

# State Planning Policy 1/03

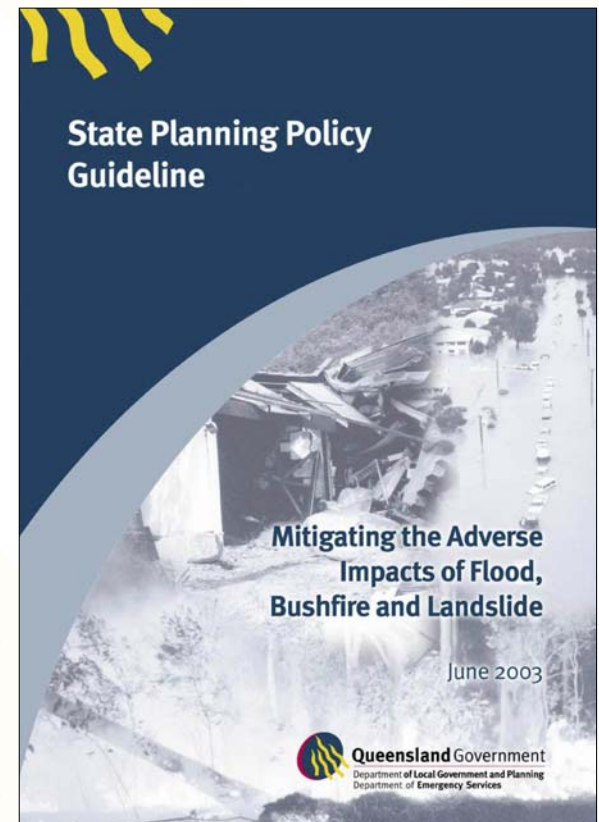
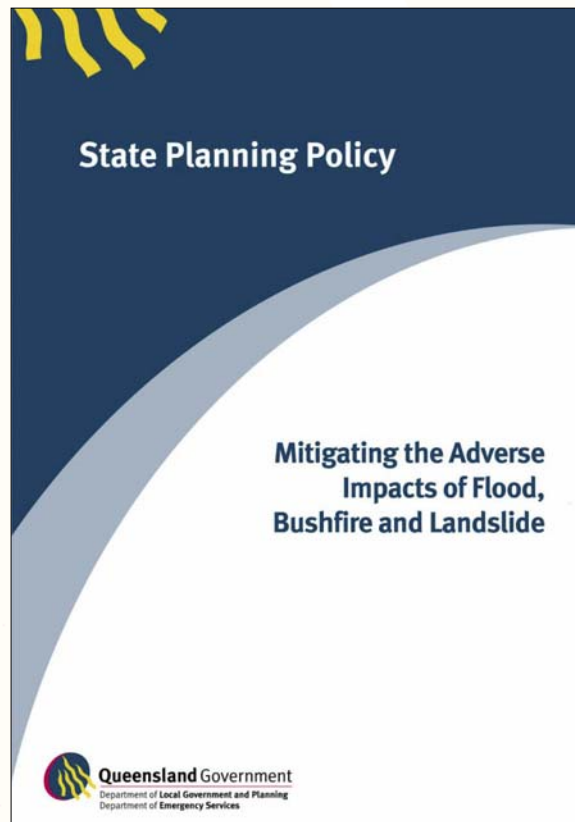
## *Mitigating the Adverse Impacts of Flood, Bushfire and Landslide*



