



Ipswich City Council

Temporary Local Planning Instrument
01/2014
Flooding Regulation

This Temporary Local Planning Instrument encompasses:

- (1) The replacement of the Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5).
- (2) The replacement of the following sections of the Ipswich Planning Scheme 2006:
 - (a) Part 11, Section 11.4.7 - Flooding and Urban Stormwater Flow Path Areas;
 - (b) Part 11, Table 11.4.3 - Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Making a Material Change of Use;
 - (c) Part 11, Table 11.4.4 - Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Other Development; and
 - (d) Part 12, Section 12.15.4 - Earthworks Code (including Lot Filling), Clause (8) Flooding and Drainage.
- (3) The inclusion of Special Opportunity Areas for four (4) flood affected precincts.

This is to certify that this is a true and correct copy of Temporary Local Planning Instrument (TLPI) 01/2014 adopted on 4 June 2014 and commenced on 20 June 2014.

Chief Executive Officer

Date: 20 June 2014

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Part 1 - Short Title

- 1.1 This Temporary Local Planning Instrument (TLPI) may be cited as Temporary Local Planning Instrument 01/2014 - Flooding Regulation.

Part 2 - Purpose of the TLPI

- 2.1 The purpose of this TLPI, made under Chapter 3, Part 3 of the *Sustainable Planning Act 2009*, is to provide improved flood regulation based on a revised flood regulation line and associated development provisions.
- 2.2 To achieve this purpose, the TLPI will:
- (a) replace the Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5) to incorporate a revised flood regulation line in the form of the Adopted Flood Regulation Line;
 - (b) replace components of the Ipswich Planning Scheme 2006 to reflect the revised flood regulation line and enhance the application of existing flood regulations; and
 - (c) include Special Opportunity Areas to encourage the transition of existing flood affected residential areas to low impact non residential uses.

Part 3 - Application of the TLPI

- 3.1 This TLPI applies to the area to which the Ipswich Planning Scheme 2006 applies.
- 3.2 This TLPI overrides the provisions contained in the Ipswich Planning Scheme 2006 to the extent of matters that this TLPI relates to as outlined in Part 7.

Part 4 - Relationship with Planning Scheme

- 4.1 To the extent of any inconsistency between the Ipswich Planning Scheme 2006 and the TLPI, the TLPI prevails.

Part 5 - Duration of the TLPI

- 5.1 This TLPI will have effect in accordance with the *Sustainable Planning Act 2009* for a period not exceeding 12 months from the date of commencement of the TLPI or such longer period as may be permitted by law.
- 5.2 This TLPI takes effect from 20 June 2014.



Part 6 - Definitions

- 6.1 The terms used in this TLPI have the same meaning as defined in the *Sustainable Planning Act 2009*, unless otherwise defined in this TLPI or the Ipswich Planning Scheme 2006.
- 6.2 **“Adopted Flood Regulation Line”** means the flood line as depicted on the Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5) dated June 2014 as contained in Attachment 1.

Part 7 - Effect of this TLPI

- 7.1 Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5)

This TLPI suspends the operation of the Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5) dated August 2011 and replaces this Overlay Map with the Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5) dated June 2014 as contained in Attachment 1.

- 7.2 Part 11, Section 11.4.7 - Flooding and Urban Stormwater Flow Path Areas

This TLPI suspends the operation of the following sections of the Ipswich Planning Scheme 2006:

- (a) Part 11, Section 11.4.7 - Flooding and Urban Stormwater Flow Path Areas;
- (b) Part 11, Table 11.4.3: Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Making a Material Change of Use;
- (c) Part 11, Table 11.4.4: Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Other Development; and
- (d) Part 12, Section 12.15.4 - Earthworks Code (including Lot Filling) Clause (8) Flooding and Drainage;

and replaces these sections with those contained in Attachment 2.

- 7.3 Special Opportunity Areas

For the duration of this TLPI, the provisions contained in Attachment 3 provide reduced assessment levels for specified uses to encourage the transition of existing flood affected residential areas to low impact, non residential uses. These provisions apply to the areas designated in Attachment 4.

- 7.4 Other Legislation

To the extent of any inconsistency between State legislation / State instrument and this TLPI, the State legislation / State instrument prevails.









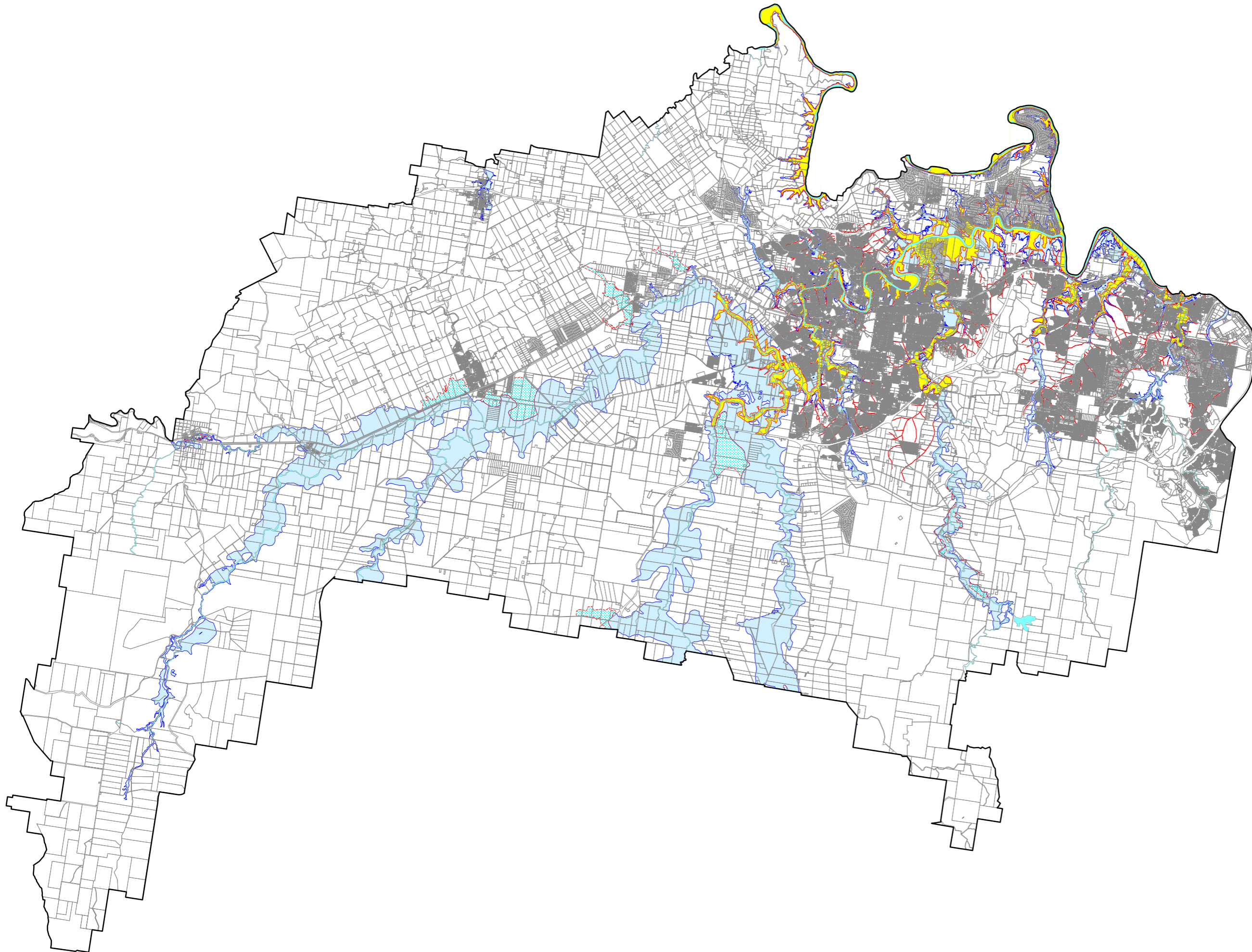
Attachment 1**A. Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5)****NOTE 1**

