development permits, as required by the *Integrated Planning Act 1997*, must be obtained in respect of any further operational works, building works and plumbing works in relation to this approval prior to the commencement of works pursuant to the *Integrated Planning Act 1997*.

6. Details of any Compliance Assessment Required for Documents or Work in Relation to the Development

Not applicable to this decision.

7. Submissions

There were two (2) properly made submissions about the application. The names and addresses of the principal submitter for each properly made submission are as follows:

Name of Principal Submitter	Address of Principal Submitter
Ms [REDACTED]	[REDACTED] Augusta Crescent, FOREST LAKE QLD 4078
Mr [REDACTED]	[REDACTED] Keating Court, GOODNA QLD 4300

8. Conflict with a Relevant Instrument and Reasons for the Decision Despite the Conflict

Not applicable to this decision.

9. Referral Agencies

The referral agencies for this application are:

Referral Agency	Referral Role	Aspect of Development Requiring Referral	Address
Department of Transport & Main Roads (Formerly Queensland Transport and Department of Main Roads)	Concurrence Agency	Material Change of Use of Premises - Public transport corridor - Rail corridor land; and - Land contiguous to a state controlled road	Department of Transport and Main Roads PO Box 70 SPRING HILL QLD 4004
Department of Environment and Resource Management	Concurrence Agency	Material Change of Use of Premises Contaminated land pursuant to Schedule 8, Part 1, Table 2, Section 5	Department of Resource Management GPO Box 15155 City East QLD 4002

Note: Referral agency responses are attached to this decision notice and form part of this decision notice.

10. When Development Approval Lapses

The relevant period for this approval is as outlined in part 1 --'decision details' of this decision notice, starting the day the approval takes effect. This development approval lapses in accordance with section 3.5.21 of the *Integrated Planning Act 1997*.

Should the assessment manager determine a new relevant period in writing, prior to the lapsing of this approval, then the use may continue for a further period of time, as specified in writing by the assessment manager.

11. When Section 3.1.6 Preliminary Approval Lapses

Not applicable to this decision.

12. Conditions of Assessment Manager (Ipswich City Council)

Multiple Residential (Relocatable Home Park)

(a) Refer to Attachment A for Assessment Manager conditions.

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SIGNATURE OF CHAIRPERSON

Operational Works (Internal - Bulk Earthworks)

(b) Refer to Attachment C for Assessment Manager conditions.

13. Appeal Rights

Attachment D is an extract from the *Integrated Planning Act 1997* which details the applicant's appeal rights and the appeal rights of any submitters regarding this decision.

- B. The Planning Manager be authorised to note the approval on the *Ipswich Planning Scheme 2006*, pursuant to Section 3.5.27 of the *Integrated Planning Act 1997*.
 - C. A copy of this decision be forwarded to the referral agencies as outlined in part 9 -- 'referral agencies' of this decision notice.
 - D. A copy of this decision be forwarded to the submitters as outlined in part 7 -- 'submissions' of this decision notice.
-

Attachment A

File No: 7522/09/MCU

Location: Bal Lot 534 Broadfoot Drive, and 155 Woogaroo Street, Goodna

Assessment Manager (Ipswich City Council) Conditions

Material Change of Use

Conditions applicable to this approval under Integrated Planning Act:

1. Basis of Approval

This approval is subject to these conditions, the facts and circumstances set out in the application and adherence to all relevant Council Local Laws and/or Planning Scheme Policies.

2. Development Plans

The development of the site must be undertaken generally in accordance with the approved plans outlined in part 3 of the decision notice.

3. Limits of Approval

- (a) Tents, caravans, camping trailers or other similar wheeled accommodation or temporary structures are not permitted on the site, unless being stored in association with the normal residential use of the development.
- (b) The community facilities (community centre, bowling green and swimming pool) are for the exclusive use of the residents on site and are not for use by external groups.

4. Hours of Construction

Unless otherwise determined in writing by the assessment manager, hours of construction must not exceed:

Monday to Saturday 6:30am to 6:30pm

Construction work must not be conducted from or on the premises outside the above hours or on Sundays or public holidays.

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5. Locality References

- (a) Any place name or estate name used by the developer (excluding a reference to a building, structure or the like and excluding minor, subsidiary signage within a development) must specify the relevant, approved place name under the *Place Names Act 1994*, which must be in the same colour and background colour as the estate name, in lettering no less than 50% of the estate name and in the same orientation as the estate name.
- (b) Any reference to the regional location of the site or the development must not refer to the place or estate as being located in Brisbane or a Brisbane suburb or in the metropolitan area or in the western suburbs (excluding the western suburbs of Ipswich as determined by Council in writing from time to time).

6. Fencing

- (a) Surveillance fencing must be constructed along all side and rear boundaries that adjoin "landscaped open space" as shown on the Plan of Development, Plan Number UD3202 Issue H dated 10/10/10, and including proposed lots that adjoin the landscaped area adjacent to the proposed Broadfoot Drive extension (i.e. Proposed Lots 3 – 12, 14 – 19, 21 – 23, 26, 181 and 207 - 210). Surveillance fencing must also be provided to the side boundaries of all lots that adjoin the proposed pedestrian thoroughfare (i.e. Proposed lots 88 – 91, 116 – 119, 148 – 151, 171 and 172). The surveillance fencing must not exceed a maximum height of 1.8m, with a solid fence element at ground level to a height of 1.5m and a minimum 50% visually transparent 300mm fencing element atop the solid fence to enable both privacy to the dwelling units and passive surveillance opportunities to the detention basins and open space.
- (b) Unless otherwise specified above, fencing to the side and rear boundaries of each dwelling site must have a maximum height of 1.8m and constructed of close-boarded timber in accordance with the recommendations of the Noise Assessment Report prepared by Noise Measurement Services dated 18 October 2010. Fencing to the side boundaries must not exceed a height of 1.2 m within the road frontage(s) building setback.
- (c) Fencing must be constructed around the detention basins on site. This fencing must be maximum 1.5m high, pool style fencing and must be installed with tamper resistant security fasteners.
- (d) Fencing to the Broadfoot Drive frontage of the subject site must be maximum 1.5m high, pool style fencing and must be installed with tamper resistant security fasteners.
- (e) Fencing must be constructed between the boundary of the subject site and adjacent residential development. This fencing is to be a maximum of 1.8m high close boarded timber fence and tapered to join other fencing as appropriate.

- (f) Unless otherwise specified all other fencing must not exceed a maximum of 1.8m high and be of close-boarded timber construction.

7. Demarcation of Dwelling Sites

Each relocatable home site must be clearly defined on the ground and bare a distinguishing mark or number.

8. Staging of Development

- (a) The staging of the development must be in accordance with plan reference UD3202/Revi titled Staging Plan prepared by Roberts Day dated 10 October 2010 and must be as follows:

Stage 1	54 units/sites
Stage 2	55 units/sites
Stage 3	36 units/sites
Stage 4	86 units/sites

- (b) Development must occur in accordance with the above sequence of staging unless otherwise approved in writing by the assessment manager.
- (c) The community facilities (community centre, bowling green and swimming pool) must be provided prior to, or concurrent with the commencement of use of the first dwelling on site.

9. Contaminated Land and Site Management Plan

- (a) Prior to both an approval for building works and the commencement of use for each stage of the development, the developer must submit for Council records, a copy of the certification to demonstrate that all buildings and works have been designed and completed in accordance with the current Site Management Plan for contaminated land as attached to the concurrence agency response from DERM (date of effect 17 December 2010).
- (b) Any future applications for operational works must provide evidence that all proposed works and plans are consistent with the Site Management Plan detailed in (a) above.
- (c) Prior to the occupation of each dwelling unit, the developer is to provide a copy of the Site Management Plan (as referred to in (a) above) to the future occupier as part of the tenancy agreement. Further, a copy of the Site Management Plan is to remain available for public inspection within the community centre on site.

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10. Plan of Subdivision - Land Dedication for Public Park Purposes

Prior to the commencement of any works on site, the developer must have registered with the Department of Environment and Resource Management a plan of subdivision amalgamating Lot 1 RP193051 with part Lot 534 RP885382. This land is to be dedicated for public park purposes, free of cost to and compensation payable by Council and in fee simple.

The land to be dedicated is the land on Lot 534 RP885382 located within the area defined as 'Area Containing Landfill' and shown as cross-hatched area on plan reference 7522/2009/01 titled 'Area to be Managed Broadfoot Drive, Goodna'.

11. Rates in Arrears

In accordance with the provisions of the *Sustainable Planning Regulation 2009*, all rates and other expenses as a charge against the land must not be outstanding at the date of signing of the plan of subdivision.

12. Gated Access

At no point must the development be gated so as to prohibit access by the public.

13. Car Parking Use and Maintenance

- (a) A minimum of one (1) covered and one (1) uncovered car parking space must be provided on each home site for the development.
- (b) A minimum of twenty-four (24) visitor spaces must be provided on site.
- (c) All visitor parking areas must be:
 - (i) Kept exclusively for visitor parking;
 - (ii) Used exclusively for visitor parking;
 - (iii) Must not be used by residents at the expense of visitors;
 - (iv) Appropriately signposted to the satisfaction of the assessment manager; and
 - (v) Maintained to the satisfaction of the assessment manager.

14. Lighting

- (a) The provision of security and flood lighting must be designed, constructed, located and maintained to the satisfaction of the assessment manager to not cause disturbance to the occupants of nearby properties or passing traffic.

- (b) Outdoor lighting must be designed, installed and operated consistent with the relevant Australian Standard.

15. Infrastructure Contributions

The developer must pay prior to the issue of Form 21 - 'Final Inspection Certificate for building works' or prior to the commencement of the use of the relevant stage of development, whichever comes first, the following monies to Council:-

Contribution	Sector	Rate	Proposal	Calculation
Community Facilities Infrastructure Stage 1	SIE3 – Goodna - Gailes	Citywide: \$51.89/EP District: \$175.60/EP Local: \$133.56/EP Unit Charge = 1.1724 Total = Citywide: \$60.84/EP District: \$205.87/EP Local: \$156.59/EP	<u>Proposal</u> Number of Relocatable Home Park sites: 53 @ 1.58 EP = 83.74 EP Caretaker's Residence: 1 @ 2.34 EP = 2.34 Proposal = 86.08 EP	Citywide: \$60.84 x 86.08 = \$5,237.11 District: \$205.87 x 86.08 = \$17,721.29 Local: \$156.59 x 86.08 = \$13,479.27 Total = \$36,437.67 Total = \$36,438.00
Stage 2			<u>Proposal</u> Number of Relocatable Home Park sites: 55 @ 1.58 EP = 86.9 EP Proposal = 86.9 EP	Citywide: \$60.84 x 86.9 = \$5,287.00 District: \$205.87 x 86.9 = \$17,890.10 Local: \$156.59 x 86.9 = \$13,607.67 Total = \$36,784.77 Total = \$36,785.00
Stage 3			<u>Proposal</u> Number of Relocatable Home Park sites: 36 @ 1.58 EP = 56.88 EP Proposal = 56.88 EP	Citywide: \$60.84 x 56.88 = \$3,460.58 District: \$205.87 x 56.88 = \$11,709.89 Local: \$156.59 x 56.88 = \$8,906.84 Total = \$24,077.31 Total = \$24,077.00
Stage 4			<u>Proposal</u> Number of Relocatable Home Park sites: 86 @ 1.58 EP = 135.88 EP <u>Credit</u> Existing credit of 1 lot: 1 @ 2.74 EP = 2.74 EP Proposal = 133.14 EP	Citywide: \$60.84 x 133.14 = \$8,100.24 District: \$205.87 x 133.14 = \$27,409.53 Local: \$156.59 x 133.14 = \$20,848.39 Total = \$56,358.16 Total = \$56,358.00
Parks Infrastructure	PKE3 – Goodna –	Citywide: \$1,289.70/EP District: \$651.83/EP	<u>Proposal</u> Number of Relocatable	Citywide: \$1,512.04 x 86.08 = \$130,156.40

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11 APRIL 2011

PLANNING AND DEVELOPMENT COMMITTEE NO. 2011(04)

Stage 1	Gailes	Local: \$523.10/EP Unit Charge = 1.1724 Total = Citywide: \$1,512.04/EP District: \$764.21/EP Local: \$613.28/EP	Home Park sites: 53 @ 1.58 EP = 83.74 EP Caretaker's Residence: 1 @ 2.34 EP = 2.34 Proposal = 86.08 EP	District: \$764.21 x 86.08 = \$65,783.20 Local: \$613.28 x 86.08 = \$52,791.14 Total = \$248,730.74 Total = \$248,731.00
Stage 2			<u>Proposal</u> Number of Relocatable Home Park sites: 55 @ 1.58 EP = 86.9 EP Proposal = 86.9 EP	Citywide: \$1,512.04 x 86.9 = \$131,396.27 District: \$764.21 x 86.9 = \$66,409.85 Local: \$613.28 x 86.9 = \$53,294.03 Total = \$251,100.15 Total = \$251,100.00
Stage 3			<u>Proposal</u> Number of Relocatable Home Park sites: 36 @ 1.58 EP = 56.88 EP Proposal = 56.88 EP	Citywide: \$1,512.04 x 56.88 = \$86,004.84 District: \$764.21 x 56.88 = \$43,468.26 Local: \$613.28 x 56.88 = \$34,883.37 Total = \$164,356.47 Total = \$164,356.00
Stage 4			<u>Proposal</u> Number of Relocatable Home Park sites: 86 @ 1.58 EP = 135.88 EP <u>Credit</u> Existing credit of 1 lot: 1 @ 2.74 EP = 2.74 EP Proposal = 133.14 EP	Citywide: \$1,512.04 x 133.14 = \$201,313.00 District: \$764.21 x 133.14 = \$101,746.91 Local: \$613.28 x 133.14 = \$81,652.10 Total = \$384,712.01 Total = \$384,712.00
Water Supply Infrastructure Stage 1	WT12 - Goodna	\$526.00/EP Unit Charge = 1.1724 Total = \$616.68/EP	<u>Proposal</u> Number of Relocatable Home Park sites: 53 @ 1.5 EP = 79.5 EP Caretaker's Residence (3 bed): 1 @ 1.75 EP = 1.75 Proposal = 81.25 EP	\$616.68 x 81.25 = \$50,105.25 Total = \$50,105.00
Stage 2			<u>Proposal</u> Number of Relocatable Home Park sites: 55 @ 1.5 EP = 82.5 EP Proposal = 82.5 EP	\$616.68 x 82.5 = \$50,876.10 Total = \$50,876.00

Stage 3			<p><u>Proposal</u> Number of Relocatable Home Park sites: 36 @ 1.5 EP = 54 EP</p> <p>Proposal = 54 EP</p>	<p>$\\$616.68 \times 54 = \\$33,300.72$</p> <p>Total = \$33,301.00</p>
Stage 4			<p><u>Proposal</u> Number of Relocatable Home Park sites: 86 @ 1.5 EP = 129 EP</p> <p><u>Credit</u> Existing credit of 1 lot: 1 @ 3.3 EP = 3.3 EP</p> <p>Proposal = 125.700 EP</p>	<p>$\\$616.68 \times 125.7 = \\$77,516.676$</p> <p>Total = \$77,517.00</p>
Sewerage Catchment Stage 1	SW47 - SP28 (excl Springfield)	<p>\$1,458.00/EP</p> <p>Unit Charge = 1.1724</p> <p>Total = \$1,709.36/EP</p>	<p><u>Proposal</u> Number of Relocatable Home Park sites: 53 @ 1.5 EP = 79.5 EP Caretaker's Residence (3 bed): 1 @ 1.75 EP = 1.75</p> <p>Proposal = 81.25 EP</p>	<p>$\\$1,709.36 \times 81.25 = \\$138,885.50$</p> <p>Total = \$138,886.00</p>
Stage 2			<p><u>Proposal</u> Number of Relocatable Home Park sites: 55 @ 1.5 EP = 82.5 EP</p> <p>Proposal = 82.5 EP</p>	<p>$\\$1,709.36 \times 82.5 = \\$141,022.20$</p> <p>Total = \$141,022.00</p>
Stage 3			<p><u>Proposal</u> Number of Relocatable Home Park sites: 36 @ 1.5 EP = 54 EP</p> <p>Proposal = 54 EP</p>	<p>$\\$1,709.36 \times 54 = \\$92,305.44$</p> <p>Total = \$92,305.00</p>
Stage 4			<p><u>Proposal</u> Number of Relocatable Home Park sites: 86 @ 1.5 EP = 129 EP</p> <p><u>Credit</u> Existing credit of 1 lot: 1 @ 3.3 EP = 3.3 EP</p> <p>Proposal = 125.700 EP</p>	<p>$\\$1,709.36 \times 125.7 = \\$214,866.55$</p> <p>Total = \$214,867.00</p>
Road Contributions Stage 1	RD11 - Goodna	<p>\$675.00/VT</p> <p>Unit Charge = 1.1281</p> <p>Total = \$761.47/EP</p>	<p><u>Proposal</u> Number of Relocatable Home Park sites: 53 @ 3.8 VT = 201.4 VT Caretaker's Residence</p>	<p>$\\$761.47 \times 207 = \\$157,624.29$</p>

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			(3 bed): 1 @ 5.6 VT = 5.6 VT Proposal = 207 EP	Total = \$157,624.00
Stage 2			Proposal Number of Relocatable Home Park sites: 55 @ 3.8 VT= 209 VT Proposal = 209 EP	\$761.47 x 209 = \$159,147.23 Total = \$159,147.00
Stage 3			Proposal Number of Relocatable Home Park sites: 36 @ 3.8 VT= 136.8 VT Proposal = 136.8 EP	\$761.47 x 136.8 = \$104,169.10 Total = \$104,169.00
Stage 4			Proposal Number of Relocatable Home Park sites: 86 @ 3.8 VT= 326.8 VT Credit Existing credit of 1 lot: 1 @ 6.5 VT = 6.5 VT Proposal = 320.300 EP	\$761.47 x 320.3 = \$243,898.84 Total = \$243,899.00
Stage 1 Total				\$631,784.00
Stage 2 Total				\$638,930.00
Stage 3 Total				\$418,208.00
Stage 4 Total				\$977,353.00
Total				\$2,666,275.00

The contributions above must be applicable for a period of **twelve (12) months from the date of the development approval**, and thereafter must be based on the infrastructure contribution policies and rates applicable at the date when payment is made.

The developer is advised that direct debit, personal and/or company cheques cannot be accepted as payment for the above contributions. The only acceptable forms of payments are cash (EFT payments included) or bank cheques.

16. Engineering and Environment Requirements

The following engineering requirements, detailed in Condition(s) 17 – 35, must be completed to the satisfaction of the Senior Development Engineer/ Team Coordinator (Environmental Planning).

Terms

- (a) RPEQ - A Registered Professional Engineer of Queensland, suitably qualified and experienced in the particular area of expertise required. Furthermore, the RPEQ required for the analysis and reporting for mining must be experienced in the analysis of underground and surface mining within the Ipswich area.
- (b) QUDM – The Queensland Urban Drainage Manual (2007 Edition), produced by the Queensland Department of Environment and Natural Resources.
- (c) AMCORD - The Australian Model Code of Residential Development produced by the Commonwealth Department of Housing and Regional Development.
- (d) Queensland Streets - Design Guidelines for Subdivisional Street Works, prepared for the Institute of Public Works Engineers Australia.
- (e) MUTCD - The Manual of Uniform Traffic Control Devices, published by DTMR.
- (f) QUU – Queensland Urban Utilities – trading name of the Central SEQ Distributor-Retailer Authority, providing water and wastewater services to Ipswich City under the South-East Queensland Water (Distribution and Retail Restructuring) Act 2009.
- (g) DTMR - Department of Transport and Main Roads.
- (h) DERM - Department of Environment and Resource Management.

