



**TOOWOOMBA  
REGION**

**Rich traditions. Bold ambitions.**

**Toowoomba Regional Planning  
Scheme  
Amendment No. 17  
  
Formal Documentation**



# Toowoomba Regional Planning Scheme Amendment No. 17

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## **Part 1 Preliminary**

### **Clause 1 Short title**

(1) This amendment may be cited as Toowoomba Regional Planning Scheme – Amendment No. 17.

### **Clause 2 Adoption**

(1) Toowoomba Regional Council adopted this planning scheme amendment on the 21 July 2020.

### **Clause 3 Commencement**

(1) This amendment took effect on 21 August 2020.

## **Part 2 Amendment of the Planning Scheme**

### **Clause 4 Amendment of the Planning Scheme**

(1) Toowoomba Regional Planning Scheme is amended in the manner set out in this part.

### **Clause 5 Amendment of Part 1 – About the planning scheme**

(1) Part 1.2(1)(f)(xx) -

*insert –*

(A) Flood Management Precinct.

(2) Part 1.6(4)(b) –

*omit, insert –*

(b) designation of land liable to flooding as identified on the Flood hazard overlay;

(3) Part 1.6(5) –

*insert –*

(5) In designating land liable to flooding, the following is also declared pursuant to the Building Act 1975 section 32(a) the Building Regulation 2006 section 13(1)(a):

(a) in the FR4, FR3, FR2 and FR1 flood risk areas identified on the Flood hazard overlay:

(i) the defined flood event;

(ii) a freeboard that is more than 300mm; and

(iii) finished floor level of Class 1 buildings in a flood hazard area;

(b) in the Balance (mixed) flood risk area and in the OFP1 and OFP2 overland flow areas identified on the Flood hazard overlay:

(i) a freeboard that is more than 300mm;

- (ii) finished floor level of Class 1 buildings.

Note—Finished floor levels have also been set for other than Class 1 buildings. The relevant building assessment provisions under the Queensland Development Code specifically for buildings in flood hazard areas do not apply to development within the Balance flood risk area or the OFP1 and OFP2 overland flow areas identified on the Flood hazard overlay. The Defined flood event (DFE) varies across the region. Refer to Schedule 1 for a definition of the Defined flood event.

(4) Part 1.7 Important Note –  
*omit.*

(5) Part 1.7.2 –  
*insert –*

1.7.2 Additional Flood Hazard Information

- (1) For the purposes of the relevant building assessment provisions in relation to buildings in flood hazard areas, the following mapping is available from Council (but not included in this planning scheme):
  - (a) Minimum finished floor levels; and
  - (b) Areas of flood velocity greater than 1.5m/s (for the relevant Defined flood event only).
- (2) Other flood hazard data and supporting information is also available from Council to assist in site-specific investigations.

Editor’s note—This mapping and other flood hazard data/information may be updated periodically by Council as the need arises.

**Clause 6 Amendment of Part 2 – State planning provisions**

(1) Part 2.1 State Planning Policy, table 2.1:2 –  
*omit, insert –*

SPP No.	SPP Title
SPP1/03	Mitigating the adverse affect of flood, bushfire and landslide (those parts of the policy that relate to bushfire and landslide)
SPP July 2017	State interest – natural hazards, risk and resilience (those parts related to flooding)

**Clause 7 Amendment of Part 3 – Strategic Framework**

(1) Part 3.3.1, after (6) –  
*insert –*

- (7) The settlement pattern and built form of the region’s urban areas and towns evolves to respond to the natural hazards affecting them so that people, property and infrastructure are more resilient to natural hazard risks over time, such that:
  - (a) In Toowoomba City and other greenfield expansion areas such as Highfields, Drayton and Westbrook, future urban development is compatible with the nature of flood risk to which it is subject through strategies of avoidance and floodplain protection, providing flood

resilient urban and built form, minimising mitigation works and avoiding increasing disaster management or recovery responsibilities (including avoiding developing or expanding vulnerable uses in flood risk areas or higher risk overland flow path areas);

- (b) In Oakey, greenfield and higher density infill development are oriented away from flood risk areas, flood resilient low density residential, industrial and commercial development occurs in areas of tolerable flood risk, and vulnerable uses are avoided and not expanded in flood risk areas;
- (c) In Cooyar, future urban growth is avoided in flood risk areas and instead development focuses on long-term movement of the town area away from natural hazard risk;
- (d) In Yarraman, residential and centres/industrial growth within the floodway of Yarraman Creek is avoided, flood resilient low density residential, industrial and commercial development occurs in areas of tolerable flood risk, and vulnerable uses are avoided in flood risk areas or higher risk overland flow path areas;
- (e) In Maclagan and Quinalow, greenfield development occurs outside the floodplain, flood resilient low density residential, industrial and commercial development occurs in areas of tolerable flood risk, and vulnerable uses are avoided in flood risk areas; and
- (f) In Jondaryan, future growth is encouraged well away from Lagoon Creek, flood resilient low density township development occurs in areas of tolerable flood risk, and vulnerable uses are avoided in flood risk areas.

(2) Part 3.1.1, after new (7) –

*Renumber (7) to (11).*

(3) Part 3.3.11(1) –

*omit, insert-*

- (1) Areas with development constraints and areas exposed to natural hazards are identified and managed to ensure that the risks to life, land use and natural systems are avoided or mitigated.

