

# Queensland Floods Commission of Enquiry

*Requirement to Provide Information to the  
Commission – Bundaberg Regional Council*  
**Reference: 1767720**

**Statement by:**

*Mr Andrew William FULTON*  
**Director Infrastructure & Planning Services**  
**Bundaberg Regional Council**

**QUEENSLAND FLOODS COMMISSION OF INQUIRY**

**Requirement to Provide Written Information to Commission of Inquiry**

**Andrew William FULTON, Director Infrastructure & Planning Services**

**Bundaberg Regional Council**

In accordance with *Section 5 of the Commissions of Inquiry Act 1950 (Qld)*, I, Andrew William FULTON, Director Infrastructure & Planning Services, Bundaberg Regional Council, provide the following statement of information as directed by letter dated 7 November 2011 (Reference 1767720).

Statement Prepared By:-

**Mr Andrew William FULTON**

Director Infrastructure & Planning Services  
Bundaberg Regional Council

[Redacted Signature]

.....  
Signature

11 Nov 2011

.....  
Dated

[Redacted Witness Name]

.....  
Witness



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## Reference 1767720

### Question 1

Why the Council supports the recommendation that "State legislation be amended to facilitate the necessary amendments to incorporate results of updated flood studies' (the Relevant Recommendation) which is contained in section 12 'Planning Provisions – Flood Overlay' of the enclosed Submission of Bundaberg Regional Council.

### Question 2

How the statutory process for the incorporation of an updated flood study into the local government's planning scheme might be simplified as sought by the Relevant Recommendation.



# ATTACHMENTS

Name \_\_\_\_\_

Attachment A

[Example Defined Local Flood Event Map](#)

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**Andrew William FULTON**

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Requirement to provide written information to Commission of Inquiry

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(Reference 1767720)

**1. Why the Council supports the recommendation that "State legislation be amended to facilitate the necessary amendments to incorporate results of updated flood studies' (the Relevant Recommendation) which is contained in section 12 'Planning Provisions – Flood Overlay' of the enclosed Submission of Bundaberg Regional Council.**

1.1 Mapped flood inundation areas generated through computer flood models for defined local flood events are dynamic in nature. The characteristics of a defined flood event can be altered by development and/or works, both within the water course or within the catchment. In addition, the mapping quality and accuracy of defined flood events improves with advancing survey technology and flood model technology. It is not possible, at the time of Planning Scheme drafting, to anticipate all likely catchment changes during the life of the Planning Scheme.

1.2 As an example, Council manages flood models for the Bundaberg and Saltwater Creek catchments within the Bundaberg City area. The construction of a detention basin (whether by Council or by a developer) in the upper catchment of the creek system will have an impact on the characteristics of an adopted defined flood event and associated inundated areas. However, the flood overlay within the Planning Scheme cannot reflect these changes without undertaking a Planning Scheme amendment. To change the flood overlay and the triggers for assessment, Council must undertake a 'major amendment' to the Planning Scheme as required by the *Sustainable Planning Act 2009*. Council's previous experience in undertaking amendments to the Planning Scheme for the City of Bundaberg comprised a process in the order of 18 months duration. These amendments were considered by Council to be relatively minor in nature. Such a lengthy process does not

..... Andrew William FULTON

Requirement to provide written information to Commission of Inquiry



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facilitate a responsive approach to land use planning reflecting the dynamic nature of flood planning.

- 1.3 In the instance where Council does have the resources to make an amendment, or has opportunity to include changes to the flood overlay with other proposed planning scheme amendments, it is likely that within the lengthy amendment timeframe that the characteristics of the defined flood event could have altered again.
- 1.4 Attachment A is an example plan of the flood overlay provisions ([Example Defined Local Flood Event](#)) from the Planning Scheme for Bundaberg City. This overlay, marked in red, is for the Q100 Saltwater Creek floodline as at 2004 (when the Planning Scheme took effect). Overlaid in blue is the current floodline (2011) generated from Council's maintained computer flood model of Saltwater Creek. The changes between the two lines result from upstream development, catchment drainage works, improved survey techniques and improved modelling techniques.
- 1.5 Changes to larger river catchments, such as the Burnett River, maybe less dynamic and frequent but still occur particularly when land for development is filled above the defined flood event.
- 1.6 The need for Planning Schemes to reflect the most current flood data is important because Planning Schemes serve the purpose of a communication medium to both the public and development industry with respect to flood information. The community's expectation is that the Planning Scheme content is current.