# SPP 1/03

## Adopted 19 May 2003

### Came into effect 1 September 2003

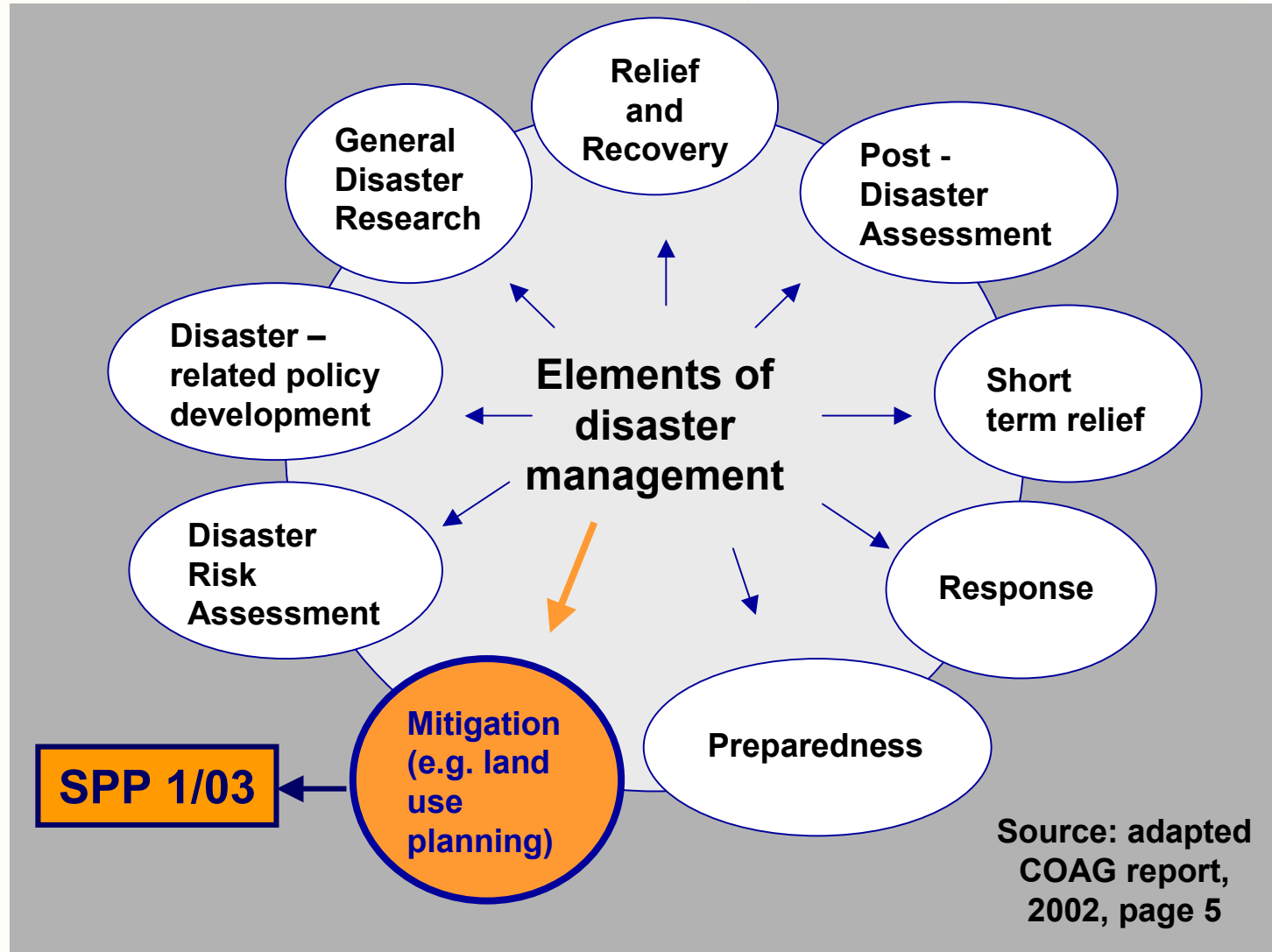


# Problem

- **Public Safety**
- **Natural Disasters** rising cost to the community (average \$239M per year)
- **Development Pressures** (e.g. coast, waterways, bushland, views)



# COAG Framework




# Disaster Mitigation Australia Package

To help reduce natural disaster threats:

- Natural Disaster Risk Management Studies Program
- Regional Flood Mitigation Program
- Natural Disaster Relief Arrangements

*Federal government “funding is conditional on...the implementation by the State, territory and local governments of more effective **land use controls**”, Wilson Tuckey.*

# Natural Disaster Risk Management Study Program

- Can provide funding assistance for natural hazard assessment studies.
- Funding assistance is on a 1:1:1 Commonwealth, State and applicant (usually a local government).
- Further information contact Anne Brierley on  3109 5099.