17. Mining

- (a) The proposed development must be designed and constructed in accordance with the approved recommendations of the geotechnical report by Morrison Geotechnic titled 'Dragonfly Investments-Proposed Material Change of Use for a Caravan Park, Broadfoot Drive, Goodna', dated 16 November 2009.
- (b) Prior to the approval of any application for building works for each stage of the development, the developer must submit to Council a Structural Engineer's certification that the proposed structures related to that stage of the development have been designed in accordance with the abovementioned geotechnical report.

18. Roadworks

- (a) Internal Street Layout

The internal street network must be designed and constructed in accordance with the "Thoroughfare Plan" prepared by Roberts Day dated 10 October 2010 (Drawing No. UD3202 Issue H) with the following configuration amendments:

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(i) "Civic Street 1" and "Civic Street 4" must include the provision of signs and pavement arrows depicting its one-way operation; and

(ii) The concrete paths on "Civic Street 1" and "Civic Street 4" must be 1.5m wide;

(b) Internal Illumination

All public areas internal to the site must be illuminated. Lighting must be designed and installed in accordance with AS1158 series for the following areas and subcategories:

(i) "Civic Street 1" and "Civic Street 4" = subcategory P6;

(ii) "Avenue 1" = subcategory P7;

(iii) Pedestrian Paths / Walkways = subcategory P3; and

(iv) All other streets and car parking areas = subcategory P11.

Due regard must be given to minimising light spillage disturbance to the occupants of nearby residential properties in accordance with AS4282 series.

(c) Two (2) points of access must be provided as part of the full development of the site:

(i) Northern End Access (via Brisbane Terrace, Rylance Street and Broadfoot Drive)

The northern access point must be constructed and municipal works 'on-maintenance' in accordance with the *Ipswich Planning Scheme 2006* prior to commencement of use for Stage 1 of the site (as depicted on the "Staging Plan" prepared by Roberts Day dated 10 October 2010 [Drawings No. UD3202/Rev1]). The northern access point must include the following works:

- Installation of right (CHR) and left (AUL) turn lanes on Brisbane Terrace designed in accordance with the DTMR Road Planning & Design Manual for a 70km/h design speed;
- Construction of a 1.5m wide concrete footpath between the site and Brisbane Terrace along the northern side of Broadfoot Drive and the western side of Rylance Street;
- Reconstruction of the pavement along Broadfoot Drive (west of Rylance Street) to Council's collector street standard;
- Upgrades to the street lighting along Broadfoot Drive (west of Rylance Street) and Rylance Street to meet AS1158 series subcategory P3;

- Installation of "No Stopping Zone" on each side of Broadfoot Drive (west of Rylance Street) through the use of yellow linemarking adjacent to each kerb;
- Installation of traffic flow priority control measures at the intersection of Broadfoot Drive and Rylance Street including Islands, linemarking and signs;
- Installation of a turn around area (cul-de-sac head) at the western end of Broadfoot Drive before transitioning to the driveway for the site;
- The driveway for the site must be configured in accordance with Council Standards for a commercial driveway with a minimum width of 6.0m.

(ii) Southern End Access (Via Woogaroo Street)

The southern access point must be constructed and municipal works 'on-maintenance' in accordance with the *Ipswich Planning Scheme 2006* prior to commencement of use for Stage 3 of the site (as depicted on the "Staging Plan" prepared by Roberts Day dated 10 October 2010 [Drawings No. UD3202/Rev1]). The extent of works must extend between the new eastern property boundary of the development site (the boundary established following signing of the above mentioned plan of subdivision) and Lower Stuart Street [including appropriate transitions back to the existing sealed section of Woogaroo Street (approximately 50m east of Lower Stuart Street)]. The alignment of the southern access point must be generally in accordance with "Thoroughfare Plan" prepared by Roberts Day dated 10 October 2010 (Drawings No. UD 3202 Issue H). The southern access point must include the following works:

- 5.5m wide carriageway with asphalt surface;
- Kerb and channel (Type M1) on both sides with associated stormwater infrastructure;
- A 2.0m wide concrete path for shared use by pedestrians and cyclists on one side (on a minimum 4.5m wide verge with landscaping and turfing - wider to meet public utility alignment requirements where necessary) linking the site and the existing path on Woogaroo Street (east of Lower James Street);
- A 2.5m wide verge on the other side (non-path side) with landscaping and turfing;
- Street lighting (designed in accordance with AS1158 series subcategory P3 and installed in accordance with Energex Rate 1); and

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- A "No Through Road" sign on Woogaroo Street near Lower Stuart Street.
- The southern access point must be configured on road reserve between the new eastern property boundary of the development site (the boundary established following signing of the plan of subdivision referred to in Condition 10) and Woogaroo Street. The land for the southern access point must be dedicated as road reserve (including survey and applications to DERM) at no cost to Council and before the works are accepted 'on-maintenance'.

Notwithstanding the above, in the event that the remediation works of the 'Area Containing Landfill' and shown on plan reference 7522/2009/01 are not satisfactorily completed to enable the road construction, then the developer may, by written agreement from the assessment manager, undertake the above works at a later stage of the development.

(d) Pedestrian / Cyclist Links

The pedestrian paths depicted on the "Thoroughfare Plan" prepared by Roberts Day dated 10 October 2011 (Drawing No. UD 3202 Issue H) must be constructed generally in accordance with "Staging Plan" prepared by Roberts Day dated 10 October 2011 (Drawings No. UD3202).

The pedestrian paths to be constructed on the land defined as 'Area Containing Landfill' and shown as cross-hatched area on plan reference 7522/2009/01, are to be constructed by the developer during Stage 3 of the works. Alternatively, in the event that the construction of the footpaths is not deemed to be practical by the assessment manager due to the remediation works not being complete, then the developer must pay a monetary contribution for the footpath in accordance with the rate given in Council's Fees and Charges applicable at the time of payment.

(e) Bus Shelter Contribution

A monetary contribution of \$30,000.00 must be paid to Council for the construction of bus shelters in the area. This payment must be made prior to commencement of use for Stage 1 of the site. This amount will be fixed for 12 months from the date of this decision notice and then adjusted in accordance with the Roads and Bridge Construction Cost Index applicable to Queensland at the time of payment.

19. Road Closures and Openings

In accordance with the provisions of Council's Local Law 12, in situations where survey plans are registered and a road reserve is created prior to the finalisation of the construction of the formed road, the road is permitted to remain physically closed to pedestrian and vehicular traffic in accordance with a Council approved traffic management plan, until the roadworks are accepted "On Maintenance" by Council, or unless otherwise directed by the Senior Development Engineer. The developer must submit to Council for approval, a traffic management plan which details road closure requirements in conjunction with the lodgement of any relevant application for the operational works.

20. Access and Parking

- (a) All access and parking must be designed and constructed in accordance with the provisions of the *Ipswich Planning Scheme 2006 Parking Code* and *Australian Standards (2890 Series)*.
- (b) Parking and manoeuvring areas must accommodate the largest anticipated vehicle to use the site, including manoeuvring a relocatable home on, within, and off the subject site.
- (c) Adequate facilities for servicing the development must be provided on site to ensure loading and/or unloading activities do not occur on-street.
- (d) Provision must be made for all vehicles to enter and exit the site in forward gear.
- (e) All parking, access and manoeuvring areas must be constructed of concrete, bitumen or equivalent materials approved by the Senior Development Engineer, and must be line-marked in accordance with the relevant Australian Standard.
- (f) Concrete layback and driveway slab minimum 6.0 m wide, must be constructed from the layback to the property boundary for access to the proposed development from the proposed cul-de-sac in Broadfoot Drive in accordance with Council's Standard Drawing SR.13.
- (g) The developer must provide a minimum 6.0m wide sealed driveway for the full length of the internal driveway. This must be constructed of concrete or equivalent.
- (h) The developer must include trafficable hardstand areas at intersections where the refuse vehicle is mounting on to the kerbs and verges in addition to the through carriageway

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- (i) A drainage system must be provided so that no part of the driveway is inundated in the runoff resulting from a storm event with an ARI of 2 years and the runoff from the driveway must be discharged to the satisfaction of Senior Development Engineer.

21. Water Supply

- (a) The developer must provide a reticulated water supply system which connects into the existing reticulation system, together with valves and fire hydrants, in accordance with the Guidelines for Planning and Design of Urban Water Supply Systems.
- (b) All works on live water mains must be carried out by QUU in accordance with Ipswich Planning Scheme 2006 Policy 3 Section 11.1.2, and at the developer's expense.
- (c) The developer must lodge a private works request for QUU to:
 - (i) Supply and install a suitable metered water connection for proposed development;
 - (ii) Amend the existing connection if necessary; and
 - (iii) Seal off any existing water connections if necessary.

The relevant fees must be paid and evidence of payment submitted to QUU in conjunction with any relevant application for operational works.

- (d) The Ipswich water supply system has been designed to achieve the target levels of service as outlined in Ipswich Planning Scheme 2006 Policy 3 Section 4.1.2 Standard of Service. It is the responsibility of the developer to provide any fire fighting requirements over and above the target levels of service, at their expense, internally and without adverse impact to the water supply system.

22. Wastewater

- (a) The developer must provide a sewerage reticulation system with appropriate house connection branches, designed to command the whole of the proposed development site.
- (b) The developer must pay the full cost for QUU to provide a suitable connection into the existing sewerage reticulation system. All works on live sewers must be carried out by QUU at the developer's expense in accordance with Ipswich Planning Scheme 2006 Policy 3 Section 10.1.2, unless arranged otherwise with QUU.

- (c) The connection must be into the existing sewerage reticulation system generally in accordance with Option 3A, provided along with Water Supply and Sewerage Analysis Report, prepared by JWP dated August 2007.
- (d) The developer must obtain and forward to Council the written consent letter of relevant adjoining property owner/s to achieve the sewer connection for the proposed development, along with the relevant operational works application.
- (e) No work on the sewerage reticulation system may commence prior to the approval of the relevant operational works application.

23. Stormwater Quantity

- (a) The developer must provide all necessary internal and external stormwater drainage to service the development. Such drainage works (except for building gutters and downpipes) must be designed and constructed in accordance with QUDM such that the overall drainage system caters for a storm event with an ARI of 100 years.

In the event the piped system is carrying part of the flow, the overland flow paths must be designed to cater for that volume which is represented by the difference between the predicted volume from the storm event with an ARI of 100 years and the capacity of the pipe system.

- (b) No ponding, concentration or redirection of stormwater may occur onto adjoining land unless specifically approved by Council in consultation with the owner of the adjoining land.
- (c) All stormwater headwall structures must be constructed in accordance with the relevant DTMR standard drawings for reinforced concrete headwalls and aprons.
- (d) All stormwater runoff from the development must be discharged in a manner and to a point to be approved by the Senior Development Engineer.
- (e) The developer must provide a rainwater tank with a minimum volume of 3,000 litres for each proposed dwelling unit. The tank must be connected to the roofwater drainage system and as a minimum requirement must be used for garden watering.
- (f) The developer must provide a stormwater detention basin (or equivalent) on the subject land, which must be designed and constructed in accordance with QUDM 2007. The detention basin (or equivalent) must be constructed to ensure that flows at any point downstream in the catchment are not increased by the development for any combination of frequency and duration from the storm event with an ARI of one (1) year up to and including the storm event with an ARI of 100 years.

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- (g) A staged implementation approach must be employed for the detention basins. The staging and timing of the commissioning of the detentions basins must be outlined as part of the relevant operational works application.
- (h) Stormwater drainage plans and calculations must be submitted for approval by the Senior Development Engineer, as part of the relevant operational works application.
- (i) Appropriate works must be carried out to ensure that stormwater drainage from the new kerb and channel discharges suitably into the existing drainage system.

24. Stormwater Quality

- (a) Stormwater quality for the development must achieve a reduction in the average annual pollutant load as follows prior to discharge from the site in accordance with *Ipswich Planning Scheme 2006 Policy 3 Table 2.3.1*:
 - 80% for total suspended solids;
 - 60% for total phosphorus;
 - 45% for total nitrogen; and
 - 90% for gross pollutants.
- (b) The water quality objectives listed in (a) must be achieved through the installation of the *rainwater* tanks (minimum 3,000 litres per dwelling) and the three (3) bioretention basins in accordance with the Stormwater Management Plan (Report No.097636005-007-Rev3) prepared by Golder Associates dated 21 May 2010 and the Healthy Waterways Water Sensitive Urban Design Technical Design Guidelines (WSUD TDG) and Construction and Establishment Guidelines (CEG).
- (c) In conjunction with application for operational works (civil), the developer must provide to *Council* for approval by the Engineering and Environment Manager, operational works drawings that detail, amongst other necessary items, the following:
 - (i) The bioretention basins must be designed and constructed in accordance with the parameters represented in Table 1 below:

Table 1

	Bio A	Bio H	Bio F
Surface Area (m ²)	204	265	412
Filter Media Area (m ²)	204	265	412
Filter Media Median Particle Size (mm)	0.45	0.45	0.45
Filter Media material	Sandy loam	Sandy loam	Sandy loam
Filter Media Depth (m)	0.8	0.8	0.8

Hydraulic conductivity (mm/hr)	180	180	180
Transition layer depth (mm)	0.1	0.1	0.1
Minimum drainage layer depth (mm) [#]	0.2	0.2	0.2
Extended detention depth (m)	0.3	0.3	0.3
Maximum batter slope	1:6	1:6	1:6

[#] *The length of the bioretention basin will dictate the depth of the drainage layer, in order to maintain a minimum fall of 0.5% within the drainage pipes.*

- (ii) Plans and cross sections showing the final locations for stormwater infrastructure required by this condition, consistent with Council's Standard Drawings and the WSUD TDG (version current at the time of detailed design);
- (iii) Detail the area required for scour protection, in accordance with the design principles outlined in the WSUD TDG. The area required for scour protection must not be included in the total bioretention filter area;
- (iv) Drainage and transitional layers that have been designed in accordance with Sections 5.3.4.2 and 5.3.4.3 of the WSUD TDG, respectively, and an underdrain design in accordance with Section 5.3.5 of the WSUD TDG;
- (v) The slotted 100mm uPVC pipes placed within the drainage layer of the bioretention basin. The drawings must specify that these are not to be substituted with agg pipes nor wrapped in geofabric;
- (vi) Detail the grade at which drainage pipes must be laid, the relevant density and size of slots in the drainage pipes. A minimum fall of 0.5% is required for the drainage pipes and depending on the length of the bioretention, this may impact significantly on the depth of the drainage layer specified in Table 1. The length of all 100mm slotted drainage pipes must not exceed 25m. For longer lengths the pipe diameter must be increased or duplicated to increase conveyance;
- (vii) A uPVC inspection riser with screw cap lid at the head of each slotted pipe, for maintenance flushing. The risers are to be generally in accordance with BCC drawing UMS153, however the risers must extend a minimum of 150mm above the surface of the filter media. The drawings must contain a note that states that risers are not to be slotted;
- (viii) A level (flat) surface of the bioretention basin filter media in order to allow even absorption through the filter media;
- (ix) Soil specifications for the various bioretention basin filter media layers, which are provided in accordance with the current version of the Guidelines

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For Soil Filter Media In Bioretention Systems, Facility for Advancing Water Biofiltration (FAWB);

- (x) Provide geofabric around the base of the drainage layer, walls and batters of the basins. Geofabric must not be laid between any of the filter layers or used to wrap the slotted uPVC drainage pipes;
 - (xi) Landscaping to the bioretention basins and detention basins, including filter media and batters, in accordance with plant species and densities outlined in Appendix A of the WSUD TDG. Bioretention basin filter media planting schedules (plant species, number and planting densities) must be included on the plans; and
 - (xii) Include a note which refers to the Healthy Waterways Bioretention Basin Construction and Establishment Guidelines and Sign Off Forms (including the Pre-start meeting form and Forms A-G) for use throughout construction. The operational works drawings must include notes referring to the staging and timing of the commissioning of the bioretention basin and measures to protect the filter media during development within the contributing catchment.
- (d) A copy of the calculations used to size the drainage, as required by Condition (c) (vi), must be provided at the time of lodging the relevant operational works application. Similarly, calculations must be provided to demonstrate that the pipes connected downstream of the drainage pipes are suitably sized to avoid becoming the hydraulic control and the filter media is free draining.
- (e) A staged implementation approach must be employed for the bioretention areas ensuring that filter media is either laid after, or the filter is protected until 90% of the construction and building works have been completed for the area contributing to the bioretention basin. The staging and timing of the commissioning of the bioretention basin must be outlined as part of the operational works application.
- (f) Prior to lodgement of detailed operational works drawings the developer must receive certification from a RPEQ that the detailed drawings are in accordance with the approved stormwater management plan, these conditions of approval and the WSUD TDG. A copy of the certification must be lodged in conjunction with an operational works application along with completed copies of the WSUD TDG design assessment checklists and calculation summary checklists.

25. Stormwater Maintenance Plan

- (a) In conjunction with application for operational works (civil), the developer must provide to Council for approval by the Engineering and Environment Manager, a detailed stormwater maintenance plan for the entire stormwater system. The maintenance plan must outline requirements for both the construction and operational phases specifying the regular maintenance of the stormwater system along with the long-term management such as the replacement of the bioretention filters. The maintenance plan must be generally in accordance with the Bioretention Basin Maintenance Checklist as outlined in the WSUD TDG.
- (b) The Stormwater Maintenance Plan required at (a) must be prepared by a suitably qualified and experienced professional and include the following details as a minimum:
 - (i) Aims and objectives;
 - (ii) A separate maintenance schedule for each device (inspection and maintenance frequency and data collection);
 - (iii) Describe how each maintenance action is to be carried out (including equipment needs, maintenance techniques, occupational health and safety, public safety, environmental management considerations, disposal requirements for polluted water and solid waste, access issues);
 - (iv) Management structure and responsibilities;
 - (v) Ongoing monitoring (including water quality);
 - (vi) Record keeping and reporting;
 - (vii) Non-compliance procedures; and
 - (viii) Any relevant contractor contact information.
- (c) The Stormwater Maintenance Plan must be implemented in perpetuity to the satisfaction of Council. Regular inspection records must be maintained on site and made available to Council upon request for both the construction and operational phases. All necessary improvements must be made immediately upon awareness of any deficiencies in the system.

26. Acoustics

- (a) The development must be in accordance with the recommendations in the Acoustic Report (Report No. 1624-2) prepared by Noise Measurement Services dated 18 October 2010.

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- (b) As specified in section 4.4 of Acoustic Report detailed in (a) above, dwelling sites numbered 164 to 181 are deemed to be noise affected. The recommendations for building attenuation must be incorporated in to the design of each relocatable house on these dwelling sites.
- (c) All building and construction plans must be certified by a suitably qualified acoustic consultant, certifying that the buildings comply with the conditions of this development approval and the Acoustic Report (Report No. 1624-2) prepared by Noise Measurement Services dated 18 October 2010. Where appropriate, acoustic measures to be incorporated within the building design and must be identified on the plans. Building works must not be approved where compliance with this condition has not been achieved.