**2. How the statutory process for the incorporation of an updated flood study into the local government's planning scheme might be simplified as sought by the Relevant Recommendation.**

- 2.1 Council seeks the ability to quickly and easily maintain its Planning Scheme flood maps to reflect the most current flood data it has available. A flood overlay gazetted within a planning scheme does not currently provide this flexibility for Council. Because the flood overlay may not reflect current flood information, Council cannot be satisfied that it is triggering appropriate applications with respect to assessment against flood provisions. The [attached example plan](#) demonstrates the gazetted Q100 floodline for Saltwater Creek is now outdated and triggering applications that are no longer necessary. More importantly the 2004 gazetted floodline does not capture all the area now considered inundated thus not triggering applications for development that are impacted by a flood event.
- 2.2 The statutory process could be expedited by making a Planning Scheme amendment for the purposes of altering a flood overlay an 'administrative' amendment under section 117 of the *Sustainable Planning Act 2009* and the associated statutory guideline (02/09). *'Making and Amending Local Planning Instruments'*. To provide rigor to the process and certainty to the accuracy of any new flood mapping so proposed, it should be required that such be certified by a suitably qualified engineer (RPEQ) with significant experience in flood modelling. Additionally, such amendment process should be limited to existing mapped catchments within the Scheme and not with a purpose of introducing new flood mapping for previously unmapped catchments.

Statement Prepared By:-

**Mr Andrew William FULTON**

Director Infrastructure & Planning Services

Bundaberg Regional Council

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Signature

11 Nov 2011

Dated

[Redacted Witness Name]



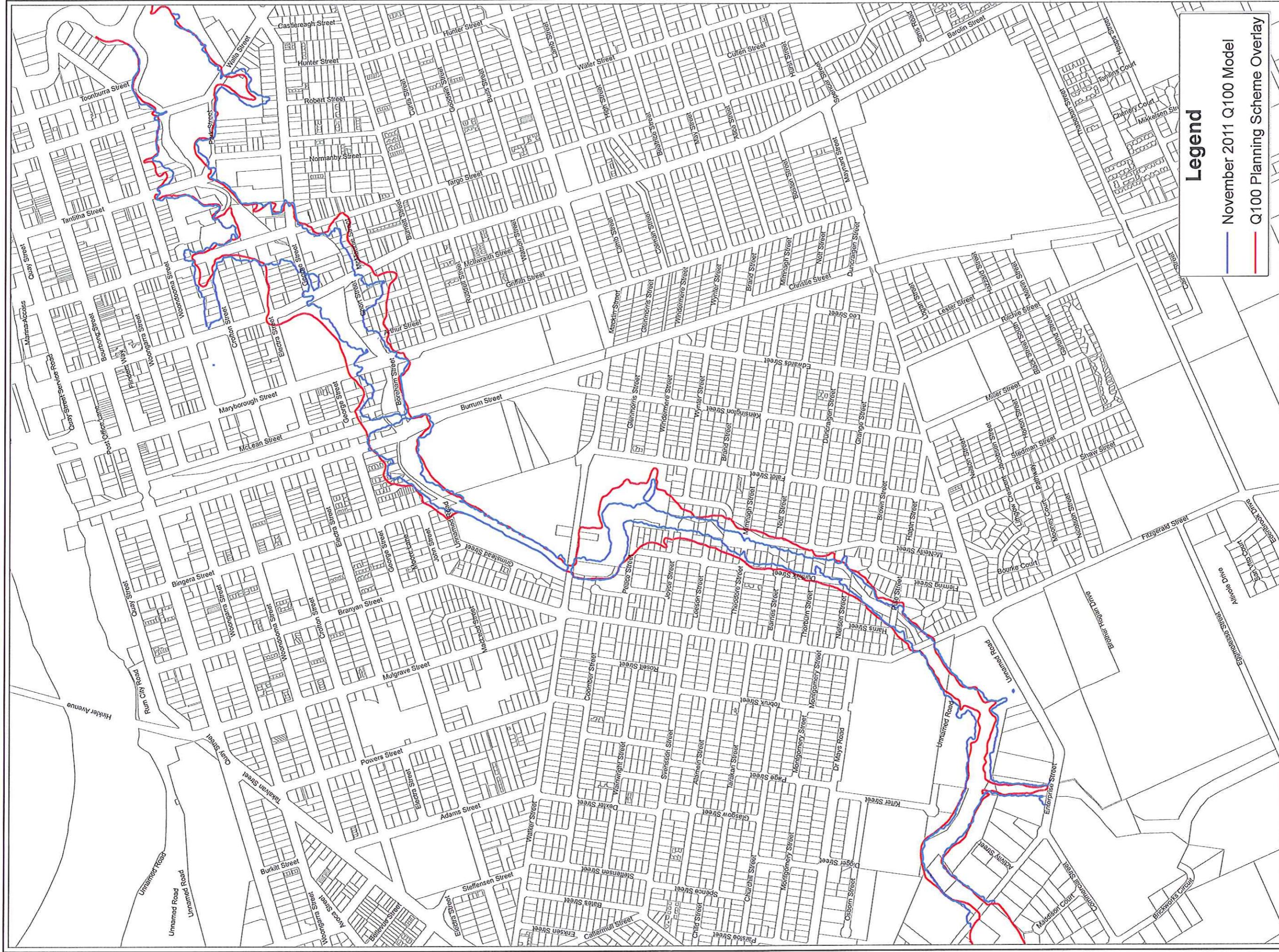
[Redacted Name]

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[Redacted Name]







**Legend**

- November 2011 Q100 Model
- Q100 Planning Scheme Overlay