# State Government Initiatives

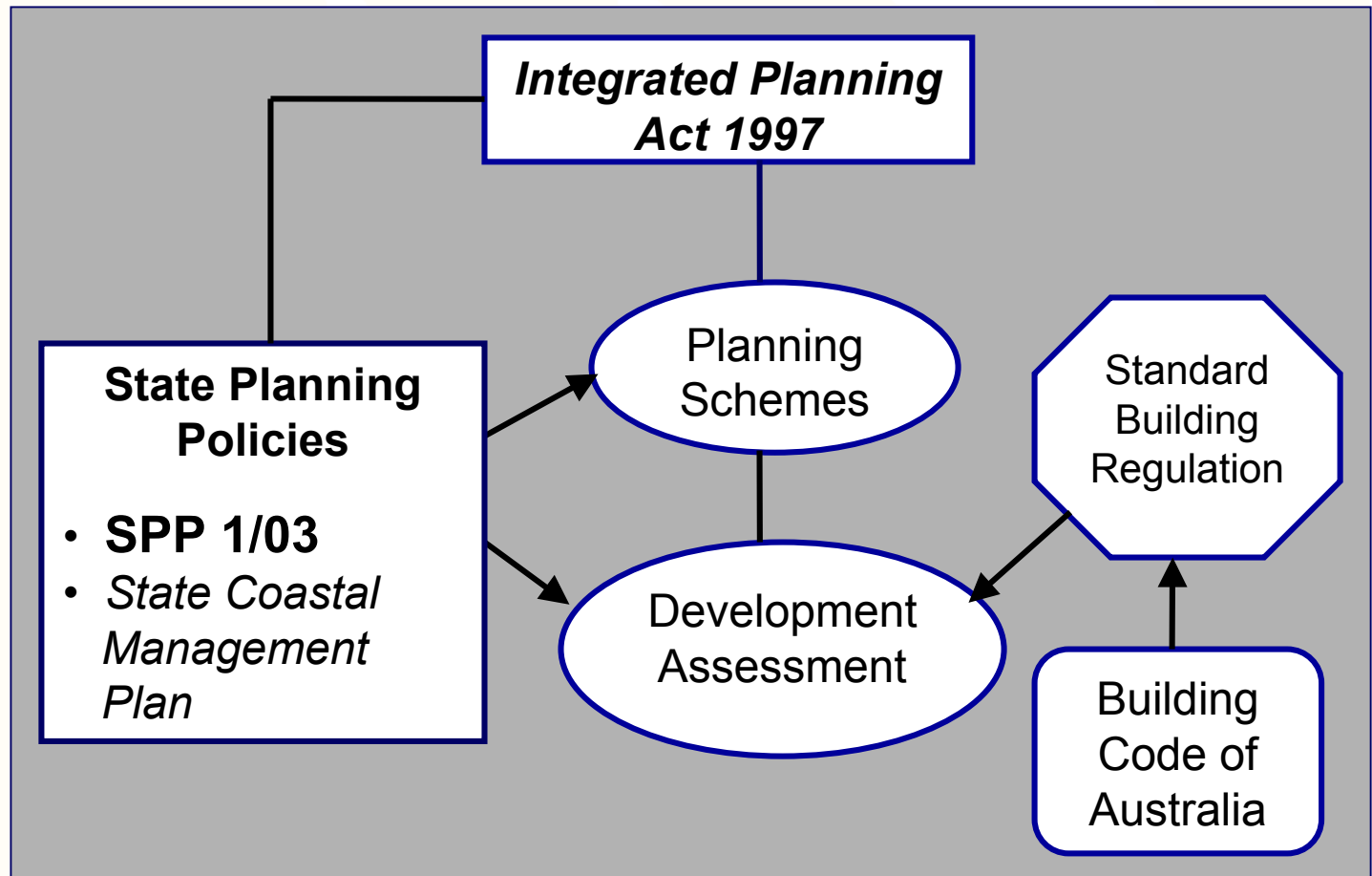
- Beattie Government priority:  
*‘safer and more supportive communities’*
- State Flood Risk Management Policy
- Local Governing Bodies Capital Works Subsidy Scheme
- Local Government Finance Standard 1994

