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Sustainable Planning Act 2009

**LOCKYER VALLEY REGIONAL COUNCIL
PUBLIC NOTICE**

**ADOPTION OF TEMPORARY LOCAL PLANNING INSTRUMENT 01/2015
GATTON PLANNING SCHEME 2007 – FLOOD REGULATION AND
LAIDLEY PLANNING SCHEME 2003 – FLOOD REGULATION**

Notice is given under the *Sustainable Planning Act 2009* that on 17 December 2014 Lockyer Valley Regional Council Adopted the Temporary Local Planning Instrument (TLPI 01/2015) to provide improved flood regulation based on the identification of a flood inundation area in the Gatton Shire Planning Scheme 2007, and Laidley Shire Planning Scheme 2003.

The purpose of TLPI (01/2015) is to:

1. provide improved flood regulation based on the identification of flood inundation areas in the Gatton Planning Scheme 2007, and the Laidley Shire Planning Scheme 2003; and
2. ensure development and development activities appropriately respond to, or are avoided in response to, the risk of flood hazard present on a site to protect life and property throughout the flood plain.
3. To achieve this purpose, the TLPI will affect the operation of the Gatton Planning Scheme 2007 by:
 - (a) introducing into Part 3, a new Desired Environmental Outcome about development in flood inundated areas;
 - (b) introducing Overlay Map: Map F - Flood Inundation Areas which includes:
 - (i) Map F1 – identifies the Defined Flood Extent (DFX) which includes—
 - (A) the Defined Flood Event (DFE);
 - (B) Flood Investigation Areas; and
 - (C) Overland Flow Paths; and
 - (ii) Map F2 – identifies areas of High, Medium and Low Hazard within the DFE;
 - (c) introducing into Part 5, Assessment Categories and Relevant Assessment Criteria for Areas of Flood Inundation and changing the level of assessment on the basis of Overlay Map F: Flood Inundation Areas;
 - (d) varying relevant provisions of the Gatton Shire Planning Scheme 2007 and the Laidley Shire Planning Scheme 2003, to give effect to the identification of High, Medium and Low Hazard Areas as identified in Attachment 1;
 - (e) ensuring that residential development and development which provides for vulnerable persons is avoided where the risk of hazard is high;
 - (f) protecting the safety of people and property without detriment to floodplain functions;

- (g) identifying, for the purposes of the Building Code of Australia and Queensland Development Code, a natural hazard management area for flood hazards;
- (h) ensuring the type, scale and location of development on a site is responsive to the nature and risk of flood hazard present;
- (i) ensuring the mitigation of site flooding impacts does not alter, to an unacceptable level, the floodplain characteristics of the DFE, within or external to, the development site;
- (j) complementing and supporting a multi-hazard approach to the risk management of natural hazards; and
- (k) requiring that the DFE provides three hazards areas for flood natural hazard management areas;
 - (i) High hazard area;
 - (ii) Medium hazard area; and
 - (iii) Low hazard area.

TLPI (01/2015) applies to the area to which the Gatton Planning Scheme 2007, and Laidley Planning Scheme 2003, applies and overrides the provisions in the Gatton Planning Scheme 2007, and Laidley Planning Scheme 2003 to the extent of the matters outlined in the TLPI. TLPI (01/2015) will have effect on and from 2 January 2015 and will cease to have effect on 2 January 2016, or when it is repealed in accordance with the provisions of the *Sustainable Planning Act 2009*.

TLPI 01/2015 does not vary the Defined Flood Extent or hazard classifications as they affected land in TLPI 01/2014. TLPI 01/2015 improves the effect of the previous TLPI 01/2014, by lowering the assessment levels for Class 1a structures in identified low hazard areas to self-assessable.

TLPI (01/2015) replaces TLPI (01/14), for the regulation of flood inundation areas in the Lockyer Valley Regional Council area which ceases to have effect from 2 January, 2015.

Copies of TLPI (01/2015) are available for inspection and purchase at the Customer Service Counter Lockyer Valley Regional Council 26 Railway Street Gatton Qld 4343 from 5 January 2015.

TLPI (01/2015) may be viewed and downloaded from PD Online <http://www.lockyervalley.qld.gov.au/plan-build/planning/temporary-local-planning-instrument-flood-regulation>

A copy of TLPI (01/2015) is also available for inspection at the Department of State Development and Infrastructure Planning in the Planning Information Area, 63 George Street Brisbane from 5 January 2015.

Ian Flint Chief Executive Officer

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