(4) Part 3.3.11.1-

*omit, insert-*

- (1) Development in areas at risk of natural hazards (including the projected effects of climate change) is avoided or managed to minimise impacts from riverine and urban stormwater flooding, bushfires and landslides in the following ways:
  - (a) avoid areas with high exposure or vulnerability, and/or limited tolerability to the risk from natural hazards, such that urban development is not located in these areas;
  - (b) avoid locating vulnerable uses in areas of natural hazard risk;

- (c) incorporate effective measures to mitigate or reduce hazard impacts in other areas such that new development:
  - (i) provides resilient urban design and built form;
  - (ii) does not place undue burden on disaster management responsibilities of government; and
  - (iii) avoids adverse changes to floodplain behaviour;
- (d) retreat from existing urban areas that are subject to intolerable risk of natural hazard through long term relocation and adaptation via floodplain management, development assessment and economic development initiatives; and
- (e) reduce or mitigate the risk from natural hazards exacerbated through climate change by avoiding areas with high exposure and establishing adaptation strategies to minimise vulnerability to projected riverine and urban stormwater flooding, bushfires and landslides.

(5) Part 3.3.11, after 3.3.11.1-

*insert-*

3.3.11.2 Land use strategies

- (1) Implement land use strategies that support natural hazard management initiatives such as floodplain management programs or works.
- (2) Maintain a floodplain protection approach to greenfield urban development by locating new lots away from risk areas and minimising the use of mitigation works to alter floodplain behaviour.
- (3) Locate new vulnerable uses outside the floodplain and avoid expansion of existing vulnerable uses within the floodplain.
- (4) Locate greenfield (and higher density infill, if relevant) urban development in the towns of Cooyar, Yarraman, Oakey, Maclagan, Quinalow and Jondaryan outside the floodplain.
- (5) Review and revise land use planning strategies for settlements as improvements to natural hazard information become available.

(6) Part 3.4.5.1(1)-

*omit.*

(7) Part 3.4.5.1-

*Renumber (2) to (14).*

(8) Part 3.5.5.1-

*Insert, after (4)-*

- (5) Community facilities and services that include vulnerable uses avoid locating or expanding in identified flood risk areas or higher risk overland flow path areas.

(9) Part 3.5.5.1, after new (5)-

*Renumber (5) to (7).*

(10) Part 3.8.1, after (1)(c)-

*insert-*

- (d) are resilient to, and are designed to operate during or recover quickly from, natural hazard events;

(11) Part 3.8.1, after (1)(d)-

*Renumber* (d).

(12) Part 3.8.2.1, after (3)-

*insert-*

- (4) Essential infrastructure avoids natural hazard risk areas unless it is designed to continue function during and immediately following a natural hazard event.

(13) Part 3.9.1, after (9)-

*insert-*

- (10) Economic development opportunities are promoted in the parts of the Region (including Cooyar, Oakey, Maclagan, Quinalow, Yarraman and Jondaryan) that are impacted by natural hazards to assist these communities to orient away from identified risk areas over time.

**Clause 8 Amendment of Part 5 – Tables of assessment**

(1) Part 5.5, Table 5.5.17 Levels of Assessment – Township Zone-

*Omit-*

Section corresponding with the use Dual Occupancy.

*Insert-*

Dual Occupancy	<b>Accepted development subject to requirements</b>	
	If: (i) in a seweraged area, and (ii) not in a Flood Management Precinct; and (iii) the site is not within a Greenfield Area or it is a designated dual occupancy lot within a Greenfield Area; (iv) the site has an area of at least 500m <sup>2</sup> ; and (v) the site is not a hatchet lot; and the building height does not exceed 8.5m.	Medium Density Residential Code Transport, Access and Parking Code
	<b>Code assessment</b>	
	If: (i) the site is not a hatchet lot and the building height does not exceed 8.5m; (ii) not in a seweraged area; or (iii) in a Flood Management Precinct; (iv) meeting the description listed in the categories of development and assessment column for accepted development subject to requirements and not complying with one or more required acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements.	Township Zone Code Medium Density Residential Code Environmental Standards Code Integrated Water Cycle Management Code Landscaping Code Transport, Access and Parking Code Works and Services Code 'State Planning Policy 4/10 Healthy Waters — Appendix 1 Development Assessment Code' Highfields, Meringandan and Meringandan West Local Plan Code (where in the Highfields, Meringandan and Meringandan West Local Plan area) Glenvale Local Plan Code (where in the Glenvale local plan area) Charlton Wellcamp Enterprise Area Local Plan Code (where in the Charlton Wellcamp Enterprise Area local plan area)

(2) Part 5.5, Table 5.5.17 Levels of Assessment – Township Zone-

*Omit-*

Section corresponding with the use Dwelling House.

*Insert-*

Dwelling House	<b>Accepted development</b>	
	If not in the Flood Management Precinct.	
	<b>Code assessment</b>	
	If in the Flood Management Precinct.	Township Zone Code

(3) Part 5.8, Table 5.8:1 Operational work-

*Omit-*

Section corresponding with Accepted Development.

*Insert-*

Accepted development
<p>Excavating or filling that materially affects premises or their use, other than excavating or filling associated with reconfiguring a lot, if:</p> <p>(a) all of the following apply:</p> <p style="margin-left: 20px;">i) the level of any part of the site would change by less than 1m;</p> <p style="margin-left: 20px;">ii) less than 50m<sup>3</sup> of fill is deposited on, or less than 50m<sup>3</sup> of excavated material is removed from the premises;</p> <p style="margin-left: 20px;">iii) the development does not occur on a part of the premises to which a Flood Hazard Overlay applies; or</p> <p>(b) the development is in the rural zone; or</p> <p>(c) the development is assessable under the Regulation , schedule 10, Part 17.</p>
Any other operational work not listed in this table

(4) Part 5.8, Table 5.10:1 Assessment benchmarks for overlays

*Omit-*

Section corresponding with Flood hazard overlay.