27. Landscaping Plan

- (a) In conjunction with any application for operational works (civil), the developer must submit to Council for approval, detailed landscape plans (by a Registered Landscape Architect, or other suitably qualified and experienced professional). The landscape plans must accord with the Landscape Concept Plans (drawing numbers 10/019-LS1 and 10/019-LS 3 Rev C dated July 2010, 10/019-LS2, 10/019-LS4 and 10/019-LS 6 Rev D dated July 2010, and 10/019-LS5 Rev B dated August 2010) prepared by David Kearney & Associates Landscape Architects. Such plans must include, amongst other necessary items, the following features and details:
 - (i) Extent of all landscaped areas;
 - (ii) Landscaping of the bio-retention basins (including detention basin area and batters) required by Condition 24(c)(xii).
 - (iii) A separate schedule of plant species and densities for the stormwater treatment areas and other landscaped areas (refer to Notes 1 and 2 below for sizes and densities of other landscaped areas);
 - (iv) Fence size and type of material (if applicable);
 - (v) Exclude the use of invasive species and environmental weeds; and
 - (vi) A 60mm(h)x 80mm(w) clear space (at A3 size) in the right hand margin of each drawing for approval stamping.

Note 1: Minimum planting sizes

	Pot size
Street and features trees	45L
Other trees	300mm
Larger shrubs	140mm
Groundcovers	140mm

Note 2: Approximate planting densities

	For buffer planting	All other instances
Trees	2m centres	5m centres
Shrubs	1m centres	2m centres
Groundcovers	0.5-1m centres	0.5-1m centres

- (b) The developer must complete landscaping works in accordance with the approved landscape plans to the satisfaction of the Engineering and Environment Manager prior to the commencement of the use of the land unless Council determines otherwise. Such landscaping must be maintained in perpetuity to Council's satisfaction by the existing or future owners and occupiers of the property.
- (c) A Certificate of Compliance for landscape works must be completed by a Registered Landscape Architect, or other suitably qualified and experienced professional, stating the works comply with the conditions of this approval, prior to the commencement of use, and submitted to Council for record keeping purposes.

28. Waste Storage / Collection

- (a) An adequate domestic waste service must be provided for the entire development in accordance with the *Ipswich Planning Scheme 2006* Implementation Guideline No. 23 Refuse Arrangements and Management for Multiple Residential Development.
- (b) The development must be constructed so as to allow forward motion entry and exit to and from the site for the appropriate waste collection vehicle.

29. Flooding

The habitable floor level of any relocatable home to be constructed on dwelling site number 211, is to achieve a minimum of 500mm above the peak height of the 1974 flood event on the subject site. This level is to be determined by cadastral survey.

30. Earthworks and Retaining Walls

- (a) In conjunction with any application for operational works (civil) the developer must provide details of the proposed earthworks (civil works) for the development including cut/fill depths, batter slopes, retaining wall heights, typical cross-sections etc. Earthworks and any retaining structures must comply with the requirements of *Ipswich Planning Scheme 2006* Part 12, Division 15 – Earthworks Code.

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- (b) Where earthworks are proposed within three (3) metres of the property boundary or are likely to affect adjoining property owners, the developer must notify the affected property owners in writing, and obtain written comments from them, as detailed in Part 12, Div 15 - Specific Outcome 19 and Note 12.15.4K. Written comments from the affected owners (or at least the supporting documentation of notification and consultation with the adjoining property owners to the Council's satisfaction) must be submitted to Council for consideration, in conjunction with any relevant operational works application.
- (c) Retaining walls, including footings and drainage systems, must be constructed entirely within the boundaries of the lot and in accordance with the requirements of *Ipswich Planning Scheme 2006* Policy 3 – General Works. All retaining walls greater than 1.0m in height must be RPEQ certified to be structurally sound. Retaining walls greater than 1.0 m in public places must be provided with railings or other barriers to provide pedestrian safety
- (d) Any fill within the site area must be compacted in accordance with Section 5 (Compaction Criteria) of AS 3798 – 1996 *“Guidelines on Earthworks for Commercial and Residential Developments”*.

31. Erosion & Silt Management

- (a) As part of the application for operational works, the developer must submit an Erosion and Silt Management Plan designed in accordance with “Best Practice Erosion and Sediment Control” published by the International Erosion Control Association (Australasia) November 2008, or equivalent.
- (b) The developer must install silt management facilities at the commencement of construction and maintain these facilities until the development has been accepted ‘Off Maintenance’.
- (c) Silt traps must be sited upstream from any park or reserve area discharge point, such that no silt impinges on the park or reserve areas. The silt trap areas may be phased out after the development work is complete and adequate grass cover is obtained.
- (d) Diversion drains and ponds, as necessary, must be installed on the site before any other work is undertaken on site to ensure that water containing silt, clay, solids or contaminants is contained and/or isolated.
- (e) Prior to the Pre-Start meeting for operational works, the developer must lodge a \$10,000.00 siltation and erosion performance bond with Council. This bond will only be released by Council at the termination of the maintenance period.

- (f) If the Senior Development Engineer determines that silt damage has occurred as a result of this development, the developer will be responsible for restoration of any damage. Such restoration must be completed within a time to be advised by the Senior Development Engineer. Should the developer fail to complete the works determined by the Senior Development Engineer within the specified time, Council may elect to complete the works and recover all costs associated with that work from the developer.
- (g) Where Council determines that a drawdown of the bond is required, the developer must restore the bond to its full amount within ten (10) business days of a notice from Council to that effect.

32. Public Utilities

Adequate provision must be made for the proposed development, to cater for the public utility services that would normally serve the development.

33. Operational Works – Municipal Works (roadworks, sewer, water and stormwater)
(ie Works being handed over to Council)

External Municipal Works relates to those works external to the subject site and located in dedicated public areas, for example existing road or drainage reserve, or private property not subject to developer ownership.

- (a) Municipal works must be completed in accordance with a detailed design certified by an RPEQ and approved by Council Engineers with appropriate fees payable, a works pre-start meeting on-site and various detailed construction and audit inspections by Council officers. In accordance with *Ipswich Planning Scheme 2006* Policy 3, a maintenance period applies for the works and a maintenance security deposit is required.
- (b) The requirements of Council's *Ipswich Planning Scheme 2006* Policy 3 - General Works and Council's Standard Drawings will apply to the municipal works. Where inconsistencies between any documents occur, *Ipswich Planning Scheme 2006* Policy 3 has precedence and must prevail to the extent of the inconsistency.
- (c) All engineering drawings must be submitted in accordance with *Ipswich Planning Scheme 2006 Policy 2 – Information Local Government May Request* and include as a minimum the following:
 - (i) Engineering drawings must be marked with confirmation that they have been checked and approved by an RPEQ;

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- (ii) The drawings must be submitted as four (4) hardcopy, A3 size sets. Reports and supporting information must be submitted as two (2) hardcopy sets.

The submission must also include a compact disk containing electronic data as follows:

- One (1) full set of all engineering drawings contained in one file;
 - Separate individual files containing layout plans for sewerage, water supply and drainage;
 - Any reports submitted in support of the application. Each report must be included as a separate file; and
 - An index of all files on the compact disk including descriptions of contents of each file.
 - All files must be submitted in PDF format.
- (d) The developer must submit a Certificate of Design signed by an RPEQ, certifying that the design is in accordance with all conditions of the development approval, relevant *engineering* standards, Council's requirements and standards, and sound engineering practice.
- (e) All works must be supervised by an RPEQ competent in civil works and must be *undertaken* by a nominated principal contractor experienced in the construction of municipal works. Council reserves the right to request evidence of the principal contractor's competency. Should the contractor not be able to demonstrate the necessary competency to the satisfaction of the Senior Development Engineer or if the contractor has constructed substandard works for Council in the past, Council reserves the right to reject the nominated contractor.
- (f) Prior to the Pre-Start meeting, the developer must submit to Council a development *performance* bond of not less than 10% of the value of external municipal works (minimum \$5,000.00), as security for the performance of the various construction and certification obligations (including provision of "As Constructed" information).
- (g) Municipal works must be accepted "On Maintenance" prior to commencement of use. On *completion* of the works an "On Maintenance" acceptance inspection may be arranged by submission of a certificate signed by an RPEQ certifying that the works have been constructed in accordance with the approved plans and specifications and in compliance with Council's construction standards. It is expected that the RPEQ will undertake the necessary inspections to make this certification.

- (h) Upon formal acceptance of the works "On Maintenance", the development performance *bond* may be reduced to an amount not less than 5% of the value of the works or \$5,000.00 whichever is greater, and will be retained by Council during the maintenance period as a maintenance security bond for the performance of the maintenance obligations. Alternatively, the developer may submit a separate maintenance security bond of equivalent value. This bond will be retained by Council in accordance with *Ipswich Planning Scheme 2006 Policy 3*, until the works are accepted "Off Maintenance" by Council.
- (i) "As Constructed" information and final construction issue engineering design drawings, compiled in accordance with *Ipswich Planning Scheme 2006 Policy 2 for Municipal Works*, with a Contributed Assets Financial Apportionment Form, must be submitted to Council and approved prior to the formal acceptance of the works "On Maintenance". This data must be submitted electronically on a compact disk labelled appropriately to indicate the contents.
- (j) Council reserves the right to require further amendments and/or additions at a later date, should design errors or omissions become apparent in regard to the works relevant to the operational works approval.

34. Operational Works – Internal Works
(ie Works not being handed over to Council)

Internal Works refers to engineering works performed within private property and includes but is not limited to, earthworks, retaining walls, driveways and stormwater management systems.

- (a) Engineering plans must be submitted to Council prior to the commencement of construction on site and must show full construction details, layout dimensions, and finished surface levels.
- (b) Engineering drawings must be marked as confirmation that they have been checked and approved by an RPEQ.
- (c) The drawings must be submitted as four (4) hardcopy A3 size sets and two (2) hardcopy sets of any reports and supporting information. One set of drawings will be returned to the applicant with the decision notice. The submission must also include a compact disk containing electronic data as follows:
 - (i) A full set of all engineering drawings contained in one file;
 - (ii) Separate individual files containing layouts for sewerage, water supply and drainage;
 - (iii) Any reports submitted in support of the application. Each report must be included as a separate file;

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- (iv) An index of all files on the compact disc including descriptions of contents of each file; and
- (v) All files must be submitted in PDF format.

Where municipal works are also being undertaken, it is usually appropriate to make a combined submission.

- (d) The developer must submit a certificate of design signed by an RPEQ, certifying that the design is in accordance with all conditions of the development approval, relevant engineering standards, Council's requirements and standards, and sound engineering practice.
- (e) On completion of the works a certificate signed by an RPEQ must be submitted to Council, certifying that the works have been constructed in compliance with the approved plans and specifications and in accordance with Council's construction standards. The RPEQ must personally undertake the necessary inspections to make this certification.
- (f) Council reserves the right to require further amendments and/or additions at a later date, should design errors or omissions become apparent.

35. General

- (a) All works required for this development must take due regard of any and all existing services and, if considered necessary by the relevant authority or the Senior Development Engineer, such works must be altered at the cost of the developer.
- (b) Any fill intended to be placed over Council's underground services must be approved in advance by the Senior Development Engineer.
- (c) Should any works be proposed on land under other private ownership, written permission for the works must be obtained and forwarded to Council as part of the operational works application. Similarly, written clearances must be obtained after the works are completed, unless otherwise accepted by the Senior Development Engineer.
- (d) Any allotment or other filling for building works creating a soil depth greater than 500mm must be conducted in accordance with *Australian Standard 3798* at Responsibility Level 1. Test results as required by *Australian Standard 3798*, and a certificate of quality and uniformity of fill, must be provided by an RPEQ.
- (e) Batters and slopes greater than 1:4 resulting from cutting and filling of the site must be certified by an RPEQ as stable and properly drained.
- (f) All imported and exported materials may be transported only on routes approved by the Senior Development Engineer.

- (g) All parking, access and manoeuvring areas must be constructed of concrete, bitumen or equivalent materials approved by the Senior Development Engineer, and must be line-marked in accordance with the relevant Australian Standard. Any proposed hardstand areas must be finished level with the design-finished level of surrounding surfaces.

All disturbed verge, park, allotment and other grassed areas must be rehabilitated and revegetated (including provision of topsoil to a minimum depth of 50mm) and turfed or seeded to the satisfaction of the Senior Development Engineer and in accordance with *Ipswich Planning Scheme 2006* Policy 3 - General Works (specifically part 6.1.6). Grass cover must be achieved as early as possible during the development and a minimum grass coverage of 80% must be achieved before the development can be accepted 'Off maintenance'.

36. Minor Alterations

Notwithstanding the requirements detailed in this approval, any other minor alterations and/or modifications accepted in writing by the assessment manager will suffice.

37. Compliance with Conditions

Unless otherwise stated, all conditions must be completed prior to commencement of the change of use of the site or as determined in writing by the assessment manager.

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Attachment C

File No: 7522/09/MCU

Location: Bal Lot 534 Broadfoot Drive, and 155 Woogaroo Street, Goodna

Assessment Manager (Ipswich City Council) Conditions

Operational Works (Internal Municipal Works)

Conditions applicable to this approval under the Integrated Planning Act 1997:

1. Basis of Approval

The facts and circumstances set out in the application and all relevant Council Local Laws and/or Local Planning Policies must be adhered to, except as amended in these conditions.

2. Minor Alterations

Notwithstanding the requirements detailed in this approval, any other minor alterations and/or modifications will be subject to the prior written approval of the Senior Development Engineer.

3. Hours of Construction

Unless otherwise determined in writing by the assessment manager, hours of construction must not exceed:

Monday to Saturday 6:30am to 6:30pm

Construction work must not be conducted from or on the premises outside the above hours or on Sundays or public holidays.

4. Terms

(a) RPEQ - A Registered Professional Engineer of Queensland, suitably qualified and experienced in the particular area of expertise required. Furthermore, the RPEQ required for the analysis and reporting for mining must be experienced in the analysis of underground and surface mining within the Ipswich area.

(b) QUU – Queensland Urban Utilities – trading name of the Central SEQ Distributor-Retailer Authority, providing water and wastewater services to Ipswich City under the South-East Queensland Water (Distribution and Retail Restructuring) Act 2009.

5. Pre-Start Requirements

The following information must be submitted prior to commencement of work:-

(a) Contractor's on site and after hours telephone number;

- (b) Supervising engineer's office and after hours telephone number; and
- (c) Date of commencement of works and expected duration.
- (d) An approved Water Use Declaration obtained from QUU.

6. Engineering Certifications

- (a) Engineering drawings must be marked as confirmation that they have been checked and approved by a RPEQ.
- (b) Engineering certification (by RPEQ or other competent person accepted by the Senior Development Engineer) must be submitted to Council for the construction of all internal civil works associated with the development.
- (c) The certifying authority is expected to undertake inspections as necessary to ensure the finished product conforms to the required standards, and is appropriate for its intended use.

7. Earthworks

- (a) The proposed earthworks and batter slopes of 1:1 are only temporarily approved until the completion of bulk earthworks for the proposed development and must be replaced during construction of future stages. These temporary earthworks must be inspected by geotechnical specialist during and after the bulk earthworks, on a regular basis until these batters are flattened or supported to the satisfaction of Senior Development Engineer. Swale drains must be constructed behind these batters to minimise runoff over these batters.

The developer must note that Council will take no responsibility or liability for any failure or injury to any person arising from failure of the retaining walls or batters.

- (b) The proposed retaining walls are not approved as part of this bulk earthworks operational works. In conjunction with application for operational works (for civil Works) the developer must provide details of the proposed earthworks and retaining walls for approval.
- (c) The earthworks must be strictly in accordance with the provisions and requirements of the Department of Main Roads MRS 11.04 General Earthworks for water retaining embankments and special embankment materials. The developer must demonstrate compliance with this earthworks and material specification prior to any applicable construction retaining walls and earthwork. Additionally, the embankment must be adequately keyed into the natural subgrade minimum 500mm.
- (d) The proposed retaining walls which are facing Broadfoot Drive and Brisbane to Ipswich Railway Line must be constructed of 'A' Grade boulder walls (or similar propriety product).

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- (e) Retaining walls, including footings and drainage systems, must be constructed entirely within the boundaries of the lot and in accordance with the requirements of the *Ipswich Planning Scheme 2006* Policy 3. Should the nature or materials of a retaining wall be such that future maintenance will be required, provision must be made in placement of the wall to ensure that such maintenance can be completed without intrusion onto the adjacent lot.
- (f) Any allotment or other filling creating a soil depth of 500mm or more must be conducted in accordance with Australian Standard 3798. Test results as required by Australian Standard 3798 at Responsibility Level 1, and a certificate of quality and uniformity of fill must be provided by a RPEQ.
- (g) Where batters resulting from cut and fill on the site produce slopes greater than 1:4, the developer must provide RPEQ certification that the slopes are stable and properly drained.

8. Erosion and Silt Management

- (a) The developer is responsible for the installation and maintenance of silt management facilities and truck shake down facilities from the time of commencement of construction until the works have been completed.
- (b) The developer must install silt management facilities at the commencement of construction and maintain these facilities until the development has been accepted 'Off Maintenance'.
- (c) Silt traps must be sited upstream from any park or reserve area discharge point, such that no silt impinges on the park or reserve areas. The silt trap areas may be phased out after the development work is complete and adequate grass cover is obtained.
- (d) Diversion drains and ponds, as necessary, must be installed on the site before any other work is undertaken on site to ensure that water containing silt, clay, solids or contaminants is contained and/or isolated.
- (e) Prior to the pre-start meeting for operational works, the developer must lodge a \$10,000.00 siltation and erosion performance bond with Council. This bond will only be released by Council at the termination of the maintenance period.
- (f) If the Senior Development Engineer determines that silt damage has occurred as a result of this development, the developer must be responsible for restoration of any damage. Such restoration must be completed within a time to be advised by the Senior Development Engineer. Should the developer fail to complete the works determined by the Senior Development Engineer within the specified time, Council may elect to complete the works and recover all costs associated with that work from the developer.

- (g) Where Council determines that a draw-down of the bond is required, the developer must restore the bond to its full amount within ten (10) business days of a notice from Council to that effect.

9. Transport of Soil, Fill or Excavated Material

During the transportation of soil and other fill/excavated material:

- (a) All trucks hauling soil, fill or excavated material must have their loads secured and covered;
- (b) Measures must be taken to remove soil from the wheels of vehicles prior to the vehicles exiting the site, to prevent soil and mud being deposited on public roads; and
- (c) Any spillage that falls from the trucks or their wheels must be collected and removed from the streets along which the trucks travel, on a daily basis.

10. Disposal of Cleared Vegetation

The method of disposal of cleared vegetation must be approved by the assessment manager prior to clearing works commencing. Burning off is not considered an acceptable means of disposal and will not be approved.

Note:

The following means of disposal are recommended, though Council may consider other means on request:

- (a) Processing through a wood-chipper;
- (b) Disposal for firewood;
- (c) Disposal for landscaping purposes; and
- (d) Transport to alternative site for chipping.

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Advice

File No: 7522/09/MCU

Location: Bal Lot 534 Broadfoot Drive, and 155 Woogaroo Street, Goodna

The following advice is offered for your information only and should not be viewed as mandatory conditions of this approval:

1. Contaminated Land

The land to which this approval relates is included on the Environmental Management Register as it has been subject to a notifiable activity, that being a landfill which is no longer active. Council, and its servants and agents, accept no liability or responsibility for any loss or damage to person or property of whatever nature or however caused as the direct or indirect consequence of the granting of the approval herein contained. Such approval has been granted at the request of the developer and in reliance of information submitted by the developer in support thereof.

2. Site Management Plan

Notwithstanding the provisions of the Environmental Protection Act 1994, the development of the site must be in accordance with the approved Site Management Plan which forms part of the concurrence agency response from the Department of Environment and Resource Management associated with this development permit. At all times while the use continues and the subject land is on the Environmental Management Register (EMR) the developer must comply with the approved Site Management Plan.