# How SPP 1/03 Developed

- Two Staged Public Consultation:
  - 2001 and 2002
- SPP developed in consultation with:
  - GAC (10 State agencies), LGAQ, PIA, UDIA and QFRS
- Strong support from key stakeholders (including EMA)

**Many suggested improvements have been incorporated in SPP 1/03 and Guideline.**

# Integrating SPP 1/03



# Role of SPP 1/03

- Make clear State's interest in land use planning as it relates to natural hazards.
- Guide planning schemes and development decisions to reduce community vulnerability and the financial impacts of natural hazards.
- Provide a State policy context and increased support for Local and State Government in dealing with natural hazards.
- Encourage consistency of approach throughout Queensland

# SPP 1/03 cannot

- Consider issues other than land use planning and development assessment.
- Affect past land use decisions, such as development approvals.
- Replace other mitigation strategies (e.g. education strategies, early warning systems and construction of infrastructure such as levees).
- Eliminate all risks to communities.

# Overall Policy Objective of SPP 1/03

## **Position Statement:**

The Queensland Government considers that development should minimise the potential adverse impacts of flood, bushfire and landslide on people, property, economic activity and the environment.

# SPP 1/03 Guideline

- Provides advice and information on interpreting and implementing SPP 1/03.
- Has some legal status as ‘extrinsic material’.
- Is not intended as a complete technical guide.

# What hazards are addressed?

- ✓ Flood
- ✓ Bushfire
- ✓ Landslide
- ✗ Earthquakes and strong winds - addressed through the SBR.
- ✗ Storm tide inundation is addressed through the SCMP – EPA is preparing a Guideline consistent with SPP 1/03.

# When does SPP 1/03 apply?

- Assessing development applications (but not those only assessable against SBR).
- Making or amending planning schemes.
- Designating land for community infrastructure.

# From 1 September 2003

SPP 1/03 must be considered when assessing development applications as follows:

- Transitional planning schemes
  - all DA
- IPA Schemes
  - Now, impact assessable DA
  - When IPOLA 2003 commences, both code and impact assessable DA

# What does SPP 1/03 apply to?

- Actions or activities in natural hazard management areas – SPP 1/03 Annex 1, A1.1 (p 13)
- Certain community infrastructure anywhere in Queensland – SPP 1/03 Annex 1, A1.2 (p 13)

# Where does SPP 1/03 apply?

- **Flooding**  
throughout Queensland
- **Bushfire**  
Annex 2 of SPP 1/03 and Map 1 in  
SPP 1/03 Guideline
- **Landslide**  
Annex 2 of SPP 1/03 and Map 2 in  
SPP 1/03 Guideline

# Key Concepts in SPP 1/03

- 1. Identification of Natural Hazard Management Areas (NHMA)**  
(other names acceptable).
- 2. Development proposals in NHMAs should be **compatible** with the nature of the natural hazard (Annex 3 of SPP 1/03).**

# Key Concepts in SPP 1/03

3. Development should not result in **unacceptable risk** to people or property (Annex 5 of SPP 1/03).
4. Specified community infrastructure should function during and immediately after hazard events **wherever practicable**.

# NHMA (Flood)

- *Is land inundated by a Defined Flood Event (DFE) and identified in a planning scheme?*
- Appropriate DFE is 1% AEP (see Annex 3 of SPP 1/03).
- No default NHMA for flood – SPP 1/03 does not apply until a LG has identified a NHMA (flood) in its planning scheme.



# NHMA (Bushfire and Landslide)

- ‘Cascading’ definitions of NHMAs (see Annex 3 of SPP 1/03).
- Where no natural hazard assessments, default NHMA allows SPP 1/03 to take effect immediately for development assessment purposes.
- **Default NHMAs take effect on 1 Sept 03.**