*Insert-*

Flood Hazard Overlay		
All assessable development not elsewhere listed in this table.	No Change	Flood Hazard Overlay Code
All accepted development subject to requirements	Accepted Development Subject to Requirements	Flood Hazard Overlay Code
<p>Building work not associated with a material change of use</p> <p>If:</p> <p>(i) not in the FR4 or FR3 flood risk areas; and</p> <p>(ii) no more than 50m<sup>2</sup> Gross Floor Area is proposed; or</p> <p>(iii) a Class 10a building</p>	<p>Accepted development</p> <p>Note: This relates only to the applicability of the Flood hazard overlay to this development type. Other assessment criteria may apply where made accepted development subject to requirements or assessable by another part of this planning scheme.</p>	None
Community Care Centre where accepted development in the Principal Centre Zone or Major Centre Zone	Code Assessable	Flood Hazard Overlay Code

<p>Community Use where accepted development in the Principal Centre Zone or Major Centre Zone</p>	<p>Code Assessable</p>	<p>Flood Hazard Overlay Code</p>
<p>Dwelling house If: (i) not in the FR4 or FR3 flood risk areas; or (ii) not in a Flood Management Precinct</p>	<p>Accepted development subject to requirements  Note: If made assessable by another part of this planning scheme, then the level of assessment is not lowered to accepted development subject to requirements.</p>	<p>Flood Hazard Overlay Code</p>
<p>Dwelling house If: (i) not meeting the description listed in the categories of development and assessment column for accepted development subject to requirements; or (ii) meeting the description listed in the development and assessment column for accepted development subject to requirements and not complying with one or more acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements.</p>	<p>Code Assessable  Note: If made impact assessable by another part of this planning scheme, then the level of assessment is not lowered to code assessable.</p>	<p>Flood Hazard Overlay Code</p>
<p>Dual occupancy If: (i) not in the FR4 or FR3 flood risk areas; or (ii) not in a Flood Management Precinct</p>	<p>Accepted development subject to requirements  Note: If made assessable by another part of this planning scheme, then the level of assessment is not lowered to accessible development subject to requirements.</p>	<p>Flood Hazard Overlay Code</p>

<p>Dual occupancy</p> <p>If:</p> <p>(i) not meeting the description listed in the categories of development and assessment column for accepted development subject to requirements; or</p> <p>(ii) meeting the description listed in the development and assessment column for accepted development subject to requirements and not complying with one or more acceptable outcomes in the assessment benchmarks identified for accepted development subject to requirements.</p>	<p>Code Assessable</p> <p>Note: If made impact assessable by another part of this planning scheme, then the level of assessment is not lowered to code assessable.</p>	<p>Flood Hazard Overlay Code</p>
<p>Educational Establishment where accepted development in the Principal Centre Zone or Major Centre Zone</p>	<p>Code Assessable</p>	<p>Flood Hazard Overlay Code</p>
<p>Telecommunications Facility</p>	<p>Code Assessable</p>	<p>Flood Hazard Overlay Code</p>
<p>Any other development involving a Vulnerable use If in a Vulnerable Uses Restriction Area.</p>	<p>Impact Assessable</p>	<p>The Planning Scheme</p>

**Clause 9 Amendment of Part 6 – Zones**

(1) Part 6.6.9.2(1)-

*omit, insert-*

- (1) The purpose of the Township Zone Code is to provide for small to medium-size service centres located within a rural area.

Development provides for a mix of uses specific to the locality including residential, retail, business, education, industrial, community purpose, recreation and open space which support the needs of the local rural community.

Tourist facilities such as tourist attractions and short-term accommodation may be appropriate in specified localities.

(2) Part 6.6.9.2, after (2)-

*insert-*

Flood Management Precinct

- (3) Variations to the above overall outcomes within the Flood Management Precinct of the Township zone are:

(a) In Cooyar:

- (i) vacant lots are not developed for residential purposes;
- (ii) subdivision of land to create additional urban lots does not occur and amalgamation of lots is encouraged to facilitate non-urban use;
- (iii) the resilience of existing residential uses is improved through redevelopment that complies with the flood planning level and structural design requirements prescribed for this location;
- (iv) vulnerable uses are not located in this Precinct.

(b) In Jondaryan, Maclagan and Quinalow:

- (i) residential uses are limited to Dwelling houses that comply with the flood planning level and structural design requirements prescribed for each of these locations;
- (ii) the resilience of existing residential uses is improved through redevelopment that complies with the flood planning level and structural design requirements prescribed for each of these locations; and
- (iii) vulnerable uses are not located in this Precinct;

(3) Part 6.6.9, Table 6.6.9:2, Acceptable Outcome 1.1-

*omit,insert-*

AO<sub>1.1</sub> Uses which are consistent with the intent of the zone include:

- (a) business activities;
- (b) caretaker's accommodation if not in the Flood Management Precinct;
- (c) car wash;
- (d) child care centre if not in the Flood Management Precinct;
- (e) club;
- (f) community care centre if not in the Flood Management Precinct;
- (g) community residence if not in the Flood Management Precinct;
- (h) community use if not in the Flood Management Precinct;
- (i) dwelling house if not in the Flood Management Precinct;
- (j) dual occupancy if not in the Flood Management Precinct;
- (k) educational establishment if not in the Flood Management Precinct;
- (l) emergency services if not in the Flood Management Precinct;
- (m) funeral parlour;
- (n) health care services;
- (o) home based business;
- (p) indoor sport and recreation;
- (q) low impact industry;
- (r) major electricity infrastructure;
- (s) nature-based tourism;
- (t) outdoor sport and recreation;
- (u) outstation;
- (v) place of worship;
- (w) roadside stalls;
- (x) rural industry;
- (y) substation;
- (z) theatre;
- (aa) veterinary services;
- (bb) warehouse;
- (cc) wholesale nursery; and
- (dd) winery.