This TLPI suspends the operation of the Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5) dated August 2011 and replaces this Overlay Map with the attached Flooding and Urban Stormwater Flow Path Areas Overlay Map (OV5) dated June 2014.

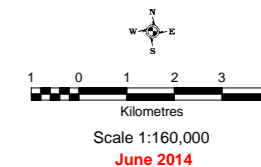


Flooding and Urban Stormwater Flow Path Areas

-  Adopted Flood Regulation Line
-  1 in 20 Development Line
-  Urban Stormwater Flow Path Areas
-  Indicative and Subject to Further Detailed Assessment
-  River / Watercourse
-  City Boundary



NOTE: Further details in relation to this map may be obtained from the Ipswich City Council Geographic Information System.



Attachment 2

A. Part 11, Section 11.4.7 - Flooding and Urban Stormwater Flow Path Areas

This Temporary Local Planning Instrument suspends the operation of Part 11, Section 11.4.7 - Flooding and Urban Stormwater Flow Path Areas of the Ipswich Planning Scheme 2006 and replaces it with the following:

11.4.7 Flooding and Urban Stormwater Flow Path Areas

NOTE 11.4.7A

- (1) The provisions of this section apply to land identified on Map OV5 as being—
 - (a) below the 1 in 20 development line; or
 - (b) below the adopted flood regulation line; or
 - (c) within an urban stormwater flow path area.
- (2) Flood affected areas and urban stormwater flow path areas are depicted in two ways on the overlay maps—
 - (a) unbroken lines – representing ‘known’ constraints as determined by a technical report, or study or an actual flood event; and
 - (b) broken lines – indicative and subject to further detailed assessment as part of a development application.
- (3) The 1 in 20 development line is based on a long standing flood regulation line, established following the 1974 flood, that applied to the former Ipswich City Council area prior to its amalgamation with the former Moreton Shire.
- (4) In some cases, further information will need to be submitted to the local government, such as a flood assessment, for consideration as part of the development assessment process.
- (5) Further information on the requirements for a flood assessment are contained in Planning Scheme Policy 2—Information Local Government May Request.

(1) Specific Outcomes

(a) Land Situated Below the 1 in 20 Development Line – Residential Uses

- (i) There is no intensification of residential uses within flood affected areas on land situated below the 1 in 20 development line, including the provision of an auxiliary unit.

NOTE 11.4.7B

Where a development commitment, based on former zoning provisions, allows a dwelling to be sited within areas affected by significant flood flows or velocities, such dwellings may require an alternative solution to comply with the Queensland Development Code, MP 3.5 *Construction of buildings in flood hazard areas*.

- (ii) Unless otherwise determined by Council, the floor levels of any habitable rooms of a proposed building are a minimum of 500mm above the adopted flood regulation line, whilst having regard to the visual amenity and streetscape impacts on nearby dwellings, associated with the raising of floor levels and the resulting height of buildings.
- (iii) The design and layout of residential buildings provides for—
 - (A) parking and other low intensive, non habitable uses at ground level (e.g. temporary storage of readily removable items); and
 - (B) habitable rooms above, to increase flood immunity.
- (iv) The areas below habitable rooms—
 - (A) are to be left open so as not to impede flood flows;
 - (B) may be used for the parking of vehicles or the storage of large items that are readily able to be moved in the event of a flood;



- (C) may be screened for security purposes using timber battens where such screening does not impede flood flows; and
- (D) may use timber batten gates such that the gates do not impede flood flows, with the use of solid fill gates, roll-a-doors or tilt doors to be avoided.
- (v) The building materials and surface treatments used below the adopted flood regulation line (other than materials used for structural purposes) are resistant to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment.

NOTE 11.4.7C

- (1) Walls without cavity spaces and flood resistant materials are to be used to minimise replacement / repair and provide for ease of cleaning in the event of a flood. Table 1 – Walls and ceiling linings, contained in the Growth Management Queensland Fact Sheet – *Repairing your house after a flood* provides additional advice in relation to higher water resistant materials.
- (2) The use of materials for structural purposes is a building matter regulated by the Queensland Development Code.

- (vi) Buildings and other structures are sited on the highest part of the site to increase flood immunity.
- (vii) Electrical installations are sited in the area of greatest flood immunity.
- (viii) Electrical switchboards, main data servers and the like are positioned above the adopted flood regulation line with all electrical and data installations below this level designed and constructed to withstand submergence in flood water.
- (ix) Access routes are designed or alternative emergency evacuation routes are provided so that in a flood event occupants can escape to a safe and secure area.
- (x) The development does not increase the flood hazard (e.g. by way of increased depth, duration or velocity of flood waters or a reduction in warning times) for other properties.

NOTE 11.4.7D

Council may consider acceptable tolerances for changes to flood behaviour compared to existing conditions where included in an approved floodplain management plan and in accordance with Implementation Guideline No. 24 - Stormwater Management.

- (xi) All earthworks are to comply with any applicable development criteria set out in an approved floodplain management plan. Where a floodplain management plan does not exist for the catchment, no filling of land or reduction of flood storage capacity is permitted below the 1 in 20 development line.
- (xii) The clearing of native vegetation within the stream banks is avoided.

(b) Land Situated Below the 1 in 20 Development Line – Commercial, Industrial and Other Non Residential Uses

- (i) Where possible, the design and layout of buildings provides for—
 - (A) parking, or other low intensive, or non habitable uses at ground level; and
 - (B) retail, commercial and work areas above the parking areas, to increase flood immunity.
- (ii) Expensive plant and equipment and stock are located in the area of the site or building with the greatest flood immunity.

NOTE 11.4.7E

Owners / applicants should undertake their own risk assessment to determine the floor level that maximises flood immunity having regard to the above.

- (iii) The building materials and surface treatments used below the adopted flood regulation line (other than materials used for structural purposes) are resistant to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment.



