

QUEENSLAND FLOODS COMMISSION OF INQUIRY

STATEMENT BY MICHAEL PETER HARTLEY

I, Michael Peter Hartley, Director of Planning and Development, Gympie Regional Council, make the following statement under oath as required by the Commissioner of Inquiry in the Requirement to Provide a Statement dated 30 September, 2011:

An explanation of whether, and if so how, the council intends to incorporate the interim floodplain mapping or the Model Interim Floodplain Assessment Code (which appears as Schedule 1 to the QRA Guideline *Planning for stronger, more resilient floodplains*) into its planning scheme.

1. During any future consultation period for the *Planning for stronger, more resilient floodplains* documents, Council intends to provide the Queensland Reconstruction Authority with the full extent of available local flood data, including the findings of a Council-commissioned draft flood study, to more accurately inform the final Interim Floodplain Assessment Overlay mapping. A comparison of Council's flood data and the QRA's mapping is currently being undertaken. Initial findings suggest a reasonable level of consistency between the two sets of maps, although there are some areas of discrepancy that need to be resolved.
2. Once refined and finalised, the Interim Floodplain Assessment Overlay and Interim Floodplain Assessment Code will be recommended to Council for inclusion in the new Gympie Regional Council Planning Scheme, which is currently being prepared under the *Sustainable Planning Act 2009*. Subject to Council informing the final Floodplain Assessment Overlay, this mapping will be used as an overlay for the region, in addition to the introduction of the Limited Development (Constrained Land) Zone to be utilised for land within identified growth areas affected by flooding. Development applications over properties identified by the zoning plan and/or Overlay as being within the Natural Hazard Management Area, will be assessed against the provisions of the Interim Floodplain Assessment Code (as finalised and incorporated in the planning scheme).

Whether the interim floodplain mapping is to be incorporated into the planning scheme, an explanation of how council officers assessing development applications will use the map.

3. Once incorporated into the new planning scheme, development applications would be assessed against the provisions of the relevant code applicable to flooding, where development is proposed on properties included within the Limited Development (Constrained Land) Zone on the zoning plan and/or in a Natural Hazard Management Area on the relevant overlay. Further site specific flooding data and modelling may be required to be provided by applicants in support of particular types of applications within these areas, especially when proposing performance based outcomes and solutions. The overlay will also be utilised to determine habitable floor levels for building certification of residential premises under the *Building Act 1975*.

Whether, and if so how, the council intends to use the interim floodplain mapping performed by the QRA to set a habitable floor level or other flood height relevant to development in the council area.

4. The Interim Floodplain Assessment Overlay and subsequent Natural Hazard Management Area, once refined and incorporated into the new planning scheme, will be utilised to determine habitable floor levels for building certification of residential premises under the *Building Act 1975*, through identifying a flood level to allow residential buildings to be assessed against the QDC provisions.

The council's plans, if any, to promote the QRA interim floodplain maps to the public, and if so for what purpose.

5. The QRA interim floodplain maps, once finalised and incorporating the full extent of local flood data, are intended form part the new planning scheme, for which extensive public notification is required to

be undertaken as prescribed in the *Sustainable Planning Act 2009*. The floodplain maps will also be made available to the public as part of Property Search Requests.

An account of any public feedback, enquiry or comment given to the council about the QRA interim floodplain maps by residents of the council area.

6. The QRA interim flood plain maps have only recently been released. I have no knowledge of any public enquiries or comments being received directly by Council regarding the QRA interim floodplain maps to date.

Sworn by Michael Peter Hartley at Gympie this 6th day of October 2011 in the presence of

[Redacted signature]

Deponent

[Redacted signature]

Solicitor/Justice of the Peace/Comm. Dec.