3. Mining

The land to which this approval relates may have been worked by underground coal mining operations. Council, and its servants and agents, accept no liability or responsibility for any loss or damage to person or property of whatever nature or however caused as the direct or indirect consequence of the granting of the approval herein contained. Such approval has been granted at the request of the developer and in reliance of information submitted by the developer in support thereof.

4. Flooding

The subject site is partially inundated by the Q100 flood line and Council records indicate it was partially inundated by the 1974 and 2011 flood events. Council, and its servants and agents, accept no liability or responsibility for any loss or damage to person or property of whatever nature or however caused as the direct or indirect consequence of the granting of the approval herein contained. Such approval has been granted at the request of the developer and in reliance of information submitted by the developer in support thereof.

5. Portable Long Service Leave

Where the works are valued at \$80,000 or more and match the definition of Building and Construction Industry, the *Building and Construction Industry (Portable Long Service Leave) Act 1991* requires that evidence of payment of the Portable Long Service Leave (QLeave) Levy be received by Council as a condition of issuing a Development Permit. This applies to building works, further operational works and plumbing and drainage works applications, as defined under the *Sustainable Planning Act 2009*.

If such evidence is not received by the time of issuing the Decision Notice, Council may only issue a Preliminary Approval, notifying the developer that the application is approved, but not permitting commencement of operational works.

All statutory timeframes applying under the *Sustainable Planning Act 2009* for appeals and expiry of the Approval continue in force after issuing of the Decision Notice containing the Preliminary Approval.

If a Preliminary Approval is issued in the absence of evidence of payment of the QLeave Levy, a subsequent Development Permit will have to be issued by Council upon receipt of evidence of payment. This will require a new Application and fees will apply.

If you require clarification in regard to the *Building and Construction Industry (Portable Long Service Leave) Act 1991*, you should contact QLeave on 1800 803 481 (free call) or (07) 3212 6855.

6. Water Meter

All new commercial, industrial or large multi-residential property connections with a projected annual consumption greater than or equal to 20,000kL must have installed, at the customer's expense, an electronic water meter with a data logger and an approved back-to-base communication system as specified by QUU.

Properties with electronic water meters are subject to billing on a monthly basis in accordance with the metered monthly consumption.

If the proposed development is likely to have an annual water consumption equal to or greater than 20,000kL, the developer will be required to contact QUU on telephone number 13 26 57 to arrange installation of an electronic flow meter.

7. Submission of Drawings

Any engineering drawings submitted for Council review and approval in conjunction with an operational works application should be arranged to leave a blank space with minimum dimensions 6 cm wide and 14 cm high near the right border for a Council Stamp of Approval, so that any existing notes are not over-written by the stamp.

.....
SIGNATURE OF CHAIRPERSON

8. Food Act 2006

Where food is sold, served and or produced on the site there may be a need to hold a licence to do so under the Food Act 2006. Please contact the Engineering and Environment Branch of the Planning and Development Department of Ipswich City Council for advice regarding this matter on telephone number 3810 6828.

9. Further Operational Works Matters

Council has reviewed the operational works drawings in relation to the proposed works, to ensure that the design conforms to the engineering conditions of the associated Development Permit ref: 7522/2009. A detailed check of the calculations and drawings has not been undertaken, as they must be certified by a RPEQ. Council reserves the right to require further amendments and/or additions at a later date should design errors or omissions become apparent in regard to the works relevant to this operational works approval.

10. Further Plumbing and Drainage Applications

Review of internal water and sewerage plumbing works does not fall within this approval – this review is a part of the approval process relating to the plumbing and drainage application.

11. Fire Safety

The development will be required to comply with Section 3.7.1 Fire Separation of the Building Code Australia (as amended).

12. Swimming Pool

The swimming pool facilities will be required to be designed and constructed to comply with the document titled "Queensland Health Swimming Pool and Spa Pool Water Quality and Operational Guidelines October 2004".

PROCEDURAL MOTIONS AND FORMAL MATTERS

The meeting commenced at 12.52 pm.

The meeting closed at 1.30 pm.

Annexure JA-4

MINUTES OF ORDINARY MEETING

15 APRIL 2011

Held in the Council Chambers, Administration Building
45 Roderick Street, Ipswich

The meeting commenced at 9.01 am

ATTENDANCE AT COMMENCEMENT Councillors P Pisasale (Mayor), Morrison, Tully, Attwood, Nardi, Morrow, Bromage, Antonioli, C Pisasale and Ireland

OPENING PRAYER Councillor Morrison delivered the Opening Prayer

APOLOGIES AND LEAVE OF ABSENCE Councillor Pahlke was not present in the chambers at the commencement of the meeting.

CONDOLENCES AND MEMORIALS

DANIEL QUINN Moved by Councillor Attwood:

That Council convey condolences, on behalf of the citizens of the City of Ipswich, to the family of the late Daniel Thomas Quinn who passed way on 30 March 2011.

Seconded by Mayor, Councillor Paul Pisasale.

GRAYDON SCARONI Moved by Councillor C Pisasale:

That Council convey condolences, on behalf of the citizens of the City of Ipswich, to the family of the late Graydon Thomas Scaroni who passed way on 4 April 2011.

Seconded by Mayor, Councillor Paul Pisasale.

Councillor Pahlke entered the chambers at 9.05am

One minute's silence was observed to mark the passing of Daniel Quinn and Graydon Scaroni.

PETITIONS AND PRESENTATIONS

PRESENTATIONS Plaque from Westminster Warriors Soccer Club acknowledged.

BATTERY WORLD IPSWICH Ruthie and Howdie Farrar – Owners, presented a \$5,000.00 cheque to the Ipswich Mayor's Community Fund to assist with the rebuild of the City of Ipswich.

CONFIRMATION OF MINUTES

CONFIRMATION OF MINUTES OF ORDINARY MEETING Moved by Councillor C Pisasale:
That the Minutes of the Ordinary Meeting held on 22 March 2011 be confirmed.

Seconded by Councillor Ireland.

The motion was put and carried.

RECEPTION AND CONSIDERATION OF COMMITTEE REPORTS

PARKS, SPORT AND RECREATION COMMITTEE Moved by Councillor Morrison:
That the Parks, Sport and Recreation Committee's Report No 2011(04) of 11 April 2011 be received and adopted.

Seconded by Councillor Antonioli.

The motion was put and carried.

ENVIRONMENT AND CONSERVATION COMMITTEE Moved by Councillor Bromage:
That the Environment and Conservation Committee's Report No 2011(04) of 11 April 2011 be received and adopted.

Seconded by Councillor C Pisasale.

**ITEM 3
Conflict of Interest
Councillor Attwood** In accordance with section 173 of the Local Government Act 2009, Councillor Attwood informed the meeting that he has, or could reasonably be taken to have, a conflict of interest in **Item 3**.

The nature of Councillor Attwood's interest is he is on the Board of Directors of SEQ Catchments Ltd

The majority of Councillors entitled to vote decided that Councillor Attwood does not have a conflict of interest in **Item 3**.

Councillor Attwood remained in the meeting during discussion and vote on the item.

The motion was put and carried.

Councillor Attwood and the majority of Councillors entitled to vote, voted for the motion.

**CITY WORKS
COMMITTEE**

Moved by Councillor Nardi:

That the City Works Committee's Report No 2011(04) of 11 April 2011 be received and adopted.

Seconded by Councillor Bromage.

The motion was put and carried.

**ARTS, COMMUNITY
AND CULTURAL
SERVICES
COMMITTEE**

Moved by Councillor C Pisasale:

That the Arts, Community and Cultural Services Committee's Report No 2011(04) of 11 April 2011 be received and adopted.

Seconded by Councillor Ireland.

The motion was put and carried.

**ITEM 5
Conflict of Interest
Councillor Morrison**

In accordance with section 173 of the Local Government Act 2009, Councillor Morrison informed the meeting that he has, or could reasonably be taken to have, a conflict of interest in **Item 5**.

The nature of Councillor Morrison's interest is he is a past teacher of Westside Christian College.

The majority of Councillors entitled to vote decided that Councillor Morrison does not have a conflict of interest in **Item 5**.

Councillor Morrison remained in the meeting during discussion and vote on the item.

The motion was put and carried.

Councillor Morrison and the majority of Councillors entitled to vote, voted for the motion.

**YOUTH AND
SENIORS
COMMITTEE**

Moved by Councillor Ireland:

That the Youth and Seniors Committee's Report No 2011(04) of 11 April 2011 be received and adopted.

Seconded by Councillor Pisasale.

The motion was put and carried.

**HEALTH AND
REGULATION
COMMITTEE**

Moved by Councillor Antoniulli:

That the Health and Regulation Committee's Report No 2011(04) of 11 April 2011 be received and adopted.

Seconded by Councillor Attwood.

The motion was put and carried.

**PLANNING AND
DEVELOPMENT
COMMITTEE**

Moved by Councillor Tully:

That the Planning and Development Committee's Report No 2011(04) of 11 April 2011 be received and adopted subject to, in Item 4, the insertion of the words "as amended" at the end of Recommendation A.

Seconded by Councillor Antoniulli.

**ITEM 4
Conflict of Interest
Councillor Tully**

In accordance with section 173 of the Local Government Act 2009, Councillor Tully informed the meeting that he has, or could reasonably be taken to have, a conflict of interest in Item 4.

The nature of Councillor Tully's interest is he is a landowner of property in the flood affected area of Goodna.

The majority of Councillors entitled to vote decided that Councillor Tully does not have a conflict of interest in Item 4.

Councillor Tully remained in the meeting during discussion and vote on the item.

Councillor Antoniulli left the chambers at 9.28am

Councillor Antoniulli returned to the chambers at 9.30am

The motion was put and carried.

The majority of Councillors entitled to vote, voted for the motion. Councillor Tully abstained from voting on the motion.

**ECONOMIC
DEVELOPMENT
AND
SUSTAINABILITY
COMMITTEE**

Moved by Mayor, Councillor P Pisasale:

That the Economic Development and Sustainability Committee's Report No 2011(04) of 11 April 2011 be received and adopted.

Seconded by Councillor Morrow.

- ITEM 1**
Conflict of Interest
Mayor, Councillor
P Pisasale,
Councillors
Morrison, Tully,
Attwood, Nardi,
Morrow, Bromage,
Antoniolli,
C Pisasale, Ireland
and Pahlke
- In accordance with section 173 of the *Local Government Act 2009*, Mayor, Councillor P Pisasale, Councillors Morrison, Tully, Attwood, Nardi, Morrow, Bromage, Antoniolli, C Pisasale, Ireland and Pahlke informed the meeting that they have, or could reasonably be taken to have, a conflict of interest in **Item 1**.
- The nature of Mayor, Councillor P Pisasale's interest is that he is a board member of the Ipswich Turf Club.
- The nature of Councillor Attwood's interest is that he is a member of and has received sponsored hospitality from the Ipswich Turf Club.
- The nature of Councillor Bromage's interest is that she is a member of the Ipswich Hospital Foundation and has received sponsored hospitality from the Ipswich Turf Club.
- The nature of Councillor Morrison's, Councillor Tully's, Councillor Nardi's, Councillor Morrow's, Councillor Antoniolli's, Councillor C Pisasale's, Councillor Ireland's and Councillor Pahlke's interest is that they have received sponsored hospitality from the Ipswich Turf Club.
- In accordance with section 173(6) of the *Local Government Act 2009*, the majority of Councillors entitled to vote, informed the meeting about their interest in **Item 1** and remained in the meeting during discussion and voting.
- ITEM 2**
Conflict of Interest
Mayor, Councillor
P Pisasale,
Councillors Nardi,
Anotniolli and
C Pisasale
- In accordance with section 173 of the *Local Government Act 2009*, Mayor, Councillor P Pisasale, Councillors Nardi, Councillor Antoniolli and C Pisasale informed the meeting that they have, or could reasonably be taken to have, a conflict of interest in **Item 2**.
- The nature of Mayor, Councillor P Pisasale's, Councillor Nardi's, Councillor Antoniolli's and Councillor C Pisasale's interests is that they are of Italian heritage.
- The majority of Councillors entitled to vote decided that Mayor, Councillor P Pisasale, Councillors Nardi, Councillor Antoniolli and C Pisasale do not have a conflict of interest in **Item 2**.
- Mayor, Councillor P Pisasale, Councillors Nardi, Antoniolli and C Pisasale remained in the meeting during discussion and vote on the item.
- The motion was put and carried.
- Mayor, Councillor P Pisasale, Councillors Nardi, Antoniolli and C Pisasale and the majority of Councillors entitled to vote, voted for the motion.

- TOURISM AND LIBRARIES COMMITTEE** Moved by Councillor Pahlke:
That the Tourism and Libraries Committee's Report No 2011(04) of 11 April 2011 be received and adopted.
Seconded Councillor Bromage.
The motion was put and carried.
- COMMUNITY ENGAGEMENT COMMITTEE** Moved by Councillor Morrow:
That the Community Engagement Committee's Report No 2011(04) of 11 April 2011 be received and adopted.
Seconded by Councillor Attwood.
The motion was put and carried.
- CITY MANAGEMENT AND FINANCE COMMITTEE** Moved by Mayor, Councillor P Pisasale:
That the City Management and Finance Committee's Report No 2011(04) of 11 April 2011 be received and adopted.
Seconded by Councillor Attwood.
- Item 7 within ITEM 3**
Conflict of Interest Councillor Attwood
In accordance with section 173 of the *Local Government Act 2009*, Councillor Attwood informed the meeting that he has, or could reasonably be taken to have, a conflict of interest in **Item 7 within Item 3**.
The nature of Councillor Attwood's interest is that he received a donation from Corymbia Corporation Pty Limited.
The majority of Councillors entitled to vote decided that Councillor Attwood does not have a conflict of interest in **Item 7 within Item 3**.
Councillor Attwood remained in the meeting during discussion and vote on the item.
- ITEM 5**
Conflict of Interest Mayor, Councillor P Pisasale, Councillors Tully and Attwood
In accordance with section 173 of the *Local Government Act 2009*, Mayor, Councillor P Pisasale, Councillors Tully and Attwood informed the meeting that they have, or could reasonably be taken to have, a conflict of interest in **Item 5**.
The nature of Mayor, Councillor P Pisasale's, Councillor Tully's and Councillor Attwood's interest is that they are members of the Ipswich Mayor's Community Fund.
The majority of Councillors entitled to vote decided that Mayor, Councillor P Pisasale, Councillors Tully and Attwood do not have a conflict of interest in **Item 5**.

Mayor, Councillor P Pisasale, Councillors Tully and Attwood remained in the meeting during discussion and vote on the item.

ITEM 9
Conflict of Interest
Mayor, Councillor
P Pisasale,
Councillors
Morrison, Tully,
Attwood, Nardi,
Morrow, Bromage,
Antionioli,
C Pisasale, Ireland
and Pahlke

In accordance with section 173 of the *Local Government Act 2009*, Mayor, Councillor P Pisasale, Councillors Morrison, Tully, Attwood, Nardi, Morrow, Bromage, Antionioli, C Pisasale, Ireland and Pahlke informed the meeting that they have, or could reasonably be taken to have, a conflict of interest in Item 9.

The nature of Mayor, Councillor P Pisasale's interests is that he is a Joint Patron and Life Member of the Ipswich Show Society and has received sponsored hospitality from the Ipswich Show Society.

The nature of Councillor Bromage's interest is that she is a life member of the Ipswich Show Society, a committee member of the Ipswich Show Society and has received sponsored hospitality from the Ipswich Show Society.

The nature of Councillor Antionioli's interest is that he is an honorary member of the Ipswich Show Society and has received sponsored hospitality from the Ipswich Show Society.

The nature of Councillor Ireland's interest is that she is a member of the Ipswich Show Society and has received sponsored hospitality from the Ipswich Show Society.

The nature of Councillor Tully's interest is that he received free admission passes to the Ipswich Show.

The nature of Councillor Morrison's, Councillor Attwood's, Councillor Nardi's, Councillor Morrow's, Councillor C Pisasale's and Councillor Pahlke's interest is that they have received sponsored hospitality from the Ipswich Show Society.

In accordance with section 173(6) of the *Local Government Act 2009*, the majority of Councillors entitled to vote, informed the meeting about their interest in Item 9 and remained in the meeting during discussion and voting.

The motion was put and carried.

Mayor, Councillor P Pisasale, Councillors Morrison, Tully, Attwood, Nardi, Morrow, Bromage, Antionioli, C Pisasale, Ireland and Pahlke and the majority of Councillors entitled to vote, voted for the motion.

MEETING CLOSED The meeting closed at 10.09am.

Annexure JA-5



Hon Paul Lucas MP



Queensland
Government

Deputy Premier and Attorney-General
Minister for Local Government and
Special Minister of State

23 MAY 2011

Our ref: MBN11/1269

Councillor Paul Pisasale
Mayor
Ipswich City Council
PO Box 191
Ipswich QLD 4305

Dear Councillor Pisasale

I refer to Ipswich City Council's (Council) proposed *Temporary Local Planning Instrument 01 2011 – Flooding Regulation (TLPI – 1/11)*.

In accordance with *Statutory Guideline 02/09 Making or amending local planning instruments (SG02/09)* part 3, step 1, I am pleased to advise that Council may adopt the proposed TLPI 01/11, as requested on 15 April 2011. Should Council decide to adopt the TLPI, the steps outlined in SG02/09, part 2 step 4 must be followed.

In accordance with section 104 of the *Sustainable Planning Act 2009 (SPA)*, the TLPI may only apply for up to one year. In order to provide a long term solution to this matter it is recommended that Council prepare a planning scheme amendment under Chapter 3, part 5 of the SPA.

I note that the TLPI makes reference to building matters. Given the urgency and interim nature of this instrument, I have decided to approve the TLPI with this information included to avoid further delays. However in the future, building matters are required to be addressed through the building legislation, rather than Local Government planning instruments, unless specifically permitted under that legislation. This approach is in line with the *Sustainable Planning Act 2009* and also the Council of Australian Governments' directive that all building requirements should be consolidated within building legislation.

Level 12 Executive Building
100 George Street Brisbane 4000
GPO Box 15009 City East
Queensland 4001 Australia
Telephone +61 7 3224 4600
Facsimile +61 7 3224 4781
Email deputypremier@ministerial.qld.gov.au
ABN 65 959 415 158

I would like to thank Council for its efforts in working collaboratively with the Queensland Reconstruction Authority, Building Codes Queensland and the Department of Local Government and Planning, to ensure that the Ipswich community can commence rebuilding after the devastating floods in January 2011.

Please note Mr Carl Wulff, CEO of Ipswich City Council has also been notified about the implementation of the planning instrument.

If you require any further information please contact, [REDACTED], Director, Planning Services Division, Growth Management Queensland, Department of Local Government and Planning, on [REDACTED] who will be please to assist.

I trust this information is of assistance.

Yours sincerely

[REDACTED]

PAUL LUCAS MP
Deputy Premier and Attorney-General,
Minister for Local Government
and Special Minister of State

Annexure JA-6

Planning and Development Committee	
Mtg Date: 7/06/2011	OAR: YES
Authorisation: John Adams	

ITEM 4

27 May 2011

MEMORANDUM

TO: CITY PLANNER

FROM: STRATEGIC PLANNING MANAGER

RE: TEMPORARY LOCAL PLANNING INSTRUMENT 01/2011 - FLOODING
REGULATION

INTRODUCTION:

This is a report by the Strategic Planning Manager dated 27 May 2011 concerning proposed Temporary Local Planning Instrument 01/2011 - Flooding Regulation.