NOTE 11.4.7F

(1) Walls without cavity spaces and flood resistant materials are to be used to minimise replacement / repair and provide for ease of cleaning in the event of a flood. Table 1 – Walls and ceiling linings, contained in the Growth Management Queensland Fact Sheet – *Repairing your house after a flood* provides additional advice in relation to higher water resistant materials.

(2) The use of materials for structural purposes is a building matter regulated by the Queensland Development Code.

- (iv) Electrical installations are sited in the area of greatest flood immunity.
- (v) Electrical switchboards, main data servers and the like are positioned above the adopted flood regulation line with all electrical and data installations below this level designed and constructed to withstand submergence in flood water.
- (vi) Access routes are designed or alternative emergency evacuation routes are provided so that in a flood event occupants can escape to a safe and secure area.
- (vii) The concentration of people in flood affected areas, particularly within areas affected by significant flood flows (i.e. one metre or more in depth), is avoided unless it can be demonstrated that the overall use is appropriate, eg sporting fields, and where there is likely to be adequate warning and access to a safe evacuation route in the event of a flood.
- (viii) Wherever possible, buildings are located to avoid areas affected by significant flood flows or velocities.

NOTE 11.4.7G

Where no flow and velocity information is known for the adopted flood regulation line (modelled or otherwise) the maximum known flows and velocities are to be used for flood events in consultation with Council.

- (ix) Materials stored on-site—
 - (A) are those that are readily able to be moved in a flood event;
 - (B) are not hazardous or noxious, or comprise materials that may cause a deleterious effect on the environment if discharged in a flood event; and
 - (C) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.
- (x) The development does not increase the flood hazard (e.g. by way of increased depth, duration or velocity of flood waters or a reduction in warning times) for other properties.

NOTE 11.4.7H

Council may consider acceptable tolerances for changes to flood behaviour compared to existing conditions where included in an approved floodplain management plan and in accordance with Implementation Guideline No. 24 - Stormwater Management.

- (xi) All earthworks are to comply with any applicable development criteria set out in an approved floodplain management plan. Where a floodplain management plan does not exist for the catchment, no filling of land or reduction of flood storage capacity is permitted below the 1 in 20 development line.
- (xii) The clearing of native vegetation within the stream banks is avoided.

(c) Land Situated Between the 1 in 20 Development Line and the Adopted Flood Regulation Line – Residential Uses

- (i) The planning scheme acknowledges development commitments, based on former zonings or current approvals, for continued residential use.
- (ii) There is no intensification of residential uses within flood affected areas on land situated below the adopted flood regulation line, including the development of dual occupancy, multiple residential uses, and the reconfiguration of land to create additional lots.



- (iii) Special dispensation may be obtained to erect an auxiliary unit or a second dwelling to house family members on land situated between the 1 in 20 development line and the adopted flood regulation line based on the extent of flood immunity achieved.

NOTE 11.4.7I

Where a development commitment, based on former zoning provisions, allows a dwelling to be sited within areas affected by significant flood flows or velocities, such dwellings may require an alternative solution to comply with the Queensland Development Code, MP 3.5 *Construction of buildings in flood hazard areas*.

- (iv) Unless otherwise determined by Council, the floor levels of any habitable rooms of a proposed building are a minimum of 500mm above the adopted flood regulation line, whilst having regard to the visual amenity and streetscape impacts on nearby dwellings, associated with the raising of floor levels and the resulting height of buildings.
- (v) The design and layout of residential buildings provides for—
 - (A) parking and other low intensive, non habitable uses at ground level (e.g. temporary storage of readily removable items); and
 - (B) habitable rooms above, to increase flood immunity.
- (vi) The areas below habitable rooms—
 - (A) are to be left open so as not to impede flood flows;
 - (B) may be used for the parking of vehicles or the storage of large items that are readily able to be moved in the event of a flood;
 - (C) may be screened for security purposes using timber battens where such screening does not impede flood flows; and
 - (D) may use timber batten gates such that the gates do not impede flood flows, with the use of solid fill gates, roll-a-doors or tilt doors to be avoided.
- (vii) The building materials and surface treatments used below the adopted flood regulation line (other than materials used for structural purposes) are resistant to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment.

NOTE 11.4.7J

- (1) Walls without cavity spaces and flood resistant materials are to be used to minimise replacement / repair and provide for ease of cleaning in the event of a flood. Table 1 – Walls and ceiling linings, contained in the Growth Management Queensland Fact Sheet – *Repairing your house after a flood* provides additional advice in relation to higher water resistant materials.
- (2) The use of materials for structural purposes is a building matter regulated by the Queensland Development Code.

- (viii) Buildings and other structures are sited on the highest part of the site to increase flood immunity.
- (ix) Electrical installations are sited in the area of greatest flood immunity.
- (x) Electrical switchboards, main data servers and the like are positioned above the adopted flood regulation line with all electrical and data installations below this level designed and constructed to withstand submergence in flood water.
- (xi) Access routes are designed or alternative emergency evacuation routes are provided so that in a flood event occupants can escape to a safe and secure area.
- (xii) The development does not increase the flood hazard (e.g. by way of increased depth, duration or velocity of flood waters or a reduction in warning times) for other properties.

NOTE 11.4.7K

Council may consider acceptable tolerances for changes to flood behaviour compared to existing conditions where included in an approved floodplain management plan and in accordance with Implementation Guideline No. 24 - Stormwater Management.

- (xiii) The clearing of native vegetation within the stream banks is avoided.



- (xiv) All earthworks are to comply with any applicable development criteria set out in an approved floodplain management plan. Where a floodplain management plan does not exist for the catchment, no earthworks (including filling) is permitted on land below the adopted flood regulation line, unless:
 - (A) the land is located above the 1 in 20 development line; and
 - (B) such earthworks result in the rehabilitation and repair of the hydrological network and the riparian ecology of the waterway; and
 - (C) an assessment, undertaken by a suitably qualified consultant, demonstrates that the reforming of the land does not negatively impact on the overall hydrology, hydraulics and flood capacity of the waterway and does not in any way result in the reduction of flood storage capacity on the site.

NOTE 11.4.7L
Council and the community have particular concerns about the cumulative adverse impact of any fill undertaken below the adopted flood regulation line.

- (d) **Land Situated Between the 1 in 20 Development Line and the Adopted Flood Regulation Line – Commercial, Industrial and Other Non Residential Uses**
 - (i) The design and layout of buildings provides for—
 - (A) parking, or other low intensive, or non habitable uses at ground level; and
 - (B) retail, commercial and work areas above the parking areas, to increase flood immunity.
 - (ii) Expensive plant and equipment and stock are located in the area of the site or building with the greatest flood immunity.

NOTE 11.4.7M
Owners / applicants should undertake their own risk assessment to determine the floor level that maximises flood immunity having regard to the above.

- (iii) The building materials and surface treatments used below the adopted flood regulation line (other than materials used for structural purposes) are resistant to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment.