(1) Part 8.2.3 Flood hazard overlay code-

*omit,insert-*

8.2.3 Flood hazard overlay code in the form shown in Appendix 1.

**Clause 11 Amendment of Schedule 1 – Definitions**

(1) SC1.2, Table SC1.2:1 – index of administrative definitions

*Insert*, in alphabetical order –

Defined Flood Event

Finished Floor Level

Finished Habitable Floor Level

Flood Planning Level

Freeboard

Overland Flow Event

Vulnerable Use

(2) SC1.2, Table SC1.2:2 – Administrative definitions

*Insert*, in alphabetical order-

<b>Defined Flood Event</b>	<p>Defined flood event means the flood event adopted by the local government for the management of development in a particular locality. For the purposes of the Flood hazard overlay the Defined Flood Event is the higher of the following:</p> <ul style="list-style-type: none"> <li>• For the following towns, the relevant historic event: <ul style="list-style-type: none"> <li>○ Pampas – December 2010 event;</li> <li>○ Crows Nest – January 2011 event;</li> <li>○ East Greenmount – January 2011 event;</li> <li>○ Gowrie Junction – January 2011 event;</li> <li>○ Kingsthorpe – January 2011 event;</li> <li>○ Millmerran – January 2011 event; or</li> </ul> </li> <li>• For the following towns, the 0.2% Annual Exceedance Probability event: <ul style="list-style-type: none"> <li>○ Cooyar;</li> <li>○ Yarraman;</li> <li>○ Maclagan;</li> <li>○ Quinalow; or</li> </ul> </li> <li>• Otherwise, The 1% Annual Exceedance Probability event for the relevant catchment.</li> </ul> <p>For the purposes of this definition, the spatial area of the towns referred to above relates to the extent of the flood study area adopted by Toowoomba Regional Council for those towns.</p>
<b>Finished Floor Level</b>	See the Building Regulation 2006, section 13.

<b>Finished Habitable Floor Level</b>	Finished habitable floor level means the finished floor level of a room which is designed or used on a regular basis for a residential accommodation activity, including for bedrooms, living rooms, rumpus rooms, hobby rooms, enclosed storage, kitchens, toilets, ensuites, laundries and home offices. Exclusions include: spaces that are permanently open to the elements on one or more sides; or spaces designed or used solely for car or other vehicle accommodation.
<b>Flood Planning Level</b>	Flood planning level means the level of the Defined Flood Event plus the specified freeboard for a particular locality.
<b>Freeboard</b>	See the Queensland Development Code, Mandatory Part 3.5.
<b>Overland flow event</b>	For the purposes of the Flood hazard overlay, overland flow event means the 1% Annual Exceedance Probability overland flow event for the fully developed upstream catchment.
<b>Vulnerable Use</b>	For the purposes of the Flood hazard overlay vulnerable use means the use of land for one or more of the following: <ul style="list-style-type: none"> <li>• Child care centre,</li> <li>• Community care centre,</li> <li>• Community residence,</li> <li>• Detention facility,</li> <li>• Educational establishment,</li> <li>• Emergency services,</li> <li>• Hospital,</li> <li>• Residential care facility, and</li> <li>• Retirement facility.</li> </ul>

**Clause 12 Amendment of Schedule 2 – Mapping**

(1) Zone maps-

*Omit, insert –*

Zone maps in the form shown in appendix 2, amending the zoning of land as identified in appendix 3.

(2) Flood hazard overlay maps-

*omit, insert-*

Flood hazard overlay maps in the form shown in appendix 4.

**Appendix 1 – Flood hazard overlay code**

## 8.2.3 Flood Hazard Overlay Code

### 8.2.3.1 Application

This code applies to assessing development in the Flood hazard overlay, if

- (1) subject to the Flood hazard overlay shown on the overlay maps contained within Schedule 2 (Mapping); and
- (2) identified as requiring assessment against the Flood Hazard Overlay Code by the tables of assessment in Part 5 (Tables of assessment).
- (3) Land in the Flood hazard overlay is identified on the Flood hazard overlay map and is included in the following sub-categories:
  - (a) Flood Risk Area 1 (FR1);
  - (b) Flood Risk Area 2 (FR2);
  - (c) Flood Risk Area 3 (FR3);
  - (d) Flood Risk Area 4 (FR4);
  - (e) Balance (mixed) flood risk area;
  - (f) Flood island area;
  - (g) Overland Flow Path Area 1 (OFP1 (low));
  - (h) Overland Flow Path Area 2 (OFP2 (high)); and
  - (i) Vulnerable Uses Restriction Area.
- (4) References to 'flood risk area' within this code include land within the following sub-categories:
  - (a) Flood Risk Area 1 (FR1);
  - (b) Flood Risk Area 2 (FR2);
  - (c) Flood Risk Area 3 (FR3);
  - (d) Flood Risk Area 4 (FR4);
  - (e) Balance (mixed) flood risk area;
  - (f) Overland Flow Path Area 1 (OFP1 (low)); and
  - (g) Overland Flow Path Area 2 (OFP2 (high)).
- (5) When using this code, reference should be made to section 1.6 and section 5.3.3.

### Purpose and overall outcomes

- (1) The purpose of the Flood Hazard Overlay Code is to ensure development in identified flood hazard areas protects the safety of people and property and does not adversely affect floodplain functions, by:
  - (a) limiting development in areas of intolerable risk (FR3 and FR4) so as to avoid the risk presented by the flood hazard;
  - (b) managing development in areas of tolerable risk (FR1 and FR2) so as to mitigate the risk presented by the flood hazard; and
  - (c) managing development in overland flow path areas (OFP1 (low) and OFP2 (high)) to mitigate the risk presented by the overland flow hazard.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) use, siting, design and layout avoids or mitigates the flood risk to people, property and infrastructure such that:
    - (i) the FR4 level of flood risk is avoided by restricting development to non-urban purposes;
    - (ii) development within a Flood Management Precinct is managed to provide for limited urban development in accordance with the intent of the precinct, otherwise where not in a Flood Management Precinct:

- (A) development within the FR3 level of flood risk is restricted to non-urban purposes;
- (B) development within the FR2 flood risk area, FR1 flood risk area or the balance (mixed) flood risk area mitigates this risk through site-specific built form and design;
- (iii) vulnerable uses are avoided in the Vulnerable Uses Restriction Area.
- (b) development in overland flow path areas accommodates the overland flow in a manner that mitigates the adverse impacts of this hazard on site and external to the site;
- (c) development supports, and does not unduly burden disaster management and recovery capacity during and after significant flood events;
- (d) development avoids isolation of persons for flood events up to and including the Defined Flood Event, and avoids isolation of vulnerable uses in more extreme events;
- (e) development avoids the release of hazardous materials as a result of a flood event;
- (f) development directly, indirectly or cumulatively avoids an increase in severity of flooding or adverse impacts of flooding within or external to a development site: and
- (g) development maintains natural processes and the protective function of landforms and/or vegetation.

### 8.2.3.3 Criteria for assessment

**Table 8.2.3:1 – Flood Hazard Overlay Code – requirements for accepted development and assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes
<b>Development in Flood islands only</b>	
<p>PO<sub>1</sub> Development involving a vulnerable use is not located in a flood island area.</p> <p><small>Note: This is the only performance criterion in Table 8.2.3.1 applicable to development in a flood island area.</small></p>	<p>AO<sub>1.1</sub> Vulnerable uses are not located within a flood island area.</p>
<b>Material change of use (Home based business only)</b>	
<p>PO<sub>2</sub> Development ensures occupants and property avoid areas of intolerable risk, and otherwise are prepared for and resilient to flood events.</p>	<p>AO<sub>2.1</sub> Development is not located in the FR4 or FR3 flood risk areas or the OFP2 (high) overland flow path area.</p> <p>AO<sub>2.2</sub> Materials stored on site:</p> <ul style="list-style-type: none"> <li>(a) are those that are readily able to be moved in a flood event; and</li> <li>(b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.</li> </ul> <p><small>Editor's Note – Businesses should ensure that necessary emergency and continuity plans are in place to account for the potential need to evacuate personnel and to relocate property prior to a flood event (e.g. to allow enough time to transfer stock to the upstairs level of a building or off-site).</small></p>

Performance outcomes	Acceptable outcomes
<b>Rearrangement of Boundaries</b>	
<p>PO<sub>3</sub> Development layout does not increase the risk to existing or future people, property or infrastructure located on the premises or other premises.</p>	<p>AO<sub>3.1</sub> Development ensures there is sufficient area outside the FR4 and FR3 flood risk areas and the OFP2 (high) overland flow path area to accommodate the intended use(s).</p> <p>AO<sub>3.2</sub> Development ensures that building envelopes are located in an area other than the FR4 and FR3 flood risk areas and the OFP2 (high) overland flow path area.</p> <p>AO<sub>3.3</sub> Development ensures that the entry points into the development are located to provide a safe and clear evacuation route path that meets the requirements of Table 8.2.3.6 during floods up to the Defined Flood Event.</p>
<b>Resilient Built Form (all other development, including Dwelling house and Dual Occupancy)</b>	
<p>PO<sub>4</sub> Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding, such that buildings are:</p> <ul style="list-style-type: none"> <li>(a) located to avoid the risk to occupants and minimise the risk of property damage;</li> <li>(b) developed in accordance with the overall outcomes of an applicable Flood Management Precinct;</li> <li>(c) capable of withstanding the flood hazard through compliance with flood planning level requirements and the relevant building assessment provisions.</li> </ul> <p>Note: New buildings may require a structural engineering design capable of withstanding the nature of the hazard(s) to which the building will be subject consistent with the requirements of the relevant building assessment provisions. Refer to section 1.6 for more information.</p>	<p>AO<sub>4.1</sub> Buildings are not located in the FR4 or FR3 flood risk areas.</p> <p>Editor's Note – Development that cannot comply with this acceptable outcome will require assessment by Council.</p> <p>AO<sub>4.2</sub> Buildings in a Flood Management Precinct<sup>1</sup> are developed in accordance with the overall outcomes of that precinct.</p> <p>Editor's Note – Development that cannot comply with this acceptable outcome will require assessment by Council.</p> <p>AO<sub>4.3</sub> Buildings in a flood risk area:</p> <ul style="list-style-type: none"> <li>(a) of a residential nature provide a finished habitable floor level located, designed and constructed to at least the flood planning level specified in table 8.2.3.3 and designed in accordance with the relevant building assessment provisions;</li> <li>(b) of a non-residential nature provide a finished floor level located, designed and constructed to at least the flood planning level specified in table 8.2.3.3 and designed in accordance with the relevant building assessment provisions; and</li> <li>(c) where utilising pier and pole construction, if understorey screening is provided it is a minimum of 50% permeable to allow for the flow of flood water through the understorey.</li> </ul> <p>Note: The Queensland Government Fact Sheet 'Rebuilding after a flood' provides information about water resilient products and building techniques<sup>2</sup>.</p> <p>Note: New buildings may require a structural engineering design capable of withstanding the nature of the hazard(s) to which the building will be subject consistent with the requirements of the relevant building assessment provisions. Refer to section 1.6 for more information.</p> <p>AO<sub>4.4</sub> Buildings in an overland flow path area provide a finished habitable floor level located, designed and constructed to at least the overland flow planning level specified in table 8.2.3.4.</p>

<sup>1</sup> Currently the Township Zone – Flood Management Precinct.