BACKGROUND:

At its meeting on 15 April 2011, Council resolved to prepare a Temporary Local Planning Instrument (TLPI) pursuant to Section 105 of the *Sustainable Planning Act 2009* (SPA) and the *Statutory Guideline 02/09: Making or amending local planning instruments*.

The proposed TLPI will provide a temporary planning mechanism to suspend the existing flood regulations contained in the Ipswich Planning Scheme and replace them with improved flood regulations to control development within flood affected areas for a period of up to 1 year.

The proposed TLPI was forwarded to the Honourable Paul Lucas, Minister for Local Government on the 15 April 2011 for consideration pursuant to SPA and the *Statutory Guideline 02/09*.

Initial comments were received from the Department of Local Government and Planning (DLGP) on 6 May 2011. Following a meeting held on 8 May 2011 Council received further comments from DLGP on 9 May 2011 raising 12 issues for consideration. A response was provided on 11 May 2011 addressing all comments raised and proposing the following minor alterations to the proposed TLPI:

TLPI Document

- Amendment of the wording in Part 2 of the TLPI to change 'Revised Flood Regulation Line' to '*revised flood regulation line in the form of the Adopted Flood Regulation Line*'.
- Inclusion of a definition in Part 6 for Adopted Flood Regulation Line (refer below):

"Adopted Flood Regulation Line" means the flood line as depicted on the Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5) dated June 2011 as contained in Attachment 1.

- Inclusion of a general administration clause under Part 7 of the proposed TLPI which will further clarify the primacy of legislation and State instruments (refer below):

7.4 Other Legislation

To the extent of any inconsistency between State legislation / State instrument and this TLPI, the State legislation / State instrument prevails.

- Replacement of the text in Note Boxes 11.4.7C, 11.4.7E, 11.4.7H, and 11.4.7K in Attachment 2 of the TLPI from '*Flood resistant materials such as core filled concrete block / brick are to be used as alternatives to materials such as gyprock / particle board to minimise replacement / repair and provide for ease of cleaning in the event of a flood.*' to '*Walls without cavity spaces and flood resistant materials are to be used to minimise replacement / repair and provide for ease of cleaning in the event of a flood. Table 1 – Walls and ceiling linings, contained in the Growth Management Queensland Fact Sheet – Repairing your house after a flood provides additional advice in relation to higher water resistant materials.*'

The proposed TLPI has been amended to incorporate the minor changes outlined above to address the comments provided by Department of Local Government and Planning (refer to Attachment B – Finalised TLPI).

A letter dated 23 May 2011 was executed by the Honourable Paul Lucas, Minister for Local Government, advising that Council may proceed to adopt the TLPI in its amended form (refer to Attachment A – Minister's Advice).

Following further discussions with, and agreement from DLGP, all date references have also been amended to June 2011 to reflect the adoption date for the TLPI.

COMMENCEMENT DATE:

In accordance with the Minister's advice dated 23 May 2011 and the requirements of the *Sustainable Planning Act 2009*, Council may now proceed to adopt the TLPI.

Following adoption, the local government must place a notice in a local newspaper, the gazette and on the local government's website stating:



- (a) the name of the local government;
- (b) the date the TLPI was adopted;

- (c) the date the TLPI commences and the date it will cease to have effect;
- (d) the purpose and general effect of the TLPI;
- (e) if the TLPI only applies to part of the planning scheme area, a description and the location of that area; and
- (f) where people can inspect and purchase a copy of the TLPI.

To provide sufficient time to complete the statutory requirements for implementing the TLPI, it is proposed that the TLPI have effect on and from 20 June 2011.

The TLPI will cease to have effect on 19 June 2012 or when it is repealed in accordance with the provisions of the *Sustainable Planning Act 2009*.

ATTACHMENTS:

Name of Attachment	Attachment
Minister's Advice	 Attachment A
Finalised TLPI	 Attachment B

RECOMMENDATION:

- A. That Council resolve to adopt Temporary Local Planning Instrument 01/2011 - Flooding Regulation as detailed in Attachment B to the report by the Strategic Planning Manager dated 27 May 2011.
- B. That Council resolve that the commencement date for the Temporary Local Planning Instrument 01/2011 - Flooding Regulation be 20 June 2011.
- C. That the Strategic Planning Manager be requested to attend to the relevant matters associated with the implementation of the Temporary Local Planning Instrument 01/2011 - Flooding Regulation, including:
 1. placement of a gazettal notice and public notice advising of the adoption of the Temporary Local Planning Instrument 01/2011 - Flooding Regulation;
 2. placement of a notice on the Council website and inclusion of the relevant documents on Council databases;
 3. forwarding notification of the adoption of the Temporary Local Planning Instrument 01/2011 - Flooding Regulation to the Minister for Local Government in accordance with the provisions of Section 105 of the *Sustainable Planning Act 2009* (SPA) and *Statutory Guideline 02/09 - Making or Amending Local Planning Instruments*; and

4. preparation, publication and distribution of a guideline to support the implementation and interpretation of the Temporary Local Planning Instrument 01/2011 - Flooding Regulation.


STRATEGIC PLANNING MANAGER

I concur with the recommendations contained in this report.

John Adams
CITY PLANNER

Annexure JA-7



Temporary Local Planning Instrument 01/2011 – Flooding Regulation

1. Introduction

Council has adopted Temporary Local Planning Instrument 01/2011 – *Flooding Regulation* which suspends and replaces the flooding regulations contained in the Ipswich Planning Scheme.

The TLPI provisions are temporary measures that set an adopted flood regulation line and associated development provisions for planning and development purposes, with mapping based on the existing 1 in 100 flood line, the January 2011 flood event and 1974 flood information.

Council adopted TLPI 01/2011 on 14 June 2011 and the TLPI took effect on and from 20 June 2011. TLPI 01/2011 will cease to have effect on 19 June 2012 or when it is repealed in accordance with the provisions of the *Sustainable Planning Act 2009* (SPA).

2. What is a Temporary Local Planning Instrument

A Temporary Local Planning Instrument is a statutory instrument that assists in protecting a Planning Scheme area from adverse impacts.

A TLPI can apply to all or part of a Planning Scheme area and can suspend or otherwise affect the operation of a Planning Scheme for up to 1 year.

3. Why Introduce TLPI 01/2011

Under SPA, a local government may make a TLPI if there is a significant risk of serious environmental harm, or serious adverse cultural, economic or social conditions and the delay to amend the Planning Scheme would increase the risk.

A TLPI provides a temporary measure for local government to respond quickly to matters of significance.

In light of the January 2011 flood event, Council has acted to improve and provide greater certainty in the application of flooding regulations and to control development in flood affected areas with the introduction of the TLPI.

4. Purpose of the TLPI

The purpose of TLPI 01/2011 is to provide improved flood regulation based on a revised flood regulation line in the form of the Adopted Flood Regulation Line and associated development provisions.

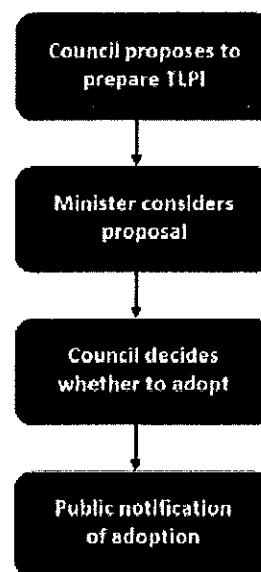
The TLPI provides immediate improved flood regulation as a temporary measure and time to review and amend the relevant provisions of the Ipswich Planning Scheme.

5. Process for preparation of a TLPI

SPA legislates the process involved in introducing a TLPI. Council has followed this process in the preparation of TLPI 01/2011.

The TLPI process does not include a public submission period, reflecting the temporary nature of the instrument.

This process is as follows:-



TLPI 01/2011 was publicly notified in the Queensland Government Gazette and Queensland Times on Friday 17 June 2011.

6. How do I obtain copies of the TLPI

The TLPI 01/2011 may be viewed and downloaded free of charge from PD Online, <http://pdonline.ipswich.qld.gov.au/pdonline/> and copies of TLPI 01/2011 are also available for inspection and purchase at the Development Counter, Ipswich City Council Administration Building, 45 Roderick Street, Ipswich from 20 June 2011.

7. How to get further information

The following 'frequently asked questions' provides additional information on common aspects and issues relating to the TLPI. Should you have further questions regarding the TLPI, please contact Council's Planning and Development Customer Service Staff on 3810 6888.



Frequently Asked Questions

Does the TLPI apply to my property?

Q1 *Is my property affected by the TLPI?*

- A The Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5) dated June 2011 and the Special Opportunity Area Maps included in the TLPI 01/2011 should be used to determine if your property is subject to assessment against the TLPI.

The relevant TLPI 01/2011 map layers listed below may be viewed from PD Online, <http://pdonline.ipswich.qld.gov.au/pdonline/> as individual layers from the drop down list.

TLPI1 2011 - Adopted Flood Regulation Line
TLPI1 2011 - 1 in 20 Development Line
TLPI1 2011 - Urban Stormwater Flow Path Area
TLPI1 2011 - Further Detailed Assessment Required Area
TLPI1 2011 - Special Opportunity Areas

To view the full TLPI documentation, visit PD Online, <http://pdonline.ipswich.qld.gov.au/pdonline/>.

Q2 *Will the TLPI provisions be included in the Planning Scheme?*

- A The TLPI was put in place as a temporary response to the January 2011 flood event. Council has commenced the review of the Planning Scheme provisions to prepare permanent statutory amendments which will involve public consultation. The recommendations of the Queensland Floods Commission of Inquiry to be released in February 2012 are also likely to inform amendments to the Planning Scheme.

Q3 *Will the provisions of the TLPI decrease the risk of future property damage from flooding?*

- A The risk of flooding can never be totally eliminated. The TLPI provisions are temporary measures that set an adopted flood regulation line for planning and development purposes based on the existing 1 in 100 flood line, the January 2011 flood event and 1974 flood information. The TLPI measures are designed to reduce the extent of risk to people and property.

Rebuilding 'like for like'

Q4 *Can I rebuild my house the same as it was before the January 2011 floods without a development approval?*

- A Yes. If your home was damaged or destroyed during the flood and requires rebuilding, you can rebuild 'like for like' without a development approval. In this circumstance only a Building Approval may be required. Customers who want to modify their home when they rebuild may require a development approval.

Q5 *Can I rebuild my lawfully established business the same as it was before the January 2011 floods without a development approval?*

- A Yes. If your lawfully established business was damaged or destroyed during the flood and requires rebuilding, you can rebuild 'like for like' without a development approval. In this circumstance only a Building Approval may be required. Customers who want to modify or extend their business when they rebuild may require a development approval.

Current development applications

Q6 *What does the TLPI mean for development applications?*

- A The TLPI provisions apply to any new development application and all development applications that are yet to reach the Decision Stage at the date that the TLPI came into effect on 20 June 2011. This may result in an application that has been lodged requiring amendment to address the provisions of the TLPI. Should you have any questions regarding a specific development application, please contact the relevant Council officer or Council's Planning and Development Customer Service Staff on 3810 6888 for further information. The TLPI does not apply to current approvals which have not lapsed.



Development provisions

Q7 *Can I apply to have an application processed under the provisions of the Planning Scheme rather than apply the provisions of the TLPI (ie apply under superseded planning scheme provisions)?*

- A No. The provisions contained in the TLPI temporarily suspend and replace the Planning Scheme provisions but do not form part of the Planning Scheme. Applicants are unable to invoke the superseded planning scheme provisions for this purpose, whilst the TLPI is in force.

Residential Development

Q8 *Will the TLPI affect the range of residential uses I can undertake on my property?*

- A Yes. The TLPI places restrictions on further residential development. No intensification of residential uses is likely to be permitted on land that is situated below the adopted flood regulation line, including the development of dual occupancies, multiple residential uses, and the reconfiguration of land to create additional lots. However, a single residential dwelling may be built on an existing vacant residential lot subject to a development application, and consideration may be given to build an auxiliary unit or a second dwelling to house family members (see Q9 below).

Q9 *Can I build a 'granny flat' on my property?*

- A Consideration may be given to the building of an auxiliary unit or a second dwelling to house family members on land situated between the 1 in 20 development line and the adopted flood regulation line. An application for an auxiliary unit or a second dwelling to house family members will be assessed on the merits of the proposal, and the level of flood immunity the building is able to achieve relative to the adopted flood regulation line.

Q10 *The corner of my property falls within the adopted flood regulation line, however the area where I want to build is located outside this area, does the TLPI apply to my property?*

- A The provisions of the TLPI only apply to that part of the property below the adopted flood regulation line.

Q11 *Will the TLPI require additional development standards to build a new residential dwelling on a vacant residential lot?*

- A Yes. The TLPI requires new development to provide habitable rooms a minimum of 500mm above the adopted flood regulation line and meet specific building requirements, including the use of building materials and surface treatments that are resistant to water damage where situated below the adopted flood regulation line. The development application will need to include information on how the provisions of the TLPI have been met (see the checklist on page 5 for further guidance).

Generally non habitable areas such as vehicle parking areas are to be provided at ground level and habitable areas, such as bedrooms and living areas are to be located above to maximise flood immunity. The new building should also use walls without cavity spaces and flood resistant materials to minimise replacement / repair and provide for ease of cleaning in the event of a flood. Table 1 – Walls and ceiling linings, contained in the Growth Management Queensland Fact Sheet – *Repairing your house after a flood* provides additional advice in relation to higher water resistant materials. This information may be accessed via: <http://www.dgp.qld.gov.au/resources/guideline/building/floods/repair-your-home-after-a-flood.pdf>

Non Residential Development

Q12 *Will the TLPI affect the range of non residential uses I can undertake on my property?*

- A New uses are assessed against the requirements of the TLPI, particularly flood impacts arising from the development, layout suitability, materials to be used, access routes and proposed earthworks.

Buildings and uses that attract a major concentration of people (particularly sensitive uses such as child care or involving disabled persons) in areas affected by significant flows (ie one metre or more in depth) are generally not supported, unless there is likely to be adequate warning and access to a safe evacuation route in the event of a flood.

The TLPI supports existing zoned centres and business and industry areas and business owners and operators are encouraged to make an informed choice about the level and extent of flood immunity they wish to design and achieve.



Q13 Will I need to use special building materials for new non residential development?

- A Yes. The TLPI generally requires new development to meet specific building / design / layout requirements, including the use of building materials and surface treatments that are resistant to water damage. A development application will need to include information on how the provisions of the TLPI have been addressed (see the checklist on page 6 for further guidance).

New building work below the level of the adopted flood regulation line should use walls without cavity spaces and flood resistant materials to minimise replacement / repair and provide for ease of cleaning in the event of a flood. Table 1 – Walls and ceiling linings, contained in the Growth Management Queensland Fact Sheet – *Repairing your house after a flood* provides additional advice in relation to higher water resistant materials. This information may be accessed via: <http://www.dlqp.qld.gov.au/resources/guideline/building/floods/repair-your-home-after-a-flood.pdf>

Earthworks**Q14 Can I fill my site to improve flood immunity without development approval?**

- A No. Any earthworks, including any form of filling land below the adopted flood regulation line will require development approval.

Earthworks are not generally permitted below the 1 in 20 development line, and any earthworks between the 1 in 20 development line and the adopted flood regulation line must be accompanied with an assessment that demonstrates the works do not negatively impact on the overall hydrology, hydraulics and flood capacity of the waterway and do not in any way result in the reduction of flood storage capacity on the site.

Special Opportunity Areas**Q15 Does being located within a special opportunity area change the zone of my property?**

- A No. The TLPI does not change the zone, rather the TLPI provides for reduced assessment levels for low impact, non residential uses, to encourage a transition away from residential uses.

Q16 I live in a special opportunity area. What controls are in place to control impacts that may occur from newly establishing non residential uses?

- A The TLPI incorporates specific outcomes limiting the height of non residential buildings (generally no more than two storeys) and requiring new uses to control impacts such as odours, noise, dust, traffic and the like. The scale of development must also have regard to existing centres and not detract from achieving the identified network of centres in the Planning Scheme.

Assessment of non residential uses is also required against all other relevant Planning Scheme codes, including the Zone Code for the particular use being sought, eg the Commercial and Industrial Code and Parking Code will apply in the assessment of an application for any form of Business Use.

Q17 What range of uses may be considered appropriate in a special opportunity area?

- A Each special opportunity area is unique and any proposed use must have regard to the existing range of uses, access opportunities, scale of use proposed and the extent of flood impact. The type of non residential uses that may be considered appropriate are likely to vary between each special opportunity areas.

The TLPI has reduced the assessment level only for applications for Business Use, Carpark, Community Use, Entertainment Use, General Store, Night Court, Plant Nursery (Wholesale), Recreation Use (excluding motor sports) and Service Trades Use. The reduction of the assessment levels does not remove the requirement to assess these uses in terms of all other relevant Planning Scheme requirements.

Low impact, non residential uses that provide the greatest resilience to flooding impacts are encouraged. These may include uses that involve limited building requirements such as a garden centre or plant nursery, or uses that allow for the quick removal of stock, such as bulky goods sales and vehicle sales premises.

Non residential uses that would be heavily impacted by flooding, or those uses that would generate unacceptable impacts to other existing uses are not likely to be approved.



Residential Development Checklist

Question 1 - Is my new dwelling able to withstanding flood flows, and not cause an increase in flood hazard for other properties?

Yes No

Question 2 - Are all habitable rooms in my new dwelling 500mm or more above the adopted flood regulation line?

Yes No

Note: Council will be producing flood depth mapping. Flood level information is available from Council in the form of a flood search - contact Council on 3810 6666 for further information.

Question 3 - Has the area below habitable rooms been left open?

Yes No

Note: These areas may be screened using timber battens / batten gates where this screening does not impede flood flows. Solid walls and doors, including roll-a-doors are to be avoided.

Question 4 - Are all buildings and structures located on the highest part of the site, and have flood resistant materials, surface treatments and non-cavity wall construction been used below the level of the adopted flood regulation line?

Yes No

Note: Refer to Q11 above for further details.

Question 5 - Have electrical installations been sited in the area of greatest flood immunity, with electrical switchboards, main data servers and the like positioned above the adopted flood regulation line?

Yes No

Question 6 - Has a safe access route been provided to allow occupants and visitors to escape to a safe and secure area in a flood event?

Yes No

The TLPI will require these matters to be addressed in a development application.



Non Residential Development Checklist

Question 1 – The development will not cause an increase in flood hazard for other properties? Yes No

Question 2 – Does the design and layout of buildings provide for parking or other low intensive, non habitable uses at ground level, with retail / commercial work areas located above to maximise flood immunity? Yes No

Question 3 – Has expensive plant, equipment and stock been located to provide maximum flood immunity? Yes No

Question 4 – Are all buildings and structures located on the highest part of the site, and has flood resistant materials / surface treatments been used below the adopted flood regulation line? Yes No

Note: New buildings and structures should use walls without cavity spaces and flood resistant materials where below the level of the adopted flood regulation line to minimise replacement / repair and provide for ease of cleaning in the event of a flood. Table 1 – Walls and ceiling linings, contained in the Growth Management Queensland Fact Sheet – Repairing your house after a flood provides additional advice in relation to higher water resistant materials. This information may be accessed via: <http://www.dcp.qld.gov.au/resources/guideline/building/floods/repair-your-home-after-a-flood.pdf>

Question 5 – Have electrical installations been sited in the area of greatest flood immunity, with electrical switchboards, main data servers and the like positioned above the level of the adopted flood regulation line? Yes No

Question 6 – Has a safe access route been provided to allow occupants and visitors to escape to a safe and secure area in a flood event? Yes No

The TLPI will require these matters to be addressed in a development application.