NOTE 11.4.7N

- (1) Walls without cavity spaces and flood resistant materials are to be used to minimise replacement / repair and provide for ease of cleaning in the event of a flood. Table 1 – Walls and ceiling linings, contained in the Growth Management Queensland Fact Sheet – *Repairing your house after a flood* provides additional advice in relation to higher water resistant materials.
- (2) The use of materials for structural purposes is a building matter regulated by the Queensland Development Code.

- (iv) Buildings and other structures are sited on the highest part of the site to increase flood immunity.
- (v) Electrical installations are sited in the area of greatest flood immunity.
- (vi) Electrical switchboards, main data servers and the like are positioned above the adopted flood regulation line with all electrical and data installations below this level designed and constructed to withstand submergence in flood water.
- (vii) Access routes are designed or alternative emergency evacuation routes are provided so that in a flood event occupants can escape to a safe and secure area.
- (viii) Wherever possible, buildings are located to avoid areas affected by significant flood flows or velocities.

NOTE 11.4.7O
Where no flow and velocity information is known for the adopted flood regulation line (modelled or otherwise) the maximum known flows and velocities are to be used for flood events in consultation with Council.



- (ix) Materials stored on-site—
 - (A) are those that are readily able to be moved in a flood event;
 - (B) are not hazardous or noxious, or comprise materials that may cause a deleterious effect on the environment if discharged in a flood event; and
 - (C) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.
- (x) The development does not increase the flood hazard (e.g. by way of increased depth, duration or velocity of flood waters or a reduction in warning times) for other properties.

NOTE 11.4.7P

Council may consider acceptable tolerances for changes to flood behaviour compared to existing conditions where included in an approved floodplain management plan and in accordance with Implementation Guideline No. 24 - Stormwater Management.

- (xi) The clearing of native vegetation within the stream banks is avoided.
- (xii) All earthworks are to comply with any applicable development criteria set out in an approved floodplain management plan. Where a floodplain management plan does not exist for the catchment, no earthworks (including filling) is permitted on land below the adopted flood regulation line, unless:
 - (A) the land is located above the 1 in 20 development line; and
 - (B) such earthworks result in the rehabilitation and repair of the hydrological network and the riparian ecology of the waterway; and
 - (C) an assessment, undertaken by a suitably qualified consultant, demonstrates that the reforming of the land does not negatively impact on the overall hydrology, hydraulics and flood capacity of the waterway and does not in any way result in the reduction of flood storage capacity on the site.

NOTE 11.4.7Q

Council and the community have particular concerns about the cumulative adverse impact of any fill undertaken below the adopted flood regulation line.

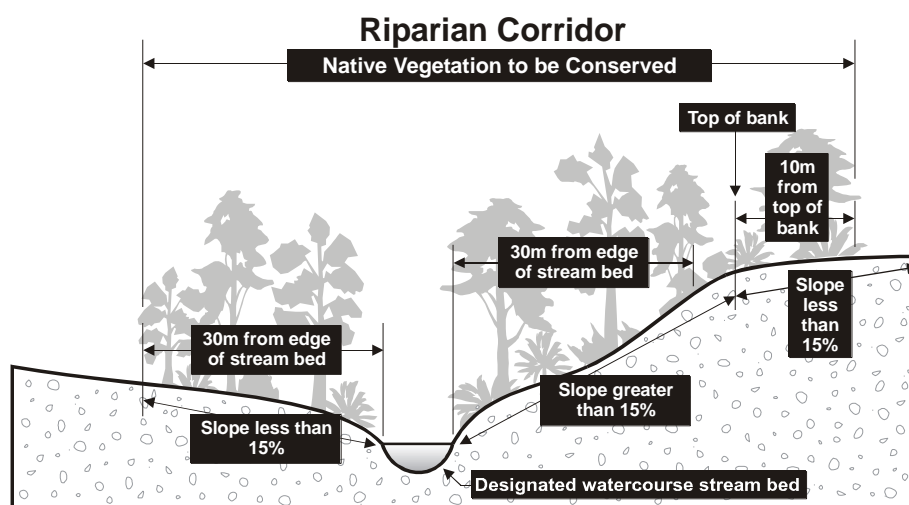
(e) Urban Stormwater Flow Path Areas**NOTE 11.4.7R**

- (1) Stormwater flows can affect the amenity of a property and its improvements if adequate provision is not made to address stormwater flows being generated on, or upstream of the property.
- (2) In addition, situations can arise that may result in risk to life and significant damage to the property or its improvements if adequate consideration is not given to external stormwater flows during the design and construction of new uses and works.
 - (i) Access routes are designed or alternative evacuation routes are provided so that in the event of a serious incident occupants can escape to a safe and secure area.
 - (ii) 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.
 - (iii) Buildings and other works are designed and located so that nearby properties are not affected by any surcharge/afflux generated as a result of the buildings or other works.
 - (iv) Buildings and other works are designed and located to accommodate existing and proposed stormwater drainage infrastructure and overland flow paths.
 - (v) Any damage to existing stormwater drainage infrastructure and overland flow paths resulting from building and other works are rectified prior to the commencement of the new use.



- (f) **Community Infrastructure**
 - (i) Key elements of community infrastructure are able to function effectively during and immediately after flood hazard events.
- (2) **Probable Solutions**
 - (a) **Electrical Installations**
 - (i) The incoming power supply, including all metering equipment is, where possible, located above the adopted flood regulation line.
 - (ii) Electrical switchboards, main data servers and the like are positioned above the adopted flood regulation line with all electrical and data installations below this level designed and constructed to withstand submergence in flood water.
 - (iii) All wiring, power outlets and switches are, to the maximum extent possible, located above the adopted flood regulation line.
 - (iv) All conduits located below the adopted flood regulation line are installed so that they will be self-draining.
 - (v) Heating and air conditioning systems are, to the maximum extent possible, located above the adopted flood regulation line.
 - (b) **Evacuation Routes**
 - (i) At least one road access will remain passable for the performance of emergency evacuations at a level of no more than 300mm below the adopted flood regulation line.
 - (c) **Earthworks**
 - (i) Earthworks do not negatively affect flood conveyance characteristics or reduce flood storage capacity through the importation of fill to the site, or any alteration to a watercourse or floodway.
 - (d) **Clearing of Vegetation**
 - (i) Clearing of vegetation does not involve the removal of native vegetation from land within a Designated Watercourse or land within 30m of a Designated Watercourse or within 10 metres of the top of the bank of a Designated Watercourse where the slope of the bank exceeds 15% (refer Figure 11.4.12).
 - (e) **Community Infrastructure**
 - (i) Key elements of community infrastructure are sited and designed to achieve the levels of flood immunity as set out in the State Planning Policy and associated Guidelines for Natural Disaster Mitigation.

