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**QUEENSLAND FLOODS COMMISSION OF INQUIRY
RESPONSE TO DRAFT FINDINGS AND RECOMMENDATIONS
LAND PLANNING A – QUEENSLAND BUILDING DEVELOPMENT CODE**

We refer to the draft findings in relation to this issue provided to us on 22 November 2011.

Early adoption of the proposed new part by the Queensland Government

The Local Government Association of Queensland (“LGAQ”) considers this issue is an open and relevant one.

Although the LGAQ generally supports the intent of improving building standards in flood hazard areas, it agrees with the Commission’s finding that the proposed mandatory part of the Queensland Development Code (“QDC”) has not been the subject of extensive public consultation, nor has its introduction been informed by the national consultation process currently being undertaken by the Australian Building Codes Board.

The LGAQ believes the proposed amendments are likely to impose requirements that are unworkable when combined with the existing mapping triggers in many local government areas. The imposition of a requirement for a site specific flood analysis, where insufficient information exists in identified flood hazard areas, will likely be both impractical and cost prohibitive for all but the largest of projects.

Therefore, subject to the comments below regarding the performance requirements, the LGAQ also agrees with the Commission’s recommendation that the proposed new part of the QDC should only be triggered where the local government has identified a natural hazard management area (flood) and the other necessary steps identified by the Commission in its draft recommendation. The LGAQ notes, however, that this recommendation does not address the resources required for local governments to complete the necessary work.

Otherwise, the LGAQ supports a further consultative process that undertakes an analysis of the potential cost implications and considers the costs on construction in terms of balancing affordability, life protection and community resilience.

Performance requirements

The acceptable solutions referred to at the bottom of page 3 of the Commission’s findings refer to “the lot”. This suggests that the *entire* area of a lot on which the building work is proposed must satisfy the acceptable solution in relation to a maximum velocity being less

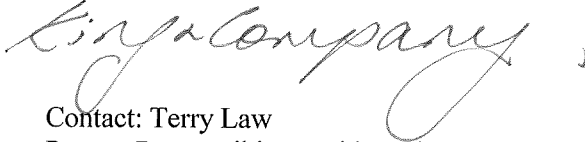
than 1.5 metres per second or, alternatively, being located in an inactive flow or backflow area.

This may be unreasonable where the size or shape of the lot is such that part of the lot is sufficient or appropriate to accommodate the proposed building work, but the *entire* area of the lot does not meet one or more of the acceptable solutions.

An amendment could perhaps be recommended so that the acceptable solutions refer to “the part of the lot on which the building work is proposed” rather than “the lot”.

The LGAQ believes this is an example of why further consultation should be carried out so that this and other issues may be ironed out.

Yours faithfully
KING & COMPANY



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