Annexure JA-8

PLANNING AND DEVELOPMENT COMMITTEE NO. 2011(06)

7 JUNE 2011

REPORT

COUNCILLORS' ATTENDANCE: Councillor Tully (Chairperson); Councillors P Pisasale (Mayor), Attwood (Deputy Mayor), Nardi, Bromage, Antonioli, Pahlke, Morrow (Observer), C Pisasale (Observer) and Ireland (Observer)

COUNCILLOR'S APOLOGIES: Councillor Morrison

1. PROPOSED ABERMAIN TO LOCKROSE 110KV ELECTRICITY NETWORK UPGRADE PROJECT - DIVISIONS 5, 6 AND 10

With reference to a report by the Development Planning Manager dated 23 May 2011 concerning the proposed Abermain to Lockrose 110kV electricity network upgrade project.

RECOMMENDATION

That Council endorse the second submission to Energex, as detailed in Attachment D to the report by the Development Planning Manager dated 23 May 2011, to clarify and highlight the points raised in the first submission dated 2 September 2010 concerning the proposed Abermain to Lockrose 110kV electricity network upgrade project.

2. COURT ACTION STATUS REPORT

With reference to a report by the Development Planning Manager dated 27 May 2011 concerning the status of outstanding court action.

RECOMMENDATION

That the report be received and the contents noted.

3. HERITAGE CONSULTATIVE COMMITTEE MEETING NO. 168 AND THE HERITAGE MONUMENTS AND MEMORIALS COMMITTEE MEETING NO. 74

With reference to a report by the Strategic Planning Manager dated 30 May 2011 forwarding for Council's information the minutes of the meeting of the Heritage Consultative Committee No. 168 held on Thursday, 28 April 2011 and the minutes of the meeting of the Heritage Monuments & Memorials Committee No. 74 held on Thursday, 14 April 2011.

RECOMMENDATION

That the report be received and the contents noted.

4. TEMPORARY LOCAL PLANNING INSTRUMENT 01/2011 - FLOODING REGULATION

With reference to a report by the Strategic Planning Manager dated 27 May 2011 concerning proposed Temporary Local Planning Instrument 01/2011 - Flooding Regulation.

RECOMMENDATION

- A. That Council resolve to adopt Temporary Local Planning Instrument 01/2011 - Flooding Regulation as detailed in Attachment B to the report by the Strategic Planning Manager dated 27 May 2011.
 - B. That Council resolve that the commencement date for the Temporary Local Planning Instrument 01/2011 - Flooding Regulation be 20 June 2011.
 - C. That the Strategic Planning Manager be requested to attend to the relevant matters associated with the implementation of the Temporary Local Planning Instrument 01/2011 - Flooding Regulation, including:
 - 1. placement of a gazettal notice and public notice advising of the adoption of the Temporary Local Planning Instrument 01/2011 - Flooding Regulation;
 - 2. placement of a notice on the Council website and inclusion of the relevant documents on Council databases;
 - 3. forwarding notification of the adoption of the Temporary Local Planning Instrument 01/2011 - Flooding Regulation to the Minister for Local Government in accordance with the provisions of Section 105 of the *Sustainable Planning Act 2009 (SPA)* and *Statutory Guideline 02/09 - Making or Amending Local Planning Instruments*; and
 - 4. preparation, publication and distribution of a guideline to support the implementation and interpretation of the Temporary Local Planning Instrument 01/2011 - Flooding Regulation.
-

PROCEDURAL MOTIONS AND FORMAL MATTERS

The meeting commenced at 8.30 am.

The meeting closed at 9.00 am.

Annexure JA-9

MINUTES OF ORDINARY MEETING

14 JUNE 2011

Held in the Council Chambers, Administration Building
45 Roderick Street, Ipswich

The meeting commenced at 9.02 am

ATTENDANCE AT COMMENCEMENT Councillors P Pisasale (Mayor), Morrison, Tully, Nardi, Bromage, Antonioli and C Pisasale

OPENING PRAYER Councillor Tully delivered the Opening Prayer

APOLOGIES AND LEAVE OF ABSENCE Councillors Attwood, Morrow, Ireland and Pahlke

CONDOLENCES AND MEMORIALS

MARGARET LILIAN KELLEHER Moved by Councillor Bromage:

That Council convey condolences, on behalf of the citizens of the City of Ipswich, to the family of the late Margaret Lilian Kelleher who passed way on 13 May 2011.

Seconded by Councillor Antonioli.

DAMIAN LEEDING Moved by Councillor Antonioli:

That Council convey condolences, on behalf of the citizens of the City of Ipswich, to the family of the late Detective Senior Constable Damian Leeding who passed way on 1 June 2011.

Seconded by Mayor, Councillor P Pisasale.

The motions were put and carried with one minute's silence being observed to mark the passing of [REDACTED] and [REDACTED]

[REDACTED]

PETITIONS AND PRESENTATIONS

Touch Football Association T-Shirts in appreciation of support from Council to have fields and clubhouse restored after January 2011 floods.
Ipswich City Rotary Presentation of defibrillator for Safe City.
Ipswich Legacy Club Certificate of Appreciation for Council's support of golf day on 15 April 2011.
Vale, Colorado US Books presented in appreciation of Council's hospitality during delegation's visit from Vale, Colorado US.
Intelligent Community Forum Presentation of Founders Award for the Springfield mixed development community.

Change Delegation, Presentation of signed Agreement between Changde, China and the
China City of Ipswich.

CONFIRMATION OF MINUTES

CONFIRMATION OF MINUTES OF ORDINARY MEETING Moved by Councillor C Pisasale:
That the Minutes of the Ordinary Meeting held on 17 May 2011 be confirmed subject to the deletion of line 7 of page 8 and the insertion of a new line 7 being:

“The nature of Councillor Tully’s interest is that his wife owns two dogs.”

Seconded by Councillor Tully.

The motion was put and carried.

RECEPTION AND CONSIDERATION OF COMMITTEE REPORTS

PARKS, SPORT AND RECREATION COMMITTEE Moved by Councillor Morrison:
That the Parks, Sport and Recreation Committee's Report No 2011(06) of 6 June 2011 be received and adopted.

Seconded by Councillor Nardi.

ITEM 1 Conflict of Interest Councillor Antonioli In accordance with section 173 of the *Local Government Act 2009*, Councillor Antonioli informed the meeting that he has, or could reasonably be taken to have, a conflict of interest in **Item 1**.

The nature of Councillor Antonioli's interest is that he is a council appointed board member of the Ipswich Events Corporation.

The majority of Councillors entitled to vote decided that Councillor Antonioli does not have a conflict of interest in **Item 1**.

Councillor Antonioli remained in the Chambers during discussion and voting.

The motion was put and carried.

Councillor Antonioli and the majority of Councillors entitled to vote, voted for the motion.

**ENVIRONMENT
AND
CONSERVATION
COMMITTEE**

Moved by Councillor Bromage:

That the Environment and Conservation Committee's Report No 2011(06) of 6 June 2011 be received and adopted.

Seconded by Councillor C Pisasale.

The motion was put and carried.

**CITY WORKS
COMMITTEE**

Moved by Councillor Nardi:

That the City Works Committee's Report No 2011(06) of 6 June 2011 be received and adopted.

Seconded by Councillor Bromage.

The motion was put and carried.

**ARTS, COMMUNITY
AND CULTURAL
SERVICES
COMMITTEE**

Moved by Councillor C Pisasale:

That the Arts, Community and Cultural Services Committee's Report No 2011(06) of 6 June 2011 be received and adopted.

Seconded by Councillor Antonioli.

**ITEM 3
Conflict of Interest
Councillors Nardi,
Bromage and
Antonioli**

In accordance with section 173 of the *Local Government Act 2009*, Councillors Nardi, Bromage and Antonioli informed the meeting that they have, or could reasonably be taken to have, a conflict of interest in **Item 3**.

The nature of Councillor Nardi's, Councillor Bromage's and Councillor Antonioli's interest is that they are of Anglican Faith.

The majority of Councillors entitled to vote decided that Councillors Nardi, Bromage and Antonioli do not have a conflict of interest in **Item 3**.

Councillors Nardi, Bromage and Antonioli remained in the Chambers during discussion and voting.

The motion was put and carried.

Councillors Nardi, Bromage and Antonioli and the majority of Councillors entitled to vote, voted for the motion.

**YOUTH AND
SENIORS
COMMITTEE**

Moved by Councillor C Pisasale:

That the Youth and Seniors Committee's Report No 2011(06) of 6 June 2011 be received and adopted.

Seconded by Councillor Antonioli.

The motion was put and carried.

**HEALTH AND
REGULATION
COMMITTEE**

Moved by Councillor Antonioli:

That the Health and Regulation Committee's Report No 2011(06) of 6 June 2011 be received and adopted.

Seconded by Councillor Bromage.

The motion was put and carried.

**PLANNING AND
DEVELOPMENT
COMMITTEE**

Moved by Councillor Tully:

That the Planning and Development Committee's Report No 2011(06) of 7 June 2011 be received and adopted.

Seconded by Councillor Nardi.

**ITEM 3
Conflict of Interest
Councillor Tully**

In accordance with section 173 of the *Local Government Act 2009*, Councillor Tully informed the meeting that they have, or could reasonably be taken to have, a conflict of interest in **Item 4**.

The nature of Councillor Tully's interest is that he is an owner of a property that is covered by the instrument.

The majority of Councillors entitled to vote decided that Councillor Tully does not have a conflict of interest in **Item 4**.

Councillor Tully remained in the Chambers during discussion and voting.

The motion was put and carried.

Councillor Tully and the majority of Councillors entitled to vote, voted for the motion.

**ECONOMIC
DEVELOPMENT AND
SUSTAINABILITY
COMMITTEE**

Moved by Mayor, Councillor P Pisasale:

That the Economic Development and Sustainability Committee's Report No 2011(06) of 7 June 2011 be received and adopted.

Seconded by Councillor Antonioli.

ITEM 3
Conflict of Interest
Mayor, Councillor P
Pisasale

In accordance with section 173 of the *Local Government Act 2009*, Mayor, Councillor P Pisasale informed the meeting that he has, or could reasonably be taken to have, a conflict of interest in **Item 3**.

The nature of Mayor, Councillor P Pisasale interest is that he is a Patron of the Queensland Thai Business Partnership.

The majority of Councillors entitled to vote decided that Mayor, Councillor P Pisasale does not have a conflict of interest in **Item 3**.

Mayor, Councillor P Pisasale remained in the Chambers during discussion and voting.

ITEM 5
Conflict of Interest
Councillor
Antioniolli

In accordance with section 173 of the *Local Government Act 2009*, Councillor Antonioli informed the meeting that he has, or could reasonably be taken to have, a conflict of interest in **Item 5**.

The nature of Councillor Antonioli's interest is that he is a council appointed Director of the Ipswich Events Corporation.

The majority of Councillors entitled to vote decided that Councillor Antonioli does not have a conflict of interest in **Item 5**.

Councillor Antonioli remained in the Chambers during discussion and voting.

During discussion on the motion, a presentation was made to Miss Nalani Lee Cooper to congratulate her on receiving the Ipswich City Council – City of Ipswich Scholarship for 2011.

The motion was put and carried.

Mayor, Councillor P Pisasale, Councillor Antonioli and the majority of Councillors entitled to vote, voted for the motion.

TOURISM AND
LIBRARIES
COMMITTEE

Moved by Councillor Nardi:

That the Tourism and Libraries Committee's Report No 2011(06) of 7 June 2011 be received and adopted.

Seconded by Councillor Antonioli.

The motion was put and carried.

**COMMUNITY
ENGAGEMENT
COMMITTEE**

Moved by Mayor, Councillor P Pisasale:

That the Community Engagement Committee's Report No 2011(06) of 7 June 2011 be received and adopted.

Seconded by Councillor C Pisasale.

The motion was put and carried.

**CITY MANAGEMENT
AND FINANCE
COMMITTEE**

Moved by Mayor, Councillor P Pisasale:

That the City Management and Finance Committee's Report No 2011(06) of 7 June 2011 be received and adopted.

Seconded by Councillor Nardi.

**ITEM 8
Conflict of Interest
Councillors Tully
and C Pisasale**

In accordance with section 173 of the *Local Government Act 2009*, Councillors Tully and C Pisasale informed the meeting that they have, or could reasonably be taken to have, a conflict of interest in **Item 8**.

The nature of Councillor Tully's interest is that he is a trustee for the Goodna Cemetery Trust.

The nature of Councillor C Pisasale's interest is that he has received hospitality from Norwood Pty Ltd.

The majority of Councillors entitled to vote decided that Councillors Tully and C Pisasale do not have a conflict of interest in **Item 8**.

Councillors Tully and C Pisasale remained in the Chambers during discussion and voting.

The motion was put and carried.

Councillors Tully, C Pisasale and the majority of Councillors entitled to vote, voted for the motion.

MEETING CLOSED

The meeting closed at 9.28am.

Annexure JA-10



Ipswich City Council

Temporary Local Planning Instrument
01/2011
Flooding Regulation

This Temporary Local Planning Instrument encompasses:

- (1) The replacement of the Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5).
- (2) The replacement of the following sections of the Ipswich Planning Scheme 2006:
 - (a) Part 11, Section 11.4.7 - Flooding and Urban Stormwater Flow Path Areas;
 - (b) Part 11, Table 11.4.3: Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Making a Material Change of Use;
 - (c) Part 11, Table 11.4.4: Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Other Development; and
 - (d) Part 12, Section 12.15.4 - Earthworks Code (including Lot Filling) Clause (8) Flooding and Drainage.
- (3) The inclusion of Special Opportunity Areas for four (4) flood affected precincts.

This is to certify that this is a true and correct copy of Temporary Local Planning Instrument (TLPI) 01/2011 adopted on 14 June 2011 and commenced on 20 June 2011. The TLPI will cease to have effect on 19 June 2012 or when it is repealed in accordance with the provisions of the *Sustainable Planning Act 2009*.

Chief Executive Officer

Date: 20 June 2011

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Part 1 - Short Title

- 1.1 This Temporary Local Planning Instrument (TLPI) may be cited as Temporary Local Planning Instrument 01/2011 - Flooding Regulation.

Part 2 - Purpose of the TLPI

- 2.1 The purpose of this TLPI, made under Chapter 3, Part 3 of the *Sustainable Planning Act 2009*, is to provide improved flood regulation based on a revised flood regulation line and associated development provisions.
- 2.2 To achieve this purpose, the TLPI will:
- (a) replace the Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5) to incorporate a revised flood regulation line in the form of the Adopted Flood Regulation Line;
 - (b) replace components of the Ipswich Planning Scheme 2006 to reflect the revised flood regulation line and enhance the application of existing flood regulations; and
 - (c) include Special Opportunity Areas to encourage the transition of existing flood affected residential areas to low impact non residential uses.

Part 3 - Application of the TLPI

- 3.1 This TLPI applies to the area to which the Ipswich Planning Scheme 2006 applies.
- 3.2 This TLPI overrides the provisions contained in the Ipswich Planning Scheme 2006 to the extent of matters that this TLPI relates to as outlined in Part 7.

Part 4 - Relationship with Planning Scheme

- 4.1 To the extent of any inconsistency between the Ipswich Planning Scheme 2006 and the TLPI, the TLPI prevails.

Part 5 - Duration of the TLPI

- 5.1 This TLPI will have effect in accordance with the *Sustainable Planning Act 2009* for a period not exceeding 12 months from the date of commencement of the TLPI.
- 5.2 This TLPI takes effect from 20 June 2011 and will cease to have effect on 19 June 2012.



Part 6 - Definitions

- 6.1 The terms used in this TLPI have the same meaning as defined in the *Sustainable Planning Act 2009*, unless otherwise defined in this TLPI or the Ipswich Planning Scheme 2006.
- 6.2 **"Adopted Flood Regulation Line"** means the flood line as depicted on the Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5) dated June 2011 as contained in Attachment 1.

Part 7 - Effect of this TLPI

- 7.1 Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5)

This TLPI suspends the operation of the Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5) dated February 2009 and replaces this Overlay Map with the Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5) dated June 2011 as contained in Attachment 1.

- 7.2 Part 11, Section 11.4.7 - Flooding and Urban Stormwater Flow Path Areas

This TLPI suspends the operation of the following sections of the Ipswich Planning Scheme 2006:

- (a) Part 11, Section 11.4.7 - Flooding and Urban Stormwater Flow Path Areas;
- (b) Part 11, Table 11.4.3: Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Making a Material Change of Use;
- (c) Part 11, Table 11.4.4: Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Other Development; and
- (d) Part 12, Section 12.15.4 - Earthworks Code (including Lot Filling) Clause (8) Flooding and Drainage;

and replaces these sections with those contained in Attachment 2.

- 7.3 Special Opportunity Areas

For the duration of this TLPI, the provisions contained in Attachment 3 provide reduced assessment levels for specified uses to encourage the transition of existing flood affected residential areas to low impact, non residential uses. These provisions apply to the areas designated in Attachment 4.

- 7.4 Other Legislation

To the extent of any inconsistency between State legislation / State instrument and this TLPI, the State legislation / State instrument prevails.



Attachment 1**A. Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5)****NOTE 1**

This TLPI suspends the operation of the Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5) dated February 2009 and replaces this Overlay Map with the attached Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5) dated June 2011.









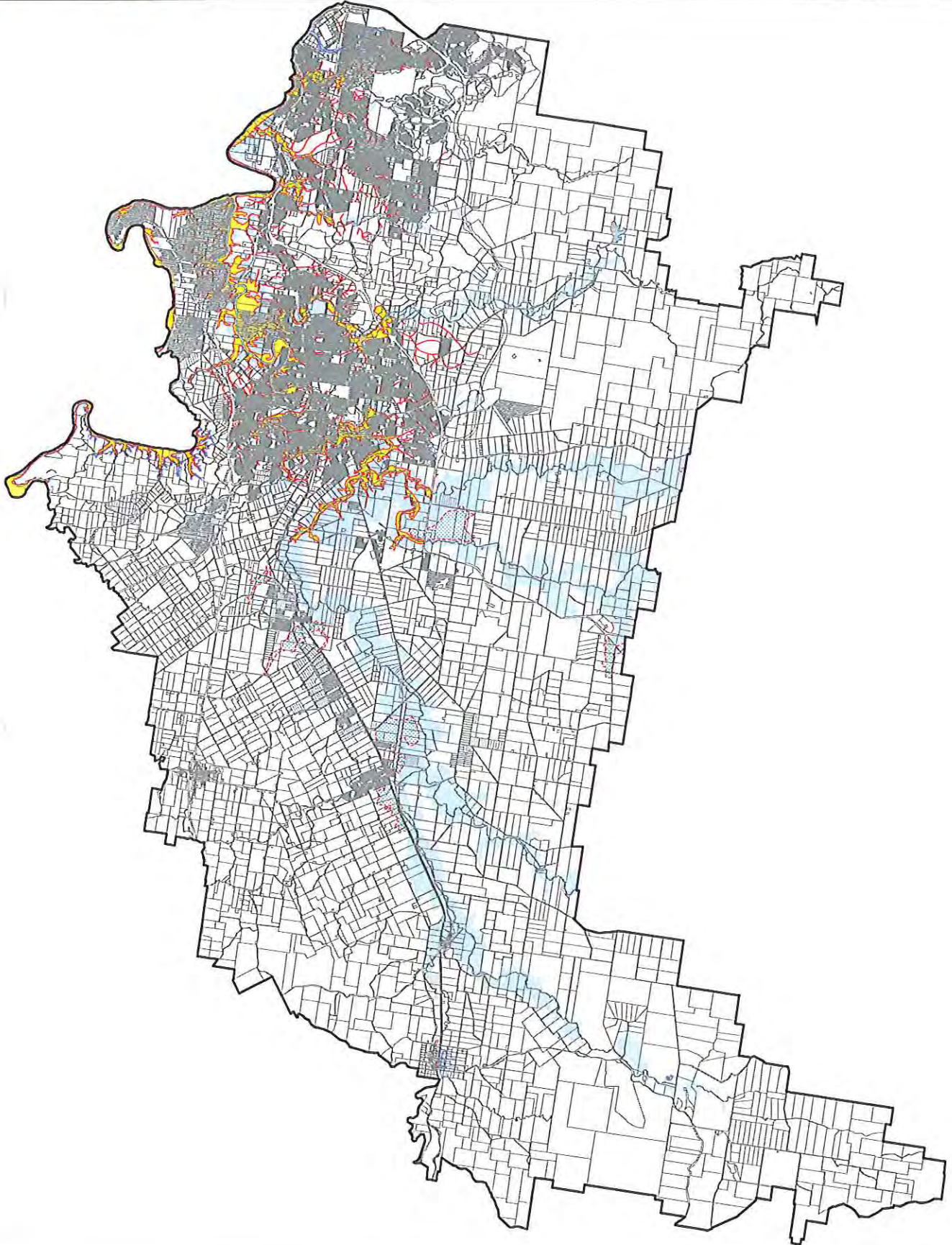


OVERLAY MAP

OV5

Flooding and Urban Stormwater Flow Path Areas

-  Adopted Flood Regulation Line
-  1 in 20 Development Line
-  Urban Stormwater Flow Path Areas
-  Indicative and Subject to Further Detailed Assessment
-  River / Watercourse
-  City Boundary



NOTE: Further details in relation to this map may be obtained from the Ipswich City Council Geographic Information System.