Figure 11.4.12: Defining Extent of Riparian Corridor for Protection of Native Vegetation



B. Part 11, Table 11.4.3 - Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Making a Material Change of Use and Table 11.4.4 - Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Other Development

This Temporary Local Planning Instrument suspends the operation of Part 11, Table 11.4.3 - Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Making a Material Change of Use and Table 11.4.4 - Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Other Development of the Ipswich Planning Scheme 2006 and replaces it with the following:



Table 11.4.3: Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Making a Material Change of Use

Column 1 Defined use or use class	Column 2 Assessment category	Column 3 Relevant assessment criteria—applicable code if development is self-assessable or requires code assessment
Agriculture	Code Assessable if the land is located within the defence facilities development constraint overlay— (a) and within an unexploded ordnance area (refer Map OV7E); or (b) the use involves turf farming, a vineyard or fruit farming within 8km of the air base runway (refer Map OV7B). Exempt otherwise.	Development Constraints Overlays Code (Part 11, division 4)
Animal Husbandry	Exempt	
Carpark	Code Assessable, where land affected by the— (a) difficult topography development constraint overlay (refer Map OV4); or (b) 1 in 20 development line or adopted flood regulation line constraints overlays (refer Map OV5); or (c) urban stormwater flow path area development constraint overlay (refer Map OV5); or (d) buffers to highways and regional transport corridors development constraint overlay (refer Map OV6); or (e) unexploded ordnance development constraint overlay (refer Map OV7E). Exempt, otherwise.	Development Constraints Overlays Code (Part 11, division 4) Parking Code (Part 12, division 9)
Forestry	Exempt, where land affected by the— (a) key resource areas, haul routes and existing mines development constraint overlay (refer Map OV2); or (b) bushfire risk areas development constraint overlay (refer Map OV1); or (c) high pressure oil and pipelines development constraint overlay (refer Map OV11). Code Assessable otherwise.	Development Constraints Overlays Code (Part 11, division 4)
Home Based Activity	Exempt	
Minor Utility	Exempt	
Night Court	Code Assessable where the land is located within the defence facilities development constraint overlay and within the operational airspace, explosive storage safety area or public safety area of the Amberley Air Base (refer Maps OV7A, OV7B and OV7D). Exempt otherwise.	Development Constraints Overlays Code (Part 11, division 4)



Column 1 Defined use or use class	Column 2 Assessment category	Column 3 Relevant assessment criteria—applicable code if development is self-assessable or requires code assessment
Park	<p>Code Assessable where the land is located within the defence facilities development constraint overlay and within the—</p> <ul style="list-style-type: none"> (a) operational airspace, explosive storage safety area or public safety area of the Amberley Air Base (refer Maps OV7A, OV7B and OV7D); or (b) unexploded ordnance area (refer Map OV7E). <p>Exempt otherwise.</p>	<p>Development Constraints Overlays Code (Part 11, division 4) Recreation and Entertainment Code (Part 12, division 11)</p>
Plant Nursery (wholesale)	<p>Code Assessable where land affected by—</p> <ul style="list-style-type: none"> (a) difficult topography development constraint overlay (refer Map OV4); or (b) 1 in 20 development line or adopted flood regulation line constraints overlays (refer Map OV5); or (c) urban stormwater flow path area development constraint overlay (refer Map OV5); or (d) unexploded ordnance development constraint overlay (refer Map OV7E); or (e) operational airspace development constraint overlay (refer Map OV7A and OV7B). <p>Exempt otherwise.</p>	<p>Development Constraints Overlays Code (Part 11, division 4)</p>
Single Residential	<p>Self Assessable, if—</p> <ul style="list-style-type: none"> (a) within the High Pressure Pipelines Overlay (refer Map OV11); or (b) situated within a Residential Zone, and— <ul style="list-style-type: none"> (i) within the rail corridor overlay (refer Map OV14); or (ii) within the existing and committed residential areas as mapped on the 2006 Australia Noise Exposure Forecast (ANEF) Contours Overlay (Refer Map OV7C). <p>Code Assessable otherwise.</p>	<p>If Self Assessable—acceptable solutions for Single Residential in section 12.6.5(8) in the Residential Code (Part 12, division 6). If Code Assessable—Development Constraints Overlays Code (Part 11, division 4).</p>
Other (defined use or use class)	Assessment Category	Relevant assessment criteria—applicable code if development is self-assessable or requires code assessment
All, except uses otherwise identified in this Table.	Code Assessable	Development Constraints Overlays Code (Part 11, division 4)



Table 11.4.4: Assessment Categories and Relevant Assessment Criteria for Development Constraints Overlays—Other Development

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria—applicable code if development is self-assessable or requires code assessment
Carrying out building work not associated with a material change of use	Self Assessable, if— <ul style="list-style-type: none"> (a) building work on an existing building on site; and (b) the land is situated outside the defence facilities, operational airspace development constraint overlay (refer Map OV7A and OV7B); and (c) the acceptable solutions of the applicable code for self assessable development are complied with; and (d) is not an auxiliary unit. Code Assessable otherwise.	If Self Assessable—Planning Scheme Building Matters Code (Part 12, division 16). If Code Assessable— <ul style="list-style-type: none"> (a) Development Constraints Overlays Code (Part 11, division 4); (b) Planning Scheme Building Matters Code (Part 12, division 16).
Clearing of Vegetation—not associated with a material change of use	Exempt, if land affected by the— <ul style="list-style-type: none"> (a) bushfire risk areas development constraint overlay (refer Map OV1); or (b) key resource areas, haul routes and existing mines development constraint overlay and comprising a Known Resource (refer Map OV2); or (c) high pressure oil and gas pipelines development constraints overlay (refer Map OV11); or (d) high voltage electricity transmission lines development constraints overlay (refer Map OV13); or (e) defence facilities development constraint overlay (refer Maps OV7A to OV7E). Self Assessable, if— <ul style="list-style-type: none"> (a) the acceptable solutions of the applicable code for Self Assessable development are complied with; and (b) involving clearing of less than 100m² in area in any one year; and (c) situated within— <ul style="list-style-type: none"> (i) key resource areas, haul routes and existing mines development constraint overlay and comprising a Key Resource Area; or (ii) difficult topography development constraint overlay (refer Map OV4); or (iii) the 1 in 20 development line or adopted flood regulation line constraints overlay (refer Map OV5); or (iv) urban stormwater flow path area development constraint overlay (refer Map OV5); or (v) buffers to highway and regional transport corridors development constraint overlay (refer Map OV6); 	If Self Assessable—acceptable solutions applicable to clauses (1) to (4) in column 2 of Table 12.4.1 in the Vegetation Management Code (Part 12, division 4). If Code Assessable— <ul style="list-style-type: none"> (a) Development Constraints Overlays Code (Part 11, division 4); (b) Vegetation Management Code (Part 12, division 4).



Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria—applicable code if development is self-assessable or requires code assessment
	<p>or</p> <p>(vi) motorsports buffers development constraint overlay (refer Map OV8); or</p> <p>(vii) wastewater treatment buffers development constraint overlay (refer Map OV9); or</p> <p>(viii) Swanbank Power Station buffer development constraint overlay (refer Map OV10); or</p> <p>(ix) Warrill Creek Water Catchment development constraint overlay (refer Map OV12).</p> <p>Code Assessable otherwise.</p>	
<p>Earthworks—not associated with a material change of use</p>	<p>Code Assessable, if land affected by the—</p> <p>(a) difficult topography development constraint overlay (refer Map OV4); or</p> <p>(b) 1 in 20 development line or adopted flood regulation line constraints overlays (refer Map OV5); or</p> <p>(c) urban stormwater flow path area development constraint overlay (refer Map OV5).</p> <p>Exempt, otherwise.</p>	<p>Development Constraints Overlays Code (Part 11, division 4)</p> <p>Earthworks Code (Part 12, division 15)</p>
<p>Minor Building Work</p>	<p>Exempt</p>	
<p>Placing advertising device on premises</p>	<p>Code Assessable, if situated within the buffers to highways and regional transport corridors development constraints overlay (refer Map OV6).</p> <p>Exempt, otherwise.</p>	<p>Development Constraints Overlays Code (Part 11, division 4)</p> <p>Advertising Devices Code (Part 12, division 14)</p>
<p>Reconfiguring a lot</p>	<p>Code Assessable</p>	<p>Development Constraints Overlays Code (Part 11, division 4)</p> <p>Reconfiguring a Lot Code (Part 12, division 5)</p>
<p>Carrying out work for reconfiguring a lot</p>	<p>Code Assessable</p>	<p>Development Constraints Overlays Code (Part 11, division 4)</p> <p>Reconfiguring a Lot Code (Part 12, division 5)</p>
<p>Other</p>	<p>Exempt</p>	



C. Part 12, Section 12.15.4 - Earthworks Code (including Lot Filling) Clause (8) Flooding and Drainage

This Temporary Local Planning Instrument suspends the operation of Part 12, Section 12.15.4 – Earthworks Code (including Lot Filling) Clause (8) Flooding and Drainage of the Ipswich Planning Scheme 2006 and replaces it with the following:

Flooding and Drainage

(8) Specific Outcomes

- (a) All earthworks are to comply with any applicable development criteria set out in an approved floodplain management plan. Where a floodplain management plan does not exist for the catchment, no earthworks (including filling) is permitted on land below the adopted flood regulation line, unless:
 - (i) the land is located above the 1 in 20 development line; and
 - (ii) such earthworks result in the rehabilitation and repair of the hydrological network and the riparian ecology of the waterway; and
 - (iii) an assessment, undertaken by a suitably qualified consultant, demonstrates that the reforming of the land does not negatively impact on the overall hydrology, hydraulics and flood capacity of the waterway and does not in any way result in the reduction of flood storage capacity on the site.
- (b) Earthworks —
 - (i) do not cause any increase in flooding or drainage problems; and
 - (ii) do not cause an impediment to flood waters; and
 - (iii) do not negatively impact upstream or down stream properties.
- (c) Earthworks are avoided in natural gullies and overland flow paths.

NOTE 12.15.4F

- (1) Council and the community have particular concerns about the cumulative adverse impact of any fill undertaken below the adopted flood regulation line.
- (2) Council may consider acceptable tolerances for changes to flood behaviour compared to existing conditions where included in an approved floodplain management plan and in accordance with Implementation Guideline No. 24 - Stormwater Management.
- (3) If any property may be adversely affected in respect to drainage, written notification of the proposal should be given to the affected property owner and written comments from that property owner submitted to the Local Government.
- (4) In some cases, further information such as a hydraulic study will need to be submitted to the Local Government for consideration as part of the development assessment process.
- (5) Further information on the requirements for the specific technical assessments are contained in Planning Scheme Policy 2—Information Local Government May Request.



Attachment 3

A. Assessment Criteria Applicable to Special Opportunity Areas

NOTE 1

The following Specific Outcomes are applicable to uses identified for reduced assessment levels to encourage the transition of existing flood affected residential areas to low impact, non residential uses.

The following Specific Outcomes apply to the Special Opportunity Areas designated in Attachment 4:

Special Opportunity Areas

Specific Outcomes

- (1) Further intensification of residential uses is avoided and existing residential uses are transitioned to low impact, non residential uses.
- (2) Non residential uses do not have a significant detrimental impact on the amenity of nearby residents, including through the generation of—
 - (i) odours;
 - (ii) noise;
 - (iii) waste products;
 - (iv) dust;
 - (v) traffic;
 - (vi) electrical interference; or
 - (vii) lighting.
- (3) Non residential uses do not detract from the achievement of the designated network of major centres, neighbourhood centres and local retail and commercial areas as depicted in Schedule 7, Map 3.
- (4) Building heights are generally limited to no more than two storeys, unless in having regard to the flood impact across the land, it is demonstrated that an additional building height is appropriate with—
 - (i) the character and visual amenity of the surrounding area and streetscape;
 - (ii) the extent of fall across the land and nearby land; and
 - (iii) the desired scale and intensity of the development.

B. Assessment Categories and Relevant Assessment Criteria for Special Opportunity Areas—Making a Material Change of Use

This TLPI replaces the existing Assessment Categories and Relevant Assessment Criteria Tables contained in the Ipswich Planning Scheme 2006 for the uses identified in Table 1 below for land within the Special Opportunity Areas as designated in Attachment 4. The Ipswich Planning Scheme 2006 shall be used for all other uses in the designated Special Opportunity Areas in conjunction with Table 11.4.3 and Table 11.4.4 in Attachment 2.



Table 1: Assessment Categories and Relevant Assessment Criteria for Special Opportunity Areas—Making a Material Change of Use

Column 1 Defined use or use class ¹	Column 2 Assessment category	Column 3 Relevant assessment criteria—applicable code if development is self-assessable or requires code assessment
NON RESIDENTIAL USES		
Business Use	Exempt if— (a) a business use located within an existing building approved or lawfully used for a business use; and (b) operating between the hours of 6.00 a.m. and 10.00 p.m.; and (c) the requisite number of parking spaces are provided for the use in accordance with Table 12.9.1 of the Parking Code (Part 12, division 9). Code Assessable otherwise.	Relevant Urban Areas Code (Part 4) Commercial and Industrial Code (Part 12, division 7) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9)
Carpark	Code Assessable	Relevant Urban Areas Code (Part 4) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9)
Community Use	Code Assessable	Relevant Urban Areas Code (Part 4) Recreation and Entertainment Code (Part 12, division 11) Community Use Code (Part 12, division 12) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9)
Entertainment Use	Code Assessable	Relevant Urban Areas Code (Part 4) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9)
General Store	Code Assessable	Relevant Urban Areas Code (Part 4) Commercial and Industrial Code (Part 12, division 7) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9)
Night Court	Code Assessable	Relevant Urban Areas Code (Part 4) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9)
Plant Nursery (Wholesale)	Code Assessable	Relevant Urban Areas Code (Part 4) Commercial and Industrial Code (Part 12, division 7) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9)

¹ See Ipswich Planning Scheme 2006, Schedule 1 (dictionary), division 1 (defined uses and use classes).