Performance outcomes	Acceptable outcomes
<p>PO<sub>5</sub> Development does not worsen flooding on adjacent properties.</p>	<p>AO<sub>5.1</sub> Earthworks in the FR4, FR3, FR2 or FR1 flood risk areas or the OFP1 (low) overland flow path area or OFP2 (high) overland flow path area do not worsen flood flows or drainage on adjacent properties.</p> <p>Note: A report should be provided from an RPEQ certified professional indicating the proposed earthworks will not increase flood flows or drainage upstream or downstream of the proposed development. For the avoidance of doubt, RPEQ certification is not required for development in the FR1 or Balance (mixed) flood risk areas or the OFP1 overland flow area.</p>

**Table 0:2 – Flood Hazard Overlay Code –assessment benchmarks for assessable development**

Performance outcomes	Acceptable outcomes
<b>Development in Flood islands only</b>	
<p>PO<sub>1</sub> Development involving a vulnerable use is not located in a flood island area.</p> <p>Note: This is the only performance criterion in Table 8.2.3.1 applicable to development in a flood island area.</p>	<p>AO<sub>1.1</sub> Vulnerable uses are not located within a flood island area.</p>
<b>Risk-compatible Land Use</b>	
<p>PO<sub>2</sub> Development is compatible with the level of risk associated with the natural hazard, such that:</p> <ul style="list-style-type: none"> <li>(a) vulnerable uses are not located in the Vulnerable Uses Restriction Area;</li> <li>(b) all other uses within the: <ul style="list-style-type: none"> <li>(i) FR4 flood risk area are limited to non-urban uses;</li> <li>(ii) FR3 flood risk area are consistent with the intent of any underlying Flood Management Precinct or otherwise are limited to non-urban uses;</li> <li>(iii) FR2 flood risk area, FR1 flood risk area, Balance (mixed) flood risk area or OFP1(low) overland flow path area are consistent with the overall outcomes of the relevant zone or any Flood Management Precinct.</li> </ul> </li> </ul> <p>Note: Non-urban uses can include Rural activities, sport and recreation activities such as Outdoor sport and recreation or Park, and conservation activities such as Permanent plantation. It does not include tourism activities such as Nature based tourism or Tourist park, or residential activities of any type (including Relocatable home park or Short term accommodation). Building work in the FR4 and FR3 areas should be avoided wherever possible.</p>	<p>No acceptable outcome provided.</p>
<b>Resilient Built Form</b>	
<p>PO<sub>3</sub> Development is resilient to flood events by ensuring design and built form account for</p>	<p>AO<sub>3.1</sub> Buildings are not located in the FR4 or FR3 flood risk areas.</p>

<sup>2</sup> Available at <http://www.hpw.qld.gov.au/SiteCollectionDocuments/WaterResilientProductsAndBuildingTechniquesForRebuildingAfterAFlood.pdf>

Performance outcomes	Acceptable outcomes
<p>the potential risks of flooding, such that it is:</p> <ul style="list-style-type: none"> <li>(a) located to avoid the risk to occupants and minimise the risk of property damage;</li> <li>(b) developed in accordance with the overall outcomes of an applicable Flood Management Precinct;</li> <li>(c) capable of withstanding the flood hazard through compliance with flood planning level requirements and the relevant building assessment provisions.</li> </ul> <p>Note: New buildings may require a structural engineering design capable of withstanding the nature of the hazard(s) to which the building will be subject consistent with the requirements of the relevant building assessment provisions. Refer to section 1.6 for more information.</p>	<p>AO<sub>3.2</sub> Buildings in a Flood Management Precinct<sup>3</sup> are developed in accordance with the overall outcomes of that precinct.</p> <p>AO<sub>3.3</sub> Buildings in a flood risk area:</p> <ul style="list-style-type: none"> <li>(a) of a residential nature provide a finished habitable floor level located, designed and constructed to at least the flood planning level specified in table 8.2.3.3 and designed in accordance with the relevant building assessment provisions;</li> <li>(b) of a non-residential nature provide a finished floor level located, designed and constructed to at least the flood planning level specified in table 8.2.3.3 and designed in accordance with the relevant building assessment provisions.</li> </ul> <p>Note: The Queensland Government Fact Sheet 'Rebuilding after a flood' provides information about water resilient products and building techniques<sup>4</sup>.</p> <p>Note: New buildings may require a structural engineering design capable of withstanding the nature of the hazard(s) to which the building will be subject consistent with the requirements of the relevant building assessment provisions. Refer to section 1.6 for more information.</p> <p>AO<sub>3.4</sub> Buildings in an overland flow path area provide a finished habitable floor level located, designed and constructed to at least the overland flow planning level specified in table 8.2.3.4.</p>
<p>PO<sub>4</sub> Development ensures that a use which requires an interface with the public realm, (including a commercial or residential use), maintains a functional and attractive relationship with the adjacent street frontage<sup>5</sup>.</p>	<p>AO<sub>4.1</sub> Development for a residential use where pier and pole construction is utilised:</p> <ul style="list-style-type: none"> <li>(a) if understorey screening is provided it is a minimum of 50% permeable to allow for the flow of flood water through the understorey.</li> </ul> <p>AO<sub>4.2</sub> Development for a commercial building or structure maintains an active street frontage through:</p> <ul style="list-style-type: none"> <li>(a) providing clear pedestrian access from any adjacent footpath to the floor level of the commercial activity;</li> <li>(b) providing a retail or food and beverage use, if consistent with the overall outcomes of the applicable zone and precinct, which interfaces with and overlooks the street;</li> <li>(c) urban design treatments which screen the understorey of the building from view from the adjacent street frontage but do not impede flood flow.</li> </ul>

<sup>3</sup> Currently the Township Zone – Flood Management Precinct.

<sup>4</sup> Available at <http://www.hpw.qld.gov.au/SiteCollectionDocuments/WaterResilientProductsAndBuildingTechniquesForRebuildingAfterAFlood.pdf>

<sup>5</sup> This is particularly relevant for commercial uses in centres with a strong 'town-centre' pedestrian realm that also may be affected by flood, or for residential uses to maintain an attractive presentation to the street.