 Scale 1:100,000

 June 2011

OV5

Attachment 2

A. Part 11, Section 11.4.7 - Flooding and Urban Stormwater Flow Path Areas

This Temporary Local Planning Instrument suspends the operation of Part 11, Section 11.4.7 - Flooding and Urban Stormwater Flow Path Areas of the Ipswich Planning Scheme 2006 and replaces it with the following:

11.4.7 Flooding and Urban Stormwater Flow Path Areas

NOTE 11.4.7A

- (1) The provisions of this section apply to land identified on Map OV5 as being—
 - (a) below the 1 in 20 development line; or
 - (b) below the adopted flood regulation line; or
 - (c) within an urban stormwater flow path area.
- (2) Flood affected areas and urban stormwater flow path areas are depicted in two ways on the overlay maps—
 - (a) unbroken lines – representing 'known' constraints as determined by a technical report, or study or an actual flood event; and
 - (b) broken lines – indicative and subject to further detailed assessment as part of a development application.
- (3) The 1 in 20 development line is based on a long standing flood regulation line, established following the 1974 flood, that applied to the former Ipswich City Council area prior to its amalgamation with the former Moreton Shire.
- (4) In some cases, further information will need to be submitted to the local government, such as a flood assessment, for consideration as part of the development assessment process.
- (5) Further information on the requirements for a flood assessment are contained in Planning Scheme Policy 2—Information Local Government May Request.

(1) Specific Outcomes

- (a) **Land Situated Below the 1 in 20 Development Line – Residential Uses**
 - (i) There is no intensification of residential uses within flood affected areas on land situated below the 1 in 20 development line, including the provision of an auxiliary unit.
 - (ii) Where a development commitment, based on former zoning provisions, allows a dwelling to be sited within areas affected by significant flood flows (i.e. one metre or more in depth), such dwellings are designed to be capable of withstanding the static and dynamic loads, including debris loads, applicable to a flood event equivalent to the adopted flood regulation line.

NOTE 11.4.7B

Where no flow and velocity information is known for the adopted flood regulation line (modelled or otherwise) the maximum known flows and velocities are to be used for flood events in consultation with Council.

- (iii) Unless otherwise determined by Council, the floor levels of any habitable rooms of a proposed building are a minimum of 500mm above the adopted flood regulation line, whilst having regard to the visual amenity and streetscape impacts on nearby dwellings, associated with the raising of floor levels and the resulting height of buildings.
- (iv) The design and layout of residential buildings provides for—
 - (A) parking and other low intensive, non habitable uses at ground level (e.g. temporary storage of readily removable items); and
 - (B) habitable rooms above, to increase flood immunity.
- (v) The areas below habitable rooms—



- (A) are to be left open so as not to impede flood flows;
 - (B) may be used for the parking of vehicles or the storage of large items that are readily able to be moved in the event of a flood;
 - (C) may be screened for security purposes using timber battens where such screening does not impede flood flows; and
 - (D) may use timber batten gates such that the gates do not impede flood flows, with the use of solid fill gates, roll-a-doors or tilt doors to be avoided.
- (vi) The building materials and surface treatments used below the adopted flood regulation line are resistant to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment.

NOTE 11.4.7C

Walls without cavity spaces and flood resistant materials are to be used to minimise replacement / repair and provide for ease of cleaning in the event of a flood. Table 1 – Walls and ceiling linings, contained in the Growth Management Queensland Fact Sheet – *Repairing your house after a flood* provides additional advice in relation to higher water resistant materials.

- (vii) Buildings and other structures are sited on the highest part of the site to increase flood immunity.
 - (viii) Electrical installations are sited in the area of greatest flood immunity.
 - (ix) Electrical switchboards, main data servers and the like are positioned above the adopted flood regulation line with all electrical and data installations below this level designed and constructed to withstand submergence in flood water.
 - (x) Access routes are designed or alternative emergency evacuation routes are provided so that in a flood event occupants can escape to a safe and secure area.
 - (xi) The development does not increase the flood hazard (e.g. by way of increased depth, duration or velocity of flood waters or a reduction in warning times) for other properties within a flood plain.
 - (xii) There is no filling of land or reduction of flood storage capacity below the 1 in 20 development line.
 - (xiii) The clearing of native vegetation within the stream banks is avoided.
- (b) **Land Situated Below the 1 in 20 Development Line – Commercial, Industrial and Other Non Residential Uses**
- (i) Where possible, the design and layout of buildings provides for—
 - (A) parking, or other low intensive, or non habitable uses at ground level; and
 - (B) retail, commercial and work areas above the parking areas, to increase flood immunity.
 - (ii) Expensive plant and equipment and stock are located in the area of the site or building with the greatest flood immunity.

NOTE 11.4.7D

Owners/applicants should undertake their own risk assessment to determine the floor level that maximises flood immunity having regard to the above.

- (iii) The building materials and surface treatments used below the adopted flood regulation line are resistant to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment.

NOTE 11.4.7E

Walls without cavity spaces and flood resistant materials are to be used to minimise replacement / repair and provide for ease of cleaning in the event of a flood. Table 1 – Walls and ceiling linings, contained in the Growth Management Queensland Fact Sheet – *Repairing your house after a flood* provides additional advice in relation to higher water resistant materials.

- (iv) Electrical installations are sited in the area of greatest flood immunity.
- (v) Electrical switchboards, main data servers and the like are positioned above the adopted flood regulation line with all electrical and data installations below this level designed and constructed to withstand submergence in flood water.



- (vi) Access routes are designed or alternative emergency evacuation routes are provided so that in a flood event occupants can escape to a safe and secure area.
- (vii) The concentration of people in flood affected areas, particularly within areas affected by significant flood flows (i.e. one metre or more in depth), is avoided unless it can be demonstrated that the overall use is appropriate, eg sporting fields, and where there is likely to be adequate warning and access to a safe evacuation route in the event of a flood.
- (viii) Buildings are located to avoid areas affected by significant flood flows (i.e. one metre or more in depth), or where there is no alternative, buildings are designed to be capable of withstanding the static and dynamic loads, including debris loads, applicable to a flood event equivalent to the adopted flood regulation line.

NOTE 11.4.7F

Where no flow and velocity information is known for the adopted flood regulation line (modelled or otherwise) the maximum known flows and velocities are to be used for flood events in consultation with Council.

- (ix) Materials stored on-site—
 - (A) are those that are readily able to be moved in a flood event;
 - (B) are not hazardous or noxious, or comprise materials that may cause a deleterious effect on the environment if discharged in a flood event; and
 - (C) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.
 - (x) The development does not increase the flood hazard (e.g. by way of increased depth, duration or velocity of flood waters or a reduction in warning times) for other properties.
 - (xi) There is no filling of land or reduction of flood storage capacity below the 1 in 20 development line.
 - (xii) The clearing of native vegetation within the stream banks is avoided.
- (c) **Land Situated Between the 1 in 20 Development Line and the Adopted Flood Regulation Line – Residential Uses**
- (i) The planning scheme acknowledges development commitments, based on former zonings or current approvals, for continued residential use.
 - (ii) There is no intensification of residential uses within flood affected areas on land situated below the adopted flood regulation line, including the development of dual occupancy, multiple residential uses, and the reconfiguration of land to create additional lots.
 - (iii) Special dispensation may be obtained to erect an auxiliary unit or a second dwelling to house family members on land situated between the 1 in 20 development line and the adopted flood regulation line based on the extent of flood immunity achieved.
 - (iv) Where a development commitment, based on former zoning provisions, allows a dwelling to be sited within areas affected by significant flood flows (i.e. one metre or more in depth), such dwellings are designed to be capable of withstanding the static and dynamic loads, including debris loads, applicable to a flood event equivalent to the adopted flood regulation line.

NOTE 11.4.7G

Where no flow and velocity information is known for the adopted flood regulation line (modelled or otherwise) the maximum known flows and velocities are to be used for flood events in consultation with Council.

- (v) Unless otherwise determined by Council, the floor levels of any habitable rooms of a proposed building are a minimum of 500mm above the adopted flood regulation line, whilst having regard to the visual amenity and streetscape impacts on nearby dwellings, associated with the raising of floor levels and the resulting height of buildings.



- (vi) The design and layout of residential buildings provides for—
 - (A) parking and other low intensive, non habitable uses at ground level (e.g. temporary storage of readily removable items); and
 - (B) habitable rooms above, to increase flood immunity.
- (vii) The areas below habitable rooms—
 - (A) are to be left open so as not to impede flood flows;
 - (B) may be used for the parking of vehicles or the storage of large items that are readily able to be moved in the event of a flood;
 - (C) may be screened for security purposes using timber battens where such screening does not impede flood flows; and
 - (D) may use timber batten gates such that the gates do not impede flood flows, with the use of solid fill gates, roll-a-doors or tilt doors to be avoided.
- (viii) The building materials and surface treatments used below the adopted flood regulation line are resistant to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment.

NOTE 11.4.7H

Walls without cavity spaces and flood resistant materials are to be used to minimise replacement / repair and provide for ease of cleaning in the event of a flood. Table 1 – Walls and ceiling linings, contained in the Growth Management Queensland Fact Sheet – *Repairing your house after a flood* provides additional advice in relation to higher water resistant materials.

- (ix) Buildings and other structures are sited on the highest part of the site to increase flood immunity.
- (x) Electrical installations are sited in the area of greatest flood immunity.
- (xi) Electrical switchboards, main data servers and the like are positioned above the adopted flood regulation line with all electrical and data installations below this level designed and constructed to withstand submergence in flood water.
- (xii) Access routes are designed or alternative emergency evacuation routes are provided so that in a flood event occupants can escape to a safe and secure area.
- (xiii) The development does not increase the flood hazard (e.g. by way of increased depth, duration or velocity of flood waters or a reduction in warning times) for other properties.
- (xiv) The clearing of native vegetation within the stream banks is avoided.
- (xv) There are no earthworks (including filling) on land below the adopted flood regulation line, unless:
 - (A) the land is located above the 1 in 20 development line; and
 - (B) such earthworks result in the rehabilitation and repair of the hydrological network and the riparian ecology of the waterway; and
 - (C) an assessment, undertaken by a suitably qualified consultant, demonstrates that the reforming of the land does not negatively impact on the overall hydrology, hydraulics and flood capacity of the waterway and does not in any way result in the reduction of flood storage capacity on the site.

NOTE 11.4.7I

Council and the community have particular concerns about the cumulative adverse impact of any fill undertaken below the adopted flood regulation line.

- (d) **Land Situated Between the 1 in 20 Development Line and the Adopted Flood Regulation Line – Commercial, Industrial and Other Non Residential Uses**
 - (i) The design and layout of buildings provides for—
 - (A) parking, or other low intensive, or non habitable uses at ground level; and
 - (B) retail, commercial and work areas above the parking areas, to increase flood immunity.



- (ii) Expensive plant and equipment and stock are located in the area of the site or building with the greatest flood immunity.

NOTE 11.4.7J

Owners/applicants should undertake their own risk assessment to determine the floor level that maximises flood immunity having regard to the above.

- (iii) The building materials and surface treatments used below the adopted flood regulation line are resistant to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment.

NOTE 11.4.7K

Walls without cavity spaces and flood resistant materials are to be used to minimise replacement / repair and provide for ease of cleaning in the event of a flood. Table 1 – Walls and ceiling linings, contained in the Growth Management Queensland Fact Sheet – *Repairing your house after a flood* provides additional advice in relation to higher water resistant materials.

- (iv) Buildings and other structures are sited on the highest part of the site to increase flood immunity.
- (v) Electrical installations are sited in the area of greatest flood immunity.
- (vi) Electrical switchboards, main data servers and the like are positioned above the adopted flood regulation line with all electrical and data installations below this level designed and constructed to withstand submergence in flood water.
- (vii) Access routes are designed or alternative emergency evacuation routes are provided so that in a flood event occupants can escape to a safe and secure area.
- (viii) Buildings are located to avoid areas affected by significant flood flows (i.e. one metre or more in depth), or where there is no alternative, buildings are designed to be capable of withstanding the static and dynamic loads, including debris loads, applicable to a flood event equivalent to the adopted flood regulation line.

NOTE 11.4.7L

Where no flow and velocity information is known for the adopted flood regulation line (modelled or otherwise) the maximum known flows and velocities are to be used for flood events in consultation with Council.

- (ix) Materials stored on-site—
 - (A) are those that are readily able to be moved in a flood event;
 - (B) are not hazardous or noxious, or comprise materials that may cause a deleterious effect on the environment if discharged in a flood event; and
 - (C) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.
- (x) The development does not increase the flood hazard (e.g. by way of increased depth, duration or velocity of flood waters or a reduction in warning times) for other properties.
- (xi) The clearing of native vegetation within the stream banks is avoided.
- (xii) There are no earthworks (including filling) on land below the adopted flood regulation line, unless:
 - (A) the land is located above the 1 in 20 development line; and
 - (B) such earthworks result in the rehabilitation and repair of the hydrological network and the riparian ecology of the waterway; and
 - (C) an assessment, undertaken by a suitably qualified consultant, demonstrates that the reforming of the land does not negatively impact on the overall hydrology, hydraulics and flood capacity of the waterway and does not in any way result in the reduction of flood storage capacity on the site.

NOTE 11.4.7M

Council and the community have particular concerns about the cumulative adverse impact of any fill undertaken below the adopted flood regulation line.



(e) Urban Stormwater Flow Path Areas**NOTE 11.4.7N**

- (1) Stormwater flows can affect the amenity of a property and its improvements if adequate provision is not made to address stormwater flows being generated on, or upstream of the property.
- (2) In addition, situations can arise that may result in risk to life and significant damage to the property or its improvements if adequate consideration is not given to external stormwater flows during the design and construction of new uses and works.

- (i) Access routes are designed or alternative evacuation routes are provided so that in the event of a serious incident occupants can escape to a safe and secure area.
- (ii) Adequate stormwater drainage infrastructure and suitable overland flow paths are provided to carry the 1 in 100 Average Recurrence Interval (ARI) stormwater flow through the property while providing a freeboard of 500mm on the floors of all habitable areas and minimising damage owing to scouring from excessive flow velocities.
- (iii) Buildings and other works are designed and located so that nearby properties are not affected by any surcharge/afflux generated as a result of the buildings or other works.
- (iv) Buildings and other works are designed and located to accommodate existing and proposed stormwater drainage infrastructure and overland flow paths.
- (v) Any damage to existing stormwater drainage infrastructure and overland flow paths resulting from building and other works are rectified prior to the commencement of the new use.

(f) Community Infrastructure

- (i) Key elements of community infrastructure are able to function effectively during and immediately after flood hazard events.

(2) Probable Solutions**(a) Electrical Installations**

- (i) The incoming power supply, including all metering equipment is, where possible, located above the adopted flood regulation line.
- (ii) Electrical switchboards, main data servers and the like are positioned above the adopted flood regulation line with all electrical and data installations below this level designed and constructed to withstand submergence in flood water.
- (iii) All wiring, power outlets and switches are, to the maximum extent possible, located above the adopted flood regulation line.
- (iv) All conduits located below the adopted flood regulation line are installed so that they will be self-draining.
- (v) Heating and air conditioning systems are, to the maximum extent possible, located above the adopted flood regulation line.

(b) Structural Adequacy

- (i) Buildings are designed to provide the following minimum safety factors when subjected to significant flood flows (i.e. one metre or more in depth)—
- (A) 1.5 against failure by sliding or over turning; and
- (B) 1.33 against flotation.
- (ii) Footings and foundations are designed to take account of any reduced bearing capacity on account of submerged soil.

(c) Evacuation Routes

- (i) At least one road access will remain passable for the performance of emergency evacuations at a level of no more than 300mm below the adopted flood regulation line.

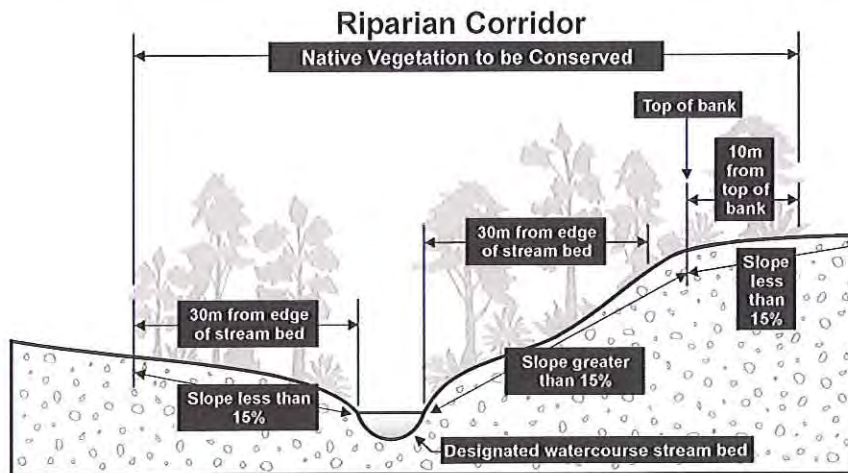
(d) Earthworks

- (i) Earthworks do not negatively affect flood conveyance characteristics or reduce flood storage capacity through the importation of fill to the site, or any alteration to a watercourse or floodway.



- (e) **Clearing of Vegetation**
 - (i) Clearing of vegetation does not involve the removal of native vegetation from land within a Designated Watercourse or land within 30m of a Designated Watercourse or within 10 metres of the top of the bank of a Designated Watercourse where the slope of the bank exceeds 15% (refer Figure 11.4.12).
- (f) **Community Infrastructure**
 - (i) Key elements of community infrastructure are sited and designed to achieve the levels of flood immunity as set out in the State Planning Policy and associated Guidelines for Natural Disaster Mitigation.