Column 1 Defined use or use class ²	Column 2 Assessment category	Column 3 Relevant assessment criteria—applicable code if development is self-assessable or requires code assessment
NON RESIDENTIAL USES		
Recreation Use (excluding motor sports)	Impact Assessable if motor sports. Code Assessable otherwise.	Relevant Urban Areas Code (Part 4) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9) Recreation and Entertainment Code (Part 12, division 11)
Service Trades Use	Code Assessable	Relevant Urban Areas Code (Part 4) Commercial and Industrial Code (Part 12, division 7) Development Constraints Overlay Code (Part 11, Section 11.4.7 as outlined in Attachment 2) Parking Code (Part 12, division 9)

NOTE 2

- (1) Appropriate non residential uses encouraged within the Special Opportunity Areas may include—
 - (a) bulky goods sales;
 - (b) garden centre;
 - (c) plant nursery; and
 - (d) vehicle sales premises.
- (2) Inappropriate non residential uses that are not likely be approved within the Special Opportunity Areas are those that would be heavily impacted by flooding and include—
 - (a) crematorium;
 - (b) funeral premises;
 - (c) hospital;
 - (d) self storage units; and
 - (e) warehousing.

² See Ipswich Planning Scheme 2006, Schedule 1 (dictionary), division 1 (defined uses and use classes).



Attachment 4

A. Special Opportunity Areas Maps

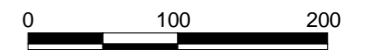
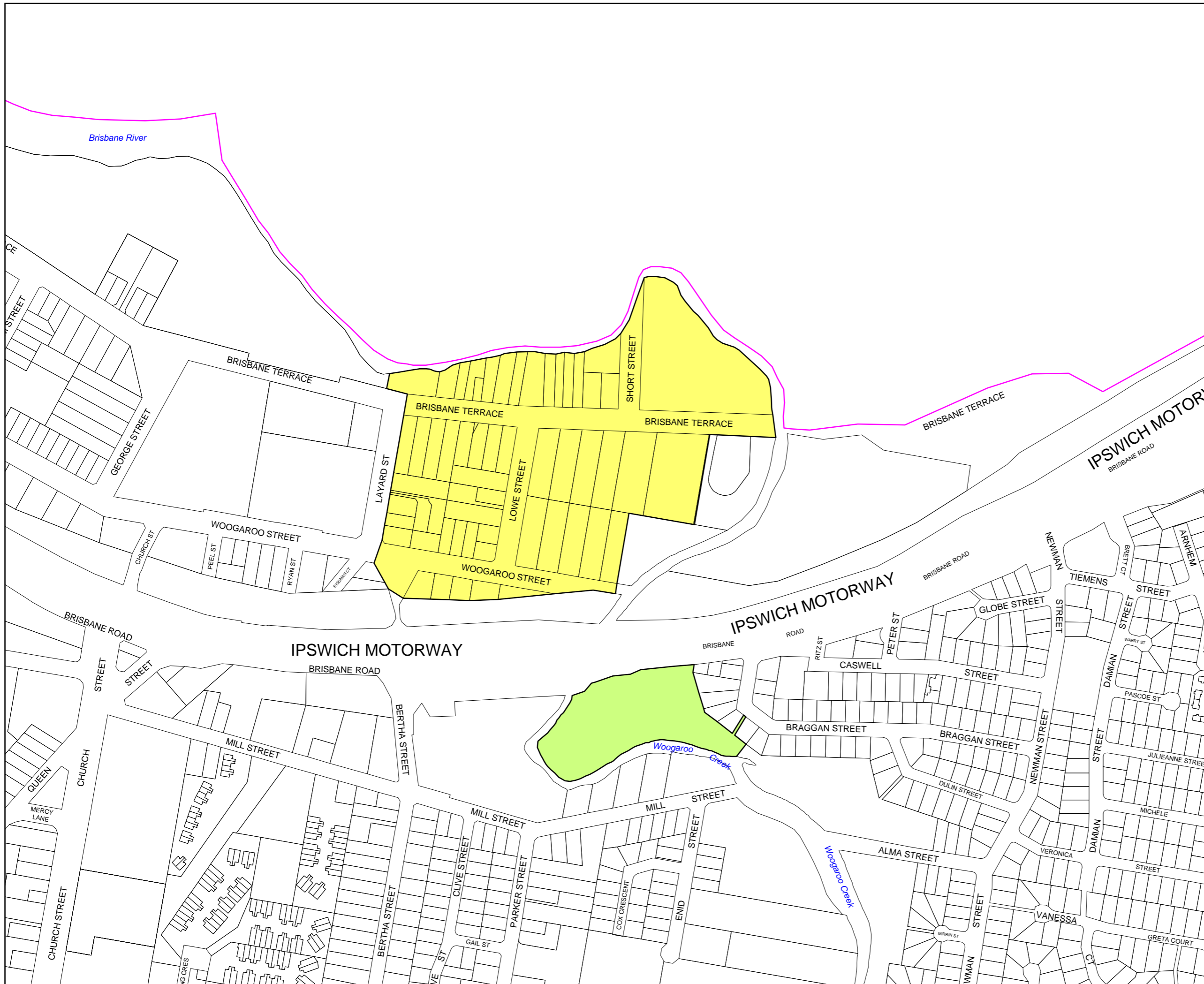
NOTE 1

- (1) For the duration of this TLPI, the provisions contained in Attachment 3 apply to the attached Special Opportunity Areas (Special Opportunity Maps 1, 2 and 3) providing reduced assessment levels for specified uses to encourage the transition of existing flood affected residential areas to low impact, non residential uses.
- (2) The Goodna North area contains an existing mix of residential and non residential uses and is also designated as a potential neighbourhood centre site on Map 3, Schedule 7.
- (3) The Woogaroo Creek area contains a caravan park with dwellings particularly susceptible to flooding – transitioning of this area to non residential uses is considered to be a particularly high priority.
- (4) The Mihi Creek area comprises a small existing mixed use precinct immediately adjoining Mihi Creek, Brassall.
- (5) The Bundamba North area contains predominately existing large lot residential uses.






- Woogaroo Creek Special Opportunity Area
- Goodna North Special Opportunity Area
- ICC LGA Boundary

