

QUEENSLAND FLOODS COMMISSION OF INQUIRY

LIST OF AMENDMENTS
TO STATEMENT OF GARY STUART WHITE

Commentary Section

- Page 2, heading 1 (“Declaration to Commission...”), replace “Enquiry” with “Inquiry”
- Paragraph 14, bullet point 4, delete “consent authority” and replace with “local government”
- Paragraph 53, replace “Enquiry” with “Inquiry”

Paragraph 2(c) of the Requirement

- Paragraph 81 insert “The” at the beginning of paragraph and delete the words “including those listed below”

Paragraph 2(d) of the Requirement

- Paragraph 97, in the last sentence delete the word “be”
- Paragraph 100, replace “section 3.1.6~~s~~” with “section 3.1.6”
- Paragraph 103, replace “chief executive’s jurisdiction is” with “chief executive’s jurisdiction for”
- Paragraph 107, replace “chief executive’s jurisdiction is” with “chief executive’s jurisdiction for”
- Paragraph 114, after the words “for the changed application...”, delete “was sent”

Paragraph 4(d) of the Requirement

- Paragraph 146, change “In the context of where SPP1/03 has not be reflected” to “In the context of where SPP1/03 has not been reflected”

Paragraph 4(e) of the Requirement

- Paragraph 155, change “so achieving the desire outcome” to “so achieving the desired outcome”

Paragraph 6(b) of the Requirement

- Page 36, heading for part (b) of paragraph 6 of the Requirement, delete the words “An outline of any standards or controls for essential infrastructure to ensure that it is functional in a defined flood event (assuming this is 1% AEP)”

Paragraph 9(d) of the Requirement

- Paragraph 289, the repealed P&E Act refers to the repealed *Local Government (Planning and Environment) Act 1990*

QFCI

Date:

JW
19/09/11

Exhibit Number:

S33

- Paragraph 302, insert the following footnote reference at the end of the paragraph “¹Section 313(2)(d) of the SPA – for code assessment; section 314(2)(d) of the SPA – for impact assessment”
- Paragraph 303, after “and the Queensland Government’s response to the Growth Summit,” insert the following footnote reference “²Key Initiative 11 (K11) of Shaping Tomorrow’s Queensland: A response to the Queensland Growth Management Summit is ‘Streamline State planning arrangements to increase certainty and improve housing affordability and increase land supply’”

Paragraph 9(e) of the Requirement

- Paragraph 310, after “BCC adopted the first of the flooding TLPI’s” insert “(01/2011 – Brisbane Interim Flood Response)”
- Replace paragraphs 311-312 with the following and note in particular that the reference to “500m” in paragraph 312 of the Statement is incorrect and should read “500mm”:

311. The BCC TLPI met the TLPI test as:

- the flooding events in Brisbane in January 2011 affected 12,000 homes and 2,500 commercial properties. The TLPI will assist in their immediate rebuilding and redevelopment;
- in the event that flood affected properties are unable to rebuild for an extended period due to heavy planning restrictions, there may be serious adverse cultural, social and economic impacts on the community who will be unable to return to their homes and businesses; and
- the Interim Residential Flood Level (IRFL), implemented through the TLPI will serve to provide an interim response by mitigating future flooding and environmental impacts caused by future natural disasters, for the duration of the TLPI.

312. The BCC IRFL:

- The Interim Residential Flood Level (IRFL) is the surface of floodwater in one or both of the following flood events, whichever is the highest at any point:
 - Brisbane River – January 2011 event
 - The Defined Flood Level (DFL) based on a Brisbane River Flood Event using a flood height profile of 3.7m AHD at the City Gauge
- creek/waterway flooding is all land affected by a 100 year (Average Recurrence Interval) flood event.
- BCC requires that habitable rooms (specifically BCA class 1, 2, 3 and 4) are a minimum design floor or pavement level of IRFL + 500mm, in accordance with Table 4: Subdivision and Development Guidelines.

In my view the IRFL adopted under BCC's TLPI – 01/2011 more than adequately reflects the intent of SPP1/03.

- Replace paragraphs 313-314 with the following:
 - 313. Ipswich City Council (ICC) also implemented a TLPI (01/2011 – Flooding Regulation) in response to flood events and affected land within their local government area. ICC's TLPI focuses on regulating new development and encouraging the transition of severely flood affected mixed use residential areas to low impact non residential uses, through the implementation of reduced levels of assessment for certain uses.
 - 314. The ICC TLPI meet the TLPI test as:
 - there may be a significant risk in serious environmental harm and serious adverse cultural, economic and social conditions occurring in the Ipswich local government area if the additional provisions in the TLPI are not implemented to assist in rebuilding in flood affected areas.
 - the adopted flood regulation line, implemented through the TLPI, will serve to provide an interim response by mitigating future flooding and environmental impacts caused by future natural disasters, for the duration of the TLPI.
 - if the Minister were to require a planning scheme amendment instead of a TLPI, the changes proposed by the TLPI would not be implemented for at least 3-6 months. This may increase the risk of adverse cultural, economic and social conditions occurring in the planning scheme areas as it would delay necessary rebuilding and development.
 - 315. The Ipswich Interim Flood Level encompasses:
 - The replacement of the Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5) to incorporate an adopted flood regulation line for planning and building purposes based on the existing 1 in 100 flood line, the January 2011 flood event and 1974 flood information.
 - The respective trigger is 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.
 - In areas affected by the Adopted Flood Regulation Line, the TLPI requires new development to provide habitable rooms a minimum of 500mm above the Adopted Flood Regulation Line. Council can give discretion to this where adverse visual amenity and streetscape impacts are likely.
 - In Urban Stormwater Flow Path Areas, the Code requires "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."

- "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. The mapping is based on the existing 1 in 100 flood line, the January 2011 flood event and 1974 flood information.

In my view the Ipswich Interim Flood Level adopted under ICC's TLPI – 01/2011 more than adequately reflects the intent of SPP1/03.

- Paragraph 318 (renumbered paragraph 319 in the amended version), after "flood resistant building materials below the" insert the following words to complete the sentence "IRFL and, in the case of the ICC TLPI, structural requirements for buildings"
- Paragraph 319 (renumbered paragraph 320 in the amended version), note that the "ABCB" refers to the "Australian Building Codes Board"