Performance outcomes	Acceptable outcomes
<b>Siting of Development for Reconfiguring a Lot</b>	
<p>PO<sub>5</sub> Development siting and layout in a flood risk area responds to flooding potential and maintains personal safety at all times, such that:</p> <ul style="list-style-type: none"> <li>(a) subdivision of land occurs consistent with the overall outcomes of any applicable Flood Management Precinct;</li> <li>(b) lots for urban purposes provide a ground level above the Defined Flood Event<sup>6</sup>;</li> <li>(c) rural and rural residential lots provide sufficient area outside the Defined Flood Event to accommodate the required minimum lot size;</li> <li>(d) lots (excluding balance or common property lots) on a building format plan under the <i>Land Title Act 1994</i> which is subject to a community titles scheme under the <i>Body Corporate and Community Management Act 1997</i> associated with a material change of use are located above the Defined Flood Event.</li> </ul>	<p>AO<sub>5.1</sub> Development is avoided on that part of any land within the FR4, FR3 or FR2 flood risk areas, or otherwise as specified in the overall outcomes of a Flood Management Precinct<sup>7</sup>.</p> <p>AO<sub>5.2</sub> Development complies with the filling requirements of table 8.2.3.5.</p> <p>AO<sub>5.3</sub> Development in a greenfield area protects a flood conveyance area by providing an easement or reserve over the area of the premises up to the Defined Flood Event to be retained for the purposes of reserve or Park.</p>
<p>PO<sub>6</sub> Development siting and layout in an overland flow path area accommodates the flow path characteristics and minimises the risk to persons, property and infrastructure both on site and external to the site.</p>	<p>AO<sub>6.1</sub> Development:</p> <ul style="list-style-type: none"> <li>(a) for urban purposes avoids maintaining overland flow paths in private ownership;</li> <li>(b) for rural or rural residential purposes provides sufficient area outside the overland flow path areas to accommodate the required minimum lot size.</li> </ul> <p>OR</p> <p>AO<sub>6.2</sub> Development is in accordance with an approved site-based stormwater management plan.</p>
<b>Access and Isolation</b>	
<p>PO<sub>7</sub> Development in a flood risk area is sited and designed such that:</p> <ul style="list-style-type: none"> <li>(a) road layout avoids isolation in a flood hazard event and does not impede evacuation;</li> <li>(b) vehicular access during a flood hazard event is enabled;</li> <li>(c) provision is made for on-site sheltering during a flood event; and</li> <li>(d) signage is utilised to ensure that community members have a clear understanding of the nature of the flood risk in the area.</li> </ul>	<p>AO<sub>7.1</sub> Road and/or pathway layout within the development provides a safe and clear evacuation path:</p> <ul style="list-style-type: none"> <li>(a) to ensure persons are not physically isolated from an adjacent flood-free urban area;<sup>8</sup></li> <li>(b) by locating entry points into the reconfiguration above the Defined Flood Event and avoiding cul-de-sacs or other non-permeable layouts; and</li> <li>(c) in the form of at least one (1) evacuation route that meets the requirements of Table 8.2.3.6 during floods up to the Defined Flood Event.</li> </ul>

<sup>6</sup> Development is encouraged to exceed the level of the Defined Flood Event to reduce the need for future buildings to accommodate the freeboard requirements of meeting the Flood planning level for finished floor levels.

<sup>7</sup> Currently the Township Zone – Flood Management Precinct.

<sup>8</sup> It is important to ensure that new reconfigurations are not isolated from other urban areas in the event of a flood.

Performance outcomes	Acceptable outcomes
	<p>AO<sub>7.2</sub> An area is available within the development site at or above the flood planning level with sufficient space to accommodate the likely population of the development in safety for a relatively short time until flash flooding subsides or people can be evacuated.</p> <p>AO<sub>7.3</sub> Development ensures that:</p> <ul style="list-style-type: none"> <li>(a) signage is provided on a road or pathway<sup>9</sup> indicating the position and path of all safe evacuation routes off the premises;</li> <li>(b) if the premises contains or is within 100m of a waterway, hazard warning signage and depth indicators are provided at each key hazard point, such as at a waterway crossing or an entrance to a low-lying reserve.</li> </ul>
Flood Storage and Conveyance	
<p>PO<sub>8</sub> Development complies with the requirements of table 8.2.3.5 and does not change the flood characteristics of the area, taking account of the cumulative impact of development, outside the site in ways that result in:</p> <ul style="list-style-type: none"> <li>(a) loss of flood or overland flow storage/conveyance;</li> <li>(b) loss of or changes to flow paths;</li> <li>(c) acceleration or retardation of flows;</li> <li>(d) increase in the depth or duration of flood or overland flow waters; or</li> <li>(e) any reduction in flood warning times elsewhere on the floodplain.</li> </ul> <p>Note: To demonstrate achievement of the performance outcome, an engineering report is to be prepared by a suitably qualified person. Guidance on the matters to be addressed in the report is provided in the Planning scheme policy No.1 – Development application requirements.</p>	<p>No acceptable outcome provided.</p>
Emergency Management and Business Continuity	
<p>PO<sub>9</sub> Development supports, and does not unduly burden, disaster management responses and recovery capacity and capabilities for a flood hazard event up to and including the Defined Flood Event or the Overland Flow Event.</p>	<p>AO<sub>9.1</sub> Development enables or does not hinder or complicate self-evacuation of persons, and ensures sufficient warning time for the nature of the use.</p> <p>AO<sub>9.2</sub> Materials stored on site:</p> <ul style="list-style-type: none"> <li>(a) are not located within the FR4 and FR3 flood risk areas or the OFP2 (high) overland flow path area, and otherwise are those that are readily able to be moved in a flood event; and</li> </ul>

<sup>9</sup> 'Pathway' in this instance relates to pedestrian and non-pedestrian routes internal to a development site that are not specifically roads – for example, pedestrian pathways within a hotel development or internal roads in a large townhouse development.