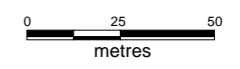
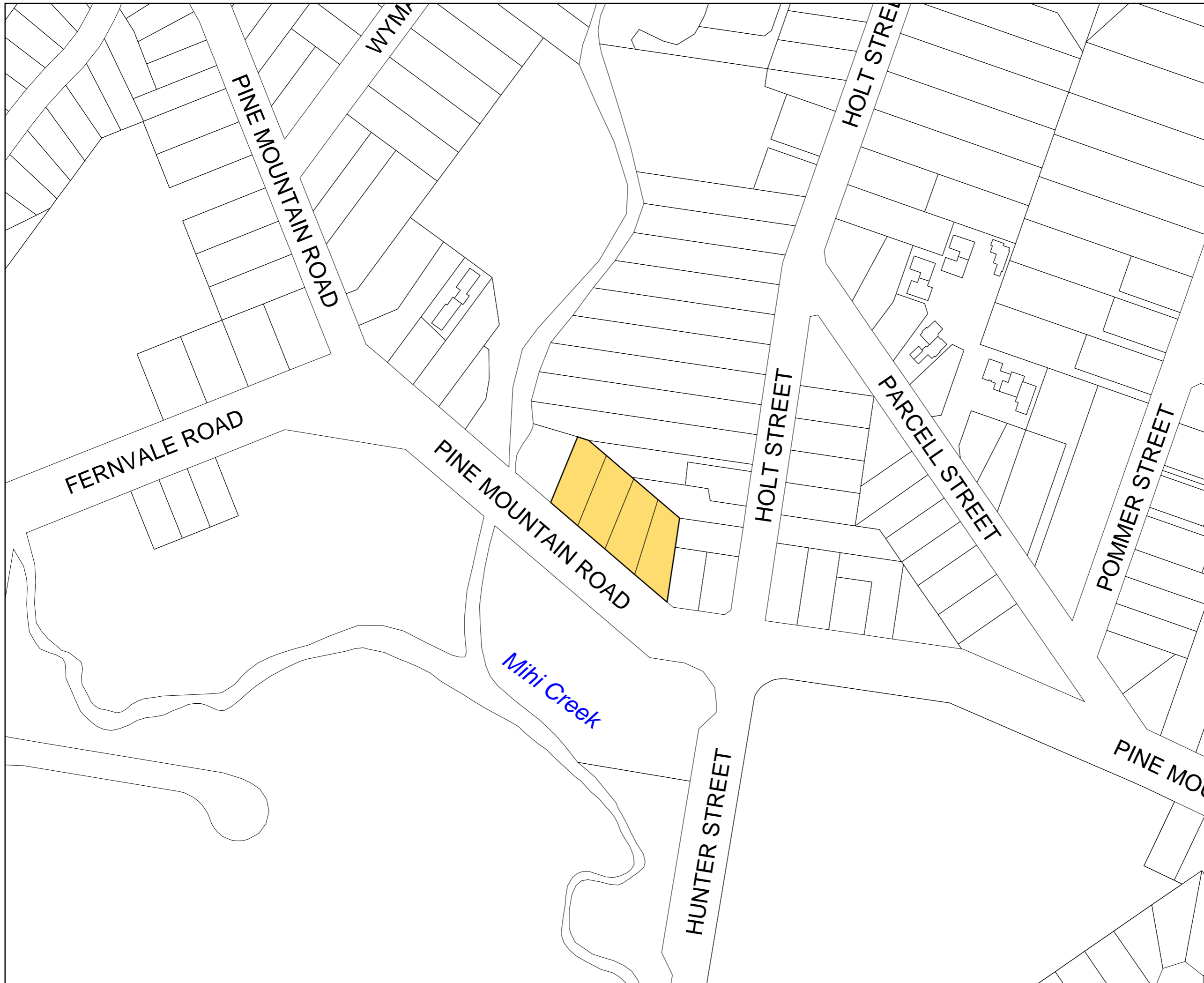



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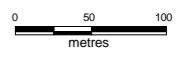
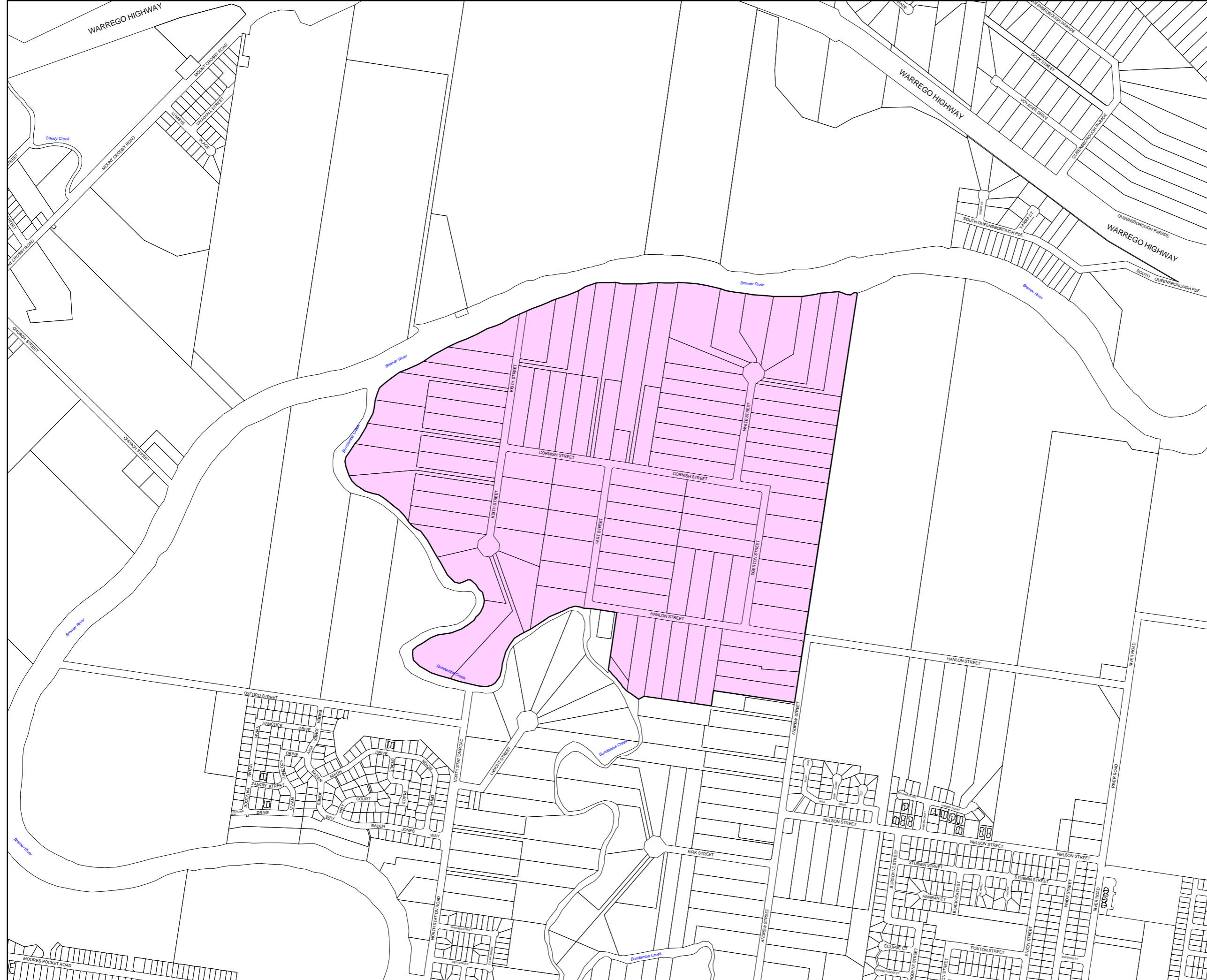
Scale 1:5,000
June 2014



 Mihi Creek Special Opportunity Area



 Bundamba North Special Opportunity Area



Scale 1:10000
June 2014