Figure 11.4.12: Defining Extent of Riparian Corridor for Protection of Native Vegetation



B. Part 11, Table 11.4.3 - Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Making a Material Change of Use and Table 11.4.4 - Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Other Development

This Temporary Local Planning Instrument suspends the operation of Part 11, Table 11.4.3 - Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Making a Material Change of Use and Table 11.4.4 - Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Other Development of the Ipswich Planning Scheme 2006 and replaces it with the following:



Table 11.4.3: Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Making a Material Change of Use

Column 1 Defined use or use class	Column 2 Assessment category	Column 3 Relevant assessment criteria—applicable code if development is self-assessable or requires code assessment
Agriculture	Code Assessable if the land is located within the defence facilities development constraint overlay— (a) and within an unexploded ordnance area (refer Map OV7E); or (b) the use involves turf farming, a vineyard or fruit farming within 8km of the air base runway (refer Map OV7B). Exempt otherwise.	Development Constraints Overlays Code (Part 11, division 4)
Animal Husbandry	Exempt	
Carpark	Code Assessable, where land affected by the— (a) difficult topography development constraint overlay (refer Map OV4); or (b) 1 in 20 development line or adopted flood regulation line constraints overlays (refer Map OV5); or (c) urban stormwater flow path area development constraint overlay (refer Map OV5); or (d) buffers to highways and regional transport corridors development constraint overlay (refer Map OV6); or (e) unexploded ordnance development constraint overlay (refer Map OV7E). Exempt, otherwise.	Development Constraints Overlays Code (Part 11, division 4) Parking Code (Part 12, division 9)
Forestry	Exempt, where land affected by the— (a) key resource areas, haul routes and existing mines development constraint overlay (refer Map OV2); or (b) bushfire risk areas development constraint overlay (refer Map OV1); or (c) high pressure oil and pipelines development constraint overlay (refer Map OV11). Code Assessable otherwise.	Development Constraints Overlays Code (Part 11, division 4)
Home Based Activity	Exempt	
Minor Utility	Exempt	
Night Court	Code Assessable where the land is located within the defence facilities development constraint overlay and within the operational airspace, explosive storage safety area or public safety area of the Amberley Air Base (refer Maps OV7A, OV7B and OV7D). Exempt otherwise.	Development Constraints Overlays Code (Part 11, division 4)



Column 1 Defined use or use class	Column 2 Assessment category	Column 3 Relevant assessment criteria—applicable code if development is self-assessable or requires code assessment
Park	<p>Code Assessable where the land is located within the defence facilities development constraint overlay and within the—</p> <ul style="list-style-type: none"> (a) operational airspace, explosive storage safety area or public safety area of the Amberley Air Base (refer Maps OV7A, OV7B and OV7D); or (b) unexploded ordnance area (refer Map OV7E). <p>Exempt otherwise.</p>	<p>Development Constraints Overlays Code (Part 11, division 4) Recreation and Entertainment Code (Part 12, division 11)</p>
Plant Nursery (wholesale)	<p>Code Assessable where land affected by—</p> <ul style="list-style-type: none"> (a) difficult topography development constraint overlay (refer Map OV4); or (b) 1 in 20 development line or adopted flood regulation line constraints overlays (refer Map OV5); or (c) urban stormwater flow path area development constraint overlay (refer Map OV5); or (d) unexploded ordnance development constraint overlay (refer Map OV7E); or (e) operational airspace development constraint overlay (refer Map OV7A and OV7B). <p>Exempt otherwise.</p>	<p>Development Constraints Overlays Code (Part 11, division 4)</p>
Single Residential	<p>Self Assessable, if—</p> <ul style="list-style-type: none"> (a) within the High Pressure Pipelines Overlay (refer Map OV11); or (b) situated within a Residential Zone, and— <ul style="list-style-type: none"> (i) within the rail corridor overlay (refer Map OV14); or (ii) within the existing and committed residential areas as mapped on the 2006 Australia Noise Exposure Forecast (ANEF) Contours Overlay (Refer Map OV7C). <p>Code Assessable otherwise.</p>	<p>If Self Assessable—acceptable solutions for Single Residential in section 12.6.5(8) in the Residential Code (Part 12, division 6). If Code Assessable—Development Constraints Overlays Code (Part 11, division 4).</p>
Other (defined use or use class)	Assessment Category	Relevant assessment criteria—applicable code if development is self-assessable or requires code assessment
All, except uses otherwise identified in this Table.	Code Assessable	Development Constraints Overlays Code (Part 11, division 4)



Table 11.4.4: Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Other Development

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria—applicable code if development is self-assessable or requires code assessment
Carrying out building work not associated with a material change of use	Self Assessable, if— <ul style="list-style-type: none"> (a) building work on an existing building on site; and (b) the land is situated outside the defence facilities, operational airspace development constraint overlay (refer Map OV7A and OV7B); and (c) the acceptable solutions of the applicable code for self assessable development are complied with; and (d) is not an auxiliary unit. Code Assessable otherwise.	If Self Assessable—Planning Scheme Building Matters Code (Part 12, division 16). If Code Assessable— <ul style="list-style-type: none"> (a) Development Constraints Overlays Code (Part 11, division 4); (b) Planning Scheme Building Matters Code (Part 12, division 16).
Clearing of Vegetation— not associated with a material change of use	Exempt, if land affected by the— <ul style="list-style-type: none"> (a) bushfire risk areas development constraint overlay (refer Map OV1); or (b) key resource areas, haul routes and existing mines development constraint overlay and comprising a Known Resource (refer Map OV2); or (c) high pressure oil and gas pipelines development constraints overlay (refer Map OV11); or (d) high voltage electricity transmission lines development constraints overlay (refer Map OV13); or (e) defence facilities development constraint overlay (refer Maps OV7A to OV7E). Self Assessable, if— <ul style="list-style-type: none"> (a) the acceptable solutions of the applicable code for Self Assessable development are complied with; and (b) involving clearing of less than 100m² in area in any one year; and (c) situated within— <ul style="list-style-type: none"> (i) key resource areas, haul routes and existing mines development constraint overlay and comprising a Key Resource Area; or (ii) difficult topography development constraint overlay (refer Map OV4); or (iii) the 1 in 20 development line or adopted flood regulation line constraints overlay (refer Map OV5); or (iv) urban stormwater flow path area development constraint overlay (refer Map OV5); or (v) buffers to highway and regional transport corridors development constraint overlay (refer Map OV6); 	If Self Assessable—acceptable solutions applicable to clauses (1) to (4) in column 2 of Table 12.4.1 in the Vegetation Management Code (Part 12, division 4). If Code Assessable— <ul style="list-style-type: none"> (a) Development Constraints Overlays Code (Part 11, division 4); (b) Vegetation Management Code (Part 12, division 4).



Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria—applicable code if development is self-assessable or requires code assessment
	or (vi) motorsports buffers development constraint overlay (refer Map OV8); or (vii) wastewater treatment buffers development constraint overlay (refer Map OV9); or (viii) Swanbank Power Station buffer development constraint overlay (refer Map OV10); or (ix) Warrill Creek Water Catchment development constraint overlay (refer Map OV12). Code Assessable otherwise.	
Earthworks—not associated with a material change of use	Code Assessable, if land affected by the— (a) difficult topography development constraint overlay (refer Map OV4); or (b) 1 in 20 development line or adopted flood regulation line constraints overlays (refer Map OV5); or (c) urban stormwater flow path area development constraint overlay (refer Map OV5). Exempt, otherwise.	Development Constraints Overlays Code (Part 11, division 4) Earthworks Code (Part 12, division 15)
Minor Building Work	Exempt	
Placing advertising device on premises	Code Assessable, if situated within the buffers to highways and regional transport corridors development constraints overlay (refer Map OV6). Exempt, otherwise.	Development Constraints Overlays Code (Part 11, division 4) Advertising Devices Code (Part 12, division 14)
Reconfiguring a lot	Code Assessable	Development Constraints Overlays Code (Part 11, division 4) Reconfiguring a Lot Code (Part 12, division 5)
Carrying out work for reconfiguring a lot	Code Assessable	Development Constraints Overlays Code (Part 1, division 4) Reconfiguring a Lot Code (Part 12, division 5)
Other	Exempt	



C. Part 12, Section 12.15.4 - Earthworks Code (including Lot Filling) Clause (8) Flooding and Drainage

This Temporary Local Planning Instrument suspends the operation of Part 12, Section 12.15.4 – Earthworks Code (including Lot Filling) Clause (8) Flooding and Drainage of the Ipswich Planning Scheme 2006 and replaces it with the following:

Flooding and Drainage

(8) Specific Outcomes

- (a) There are no earthworks (including filling) on land below the adopted flood regulation line, unless:
 - (i) the land is located above the 1 in 20 development line; and
 - (ii) such earthworks result in the rehabilitation and repair of the hydrological network and the riparian ecology of the waterway; and
 - (iii) an assessment, undertaken by a suitably qualified consultant, demonstrates that the reforming of the land does not negatively impact on the overall hydrology, hydraulics and flood capacity of the waterway and does not in any way result in the reduction of flood storage capacity on the site.
- (b) Earthworks —
 - (i) do not cause any increase in flooding or drainage problems;
 - (ii) do not cause an impediment to flood waters; or
 - (iii) do not negatively impact upstream or down stream properties.
- (c) Earthworks are avoided in natural gullies and overland flow paths.

NOTE 12.15.4F

- (1) Council and the community have particular concerns about the cumulative adverse impact of any fill undertaken below the adopted flood regulation line.
- (2) If any property may be adversely affected in respect to drainage, written notification of the proposal should be given to the affected property owner and written comments from that property owner submitted to the Local Government.
- (3) In some cases, further information such as a hydraulic study will need to be submitted to the Local Government for consideration as part of the development assessment process.
- (4) Further information on the requirements for the specific technical assessments are contained in Planning Scheme Policy 2—Information Local Government May Request.



Attachment 3**A. Assessment Criteria Applicable to Special Opportunity Areas****NOTE 1**

The following Specific Outcomes are applicable to uses identified for reduced assessment levels to encourage the transition of existing flood affected residential areas to low impact, non residential uses.

The following Specific Outcomes apply to the Special Opportunity Areas designated in Attachment 4:

Special Opportunity Areas**Specific Outcomes**

- (1) Further intensification of residential uses is avoided and existing residential uses are transitioned to low impact, non residential uses.
- (2) Non residential uses do not have a significant detrimental impact on the amenity of nearby residents, including through the generation of—
 - (i) odours;
 - (ii) noise;
 - (iii) waste products;
 - (iv) dust;
 - (v) traffic;
 - (vi) electrical interference; or
 - (vii) lighting.
- (3) Non residential uses do not detract from the achievement of the designated network of major centres, neighbourhood centres and local retail and commercial areas as depicted in Schedule 7, Map 3.
- (4) Building heights are generally limited to no more than two storeys, unless in having regard to the flood impact across the land, it is demonstrated that an additional building height is appropriate with—
 - (i) the character and visual amenity of the surrounding area and streetscape;
 - (ii) the extent of fall across the land and nearby land; and
 - (iii) the desired scale and intensity of the development.

B. Assessment Categories and Relevant Assessment Criteria for Special Opportunity Areas—Making a Material Change of Use

This TLPI replaces the existing Assessment Categories and Relevant Assessment Criteria Tables contained in the Ipswich Planning Scheme 2006 for the uses identified in Table 1 below for land within the Special Opportunity Areas as designated in Attachment 4. The Ipswich Planning Scheme 2006 shall be used for all other uses in the designated Special Opportunity Areas in conjunction with Table 11.4.3 and Table 11.4.4 in Attachment 2.



Table 1: Assessment Categories and Relevant Assessment Criteria for Special Opportunity Areas—Making a Material Change of Use

Column 1 Defined use or use class ¹	Column 2 Assessment category	Column 3 Relevant assessment criteria—applicable code if development is self-assessable or requires code assessment
NON RESIDENTIAL USES		
Business Use	Exempt if— (a) a business use located within an existing building approved or lawfully used for a business use; and (b) operating between the hours of 6.00 a.m. and 10.00 p.m.; and (c) the requisite number of parking spaces are provided for the use in accordance with Table 12.9.1 of the Parking Code (Part 12, division 9). Code Assessable otherwise.	Relevant Urban Areas Code (Part 4) Commercial and Industrial Code (Part 12, division 7) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9)
Carpark	Code Assessable	Relevant Urban Areas Code (Part 4) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9)
Community Use	Code Assessable	Relevant Urban Areas Code (Part 4) Recreation and Entertainment Code (Part 12, division 11) Community Use Code (Part 12, division 12) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9)
Entertainment Use	Code Assessable	Relevant Urban Areas Code (Part 4) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9)
General Store	Code Assessable	Relevant Urban Areas Code (Part 4) Commercial and Industrial Code (Part 12, division 7) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9)
Night Court	Code Assessable	Relevant Urban Areas Code (Part 4) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9)
Plant Nursery (Wholesale)	Code Assessable	Relevant Urban Areas Code (Part 4) Commercial and Industrial Code (Part 12, division 7) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9)

¹ See Ipswich Planning Scheme 2006, Schedule 1 (dictionary), division 1 (defined uses and use classes).



Column 1 Defined use or use class ²	Column 2 Assessment category	Column 3 Relevant assessment criteria—applicable code if development is self-assessable or requires code assessment
NON RESIDENTIAL USES		
Recreation Use (excluding motor sports)	Impact Assessable if motor sports. Code Assessable otherwise.	Relevant Urban Areas Code (Part 4) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9) Recreation and Entertainment Code (Part 12, division 11)
Service Trades Use	Code Assessable	Relevant Urban Areas Code (Part 4) Commercial and Industrial Code (Part 12, division 7) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9)

NOTE 2

- (1) Appropriate non residential uses encouraged within the Special Opportunity Areas may include—
- (a) bulky goods sales;
 - (b) garden centre;
 - (c) plant nursery; and
 - (d) vehicle sales premises.
- (2) Inappropriate non residential uses that are not likely be approved within the Special Opportunity Areas are those that would be heavily impacted by flooding and include—
- (a) crematorium;
 - (b) funeral premises;
 - (c) hospital;
 - (d) self storage units; and
 - (e) warehousing.

² See Ipswich Planning Scheme 2006, Schedule 1 (dictionary), division 1 (defined uses and use classes).



Attachment 4**A. Special Opportunity Areas Maps****NOTE 1**

- (1) For the duration of this TLPI, the provisions contained in Attachment 3 apply to the attached Special Opportunity Areas (Special Opportunity Maps 1, 2 and 3) providing reduced assessment levels for specified uses to encourage the transition of existing flood affected residential areas to low impact, non residential uses.
- (2) The Goodna North area contains an existing mix of residential and non residential uses and is also designated as a potential neighbourhood centre site on Map 3, Schedule 7.
- (3) The Woogaroo Creek area contains a caravan park with dwellings particularly susceptible to flooding – transitioning of this area to non residential uses is considered to be a particularly high priority.
- (4) The Mihi Creek area comprises a small existing mixed use precinct immediately adjoining Mihi Creek, Brassall.
- (5) The Bundamba North area contains predominately existing large lot residential uses.

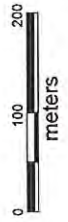




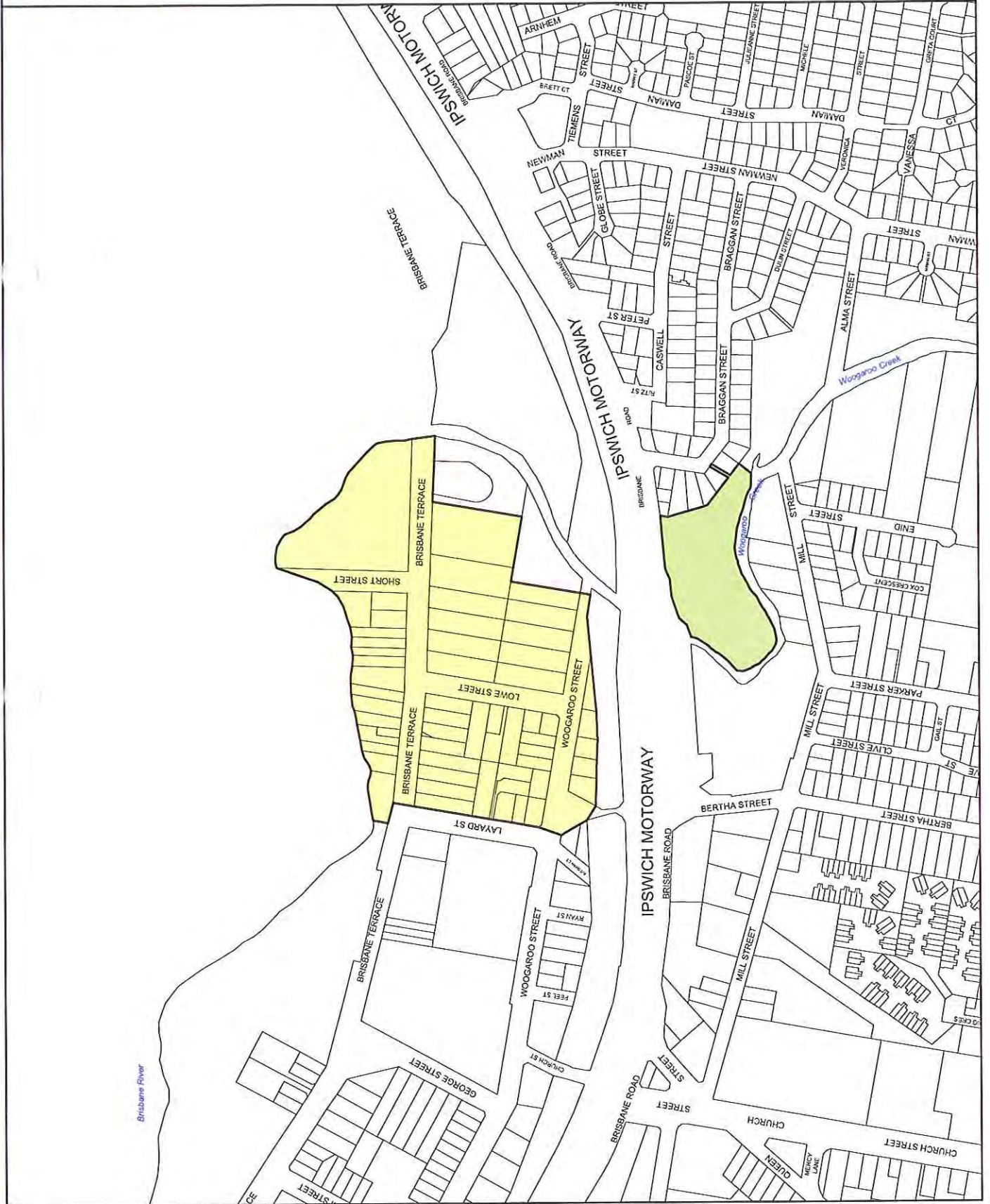
Ipswich Planning Scheme

Special Opportunity Areas Map 1

- Woogaroo Creek Special Opportunity Area
- Cosden North Special Opportunity Area
- ICC LCA Boundary



Scale 1:5,000
June 2011





Ipswich Planning Scheme

Special Opportunity Areas Map 2



Mihi Creek Special Opportunity Area




Scale 1:2,000
June 2011

Map 2





Special Opportunity Areas **Map 3**

 Burdamba North Special Opportunity Area

Map 3



Scale: 1:10000
June 2011