Performance outcomes	Acceptable outcomes
	<p>(b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.</p> <p>Editor's Note – Businesses should ensure that necessary emergency and continuity plans are in place to account for the potential need to evacuate personnel and to relocate property prior to a flood event (e.g. to allow enough time to transfer stock to the upstairs level of a building or off-site).</p>
<b>Hazardous Materials</b>	
<p>PO<sub>10</sub> Development not in the FR4 or FR3 flood risk areas or the OFP2 (high) overland flow path area ensures public safety and the environment are not adversely affected by the detrimental impacts of floodwater on hazardous materials manufactured or stored in bulk.</p>	<p>AO<sub>10.1</sub> Development ensures:</p> <p>(a) the manufacture or storage in bulk of hazardous materials is located at least above the flood planning level in Table 8.2.3.3 or the overland flow planning level in Table 8.2.3.4 (whichever is applicable); or</p> <p>(b) structures used for the manufacture or storage of hazardous materials in bulk are designed to prevent the intrusion of floodwaters.</p> <p>Note: Refer to the <i>Work Health and Safety Act 2011</i> and associated Regulation and Guidelines, the <i>Environmental Protection Act 1994</i> and the relevant building assessment provisions under the <i>Building Act 1975</i> for requirements related to the manufacture and storage of hazardous substances.</p>
<b>Infrastructure</b>	
<p>PO<sub>11</sub> Essential services infrastructure within a site (including electricity, gas, water supply, wastewater and telecommunications) is located outside the FR4 and FR3 flood risk areas and the OFP2 (high) overland flow path area or maintains its function during and immediately after flood events.</p>	<p>AO<sub>11.1</sub> Any components of the infrastructure that are likely to fail to function or may result in contamination when inundated by flood water (e.g. electrical switchgear and motors, water supply pipeline air valves) are:</p> <p>(a) located outside the FR4 and FR3 flood risk areas or OFP2 (high) overland flow path area; and</p> <p>(b) located above the flood planning level in Table 8.2.3.3 or the overland flow planning level in Table 8.2.3.4 (whichever is applicable); or</p> <p>(c) designed and constructed to exclude floodwater intrusion/infiltration.</p> <p>AO<sub>11.2</sub> Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by all flood events.</p>
<b>Community Infrastructure</b>	
<p>PO<sub>12</sub> Development involving community infrastructure:</p> <p>(a) is not located within a flood risk area, flood island or the OFP2 (high) overland flow path area if it involves a vulnerable use;</p> <p>(b) remains functional to serve community need during and immediately after a flood event;</p> <p>(c) retains essential site access during a flood event such that the following uses have direct access to low hazard evacuation routes as defined in Table 8.2.3.6:</p>	<p>No acceptable outcome provided.</p>

Performance outcomes	Acceptable outcomes
<ul style="list-style-type: none"> <li>(i) a vulnerable use located outside the Vulnerable Uses Restriction Area;</li> <li>(ii) substation;</li> <li>(iii) utility installations involving water and sewerage treatment plants</li> <li>(d) is able to remain functional even when other infrastructure or services may be compromised in a flood event.</li> </ul>	

**Table 8.2.3:3 – Flood Hazard Overlay Code – Flood planning levels for finished floors (residential and non-residential development) and levels for hazardous chemicals**

Flood risk area	Freeboard	Flood planning level
FR1 flood risk area	300mm	Defined Flood Event + 300mm
FR2, FR3 and FR4 flood risk areas	500mm	Defined Flood Event + 500mm
Balance – Mixed flood risk area	600mm	Defined Flood Event + 600mm

Note: If the premise is subject to another overlay or overlay component which states a planning level, the planning level that provides the highest level of immunity applies.

Note: The Defined flood event (DFE) varies across the region. Refer to Schedule 1 for a definition of the Defined Flood Event.

**Table 8.2.3:4 – Flood Hazard Overlay Code – Overland flow planning levels for finished floors (residential and non-residential development) and levels for hazardous chemicals**

Overland flow path area	Freeboard	Overland flow planning level
OFP1 (low)	N/A	600mm above ground level
OFP2 (high)	300mm	Overland Flow Event + 300mm

Note: The Defined flood event (DFE) are catchment-specific. Refer to Schedule 1 for a definition of the Overland Flow Event.

**Table 8.2.3:5 – Flood Hazard Overlay Code – Fill requirements**

Flood risk area/Overland flow path area	Fill level
FR4 and FR3 flood risk areas	No filling permitted except for the purposes of public infrastructure or otherwise as directed by an approved floodplain management plan
FR2 and FR1 flood risk area	Filling permissible where complying with PO <sub>8</sub>
Balance flood risk area	Filling permissible where complying with PO <sub>8</sub>
OFP2 (high) overland flow path area	No filling permitted except for the purposes of public infrastructure or otherwise as directed by an approved floodplain management plan
OFP1 (low) overland flow path area	Filling permissible where complying with PO <sub>8</sub>

**Table 8.2.3:6 – Flood Hazard Overlay Code – Low hazard evacuation route requirements<sup>10</sup>**

Criteria	Degree of Flood Hazard – Low
Wading ability	If necessary children and the elderly could wade (generally, safe wading velocity depth product is less than 0.25)
Evacuation distances	< 200 metres
Maximum flood depths	< 0.3 metres
Maximum flood velocity	<0.4 metres per second
Typical mean of egress	Sedan
Time (refer to Local Disaster Management Plan)	Ample for flood forecasting. Warning and evacuation routes remain passable for twice as long as evacuation time.

<sup>10</sup> Adapted from Table 1 – Model flood hazard overlay code provided in *State Planning Policy – State interest guideline: Natural hazards, risk and resilience* dated August 2014