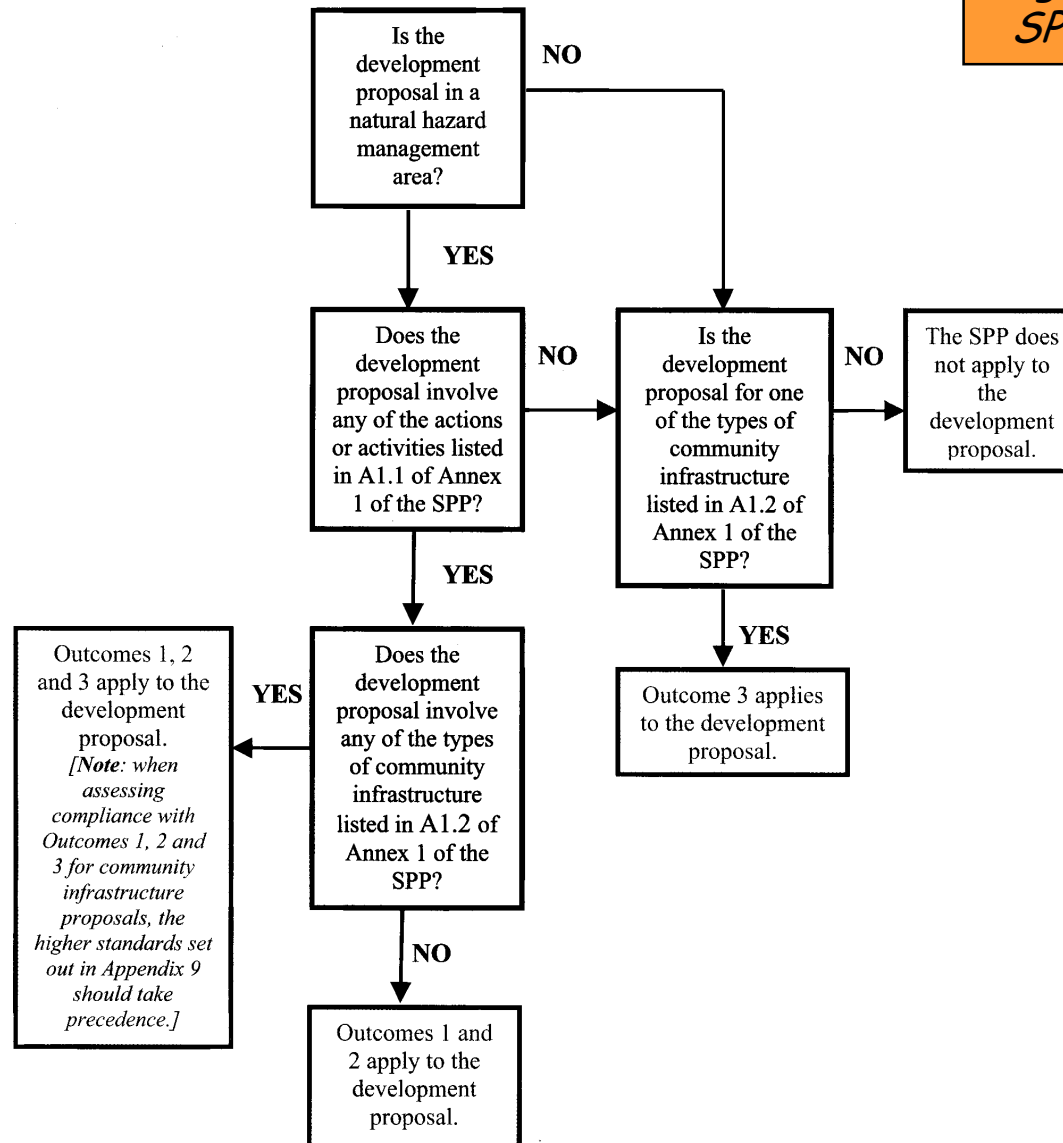


# Development Assessment

- Development to which the SPP applies should be assessed against Outcome 1 and, where necessary, Outcome 2 of SPP 1/03.
- Community infrastructure to which SPP 1/03 applies should be assessed against Outcome 3.

Figure 1: Application of the SPP to development proposals for community infrastructure

Figure 1 (Page 4)  
SPP Guidelines



# Development Assessment

SPP, page 6  
and  
Guideline,  
page 10

## Outcome 1:

Requires development to which the SPP applies to be **compatible with the nature of the natural hazard**, except where development proposal:

- is a **development commitment**;  
or
- Can demonstrate an **overriding need**.

# Development Assessment

SPP, page 7  
and  
Guideline,  
page 17

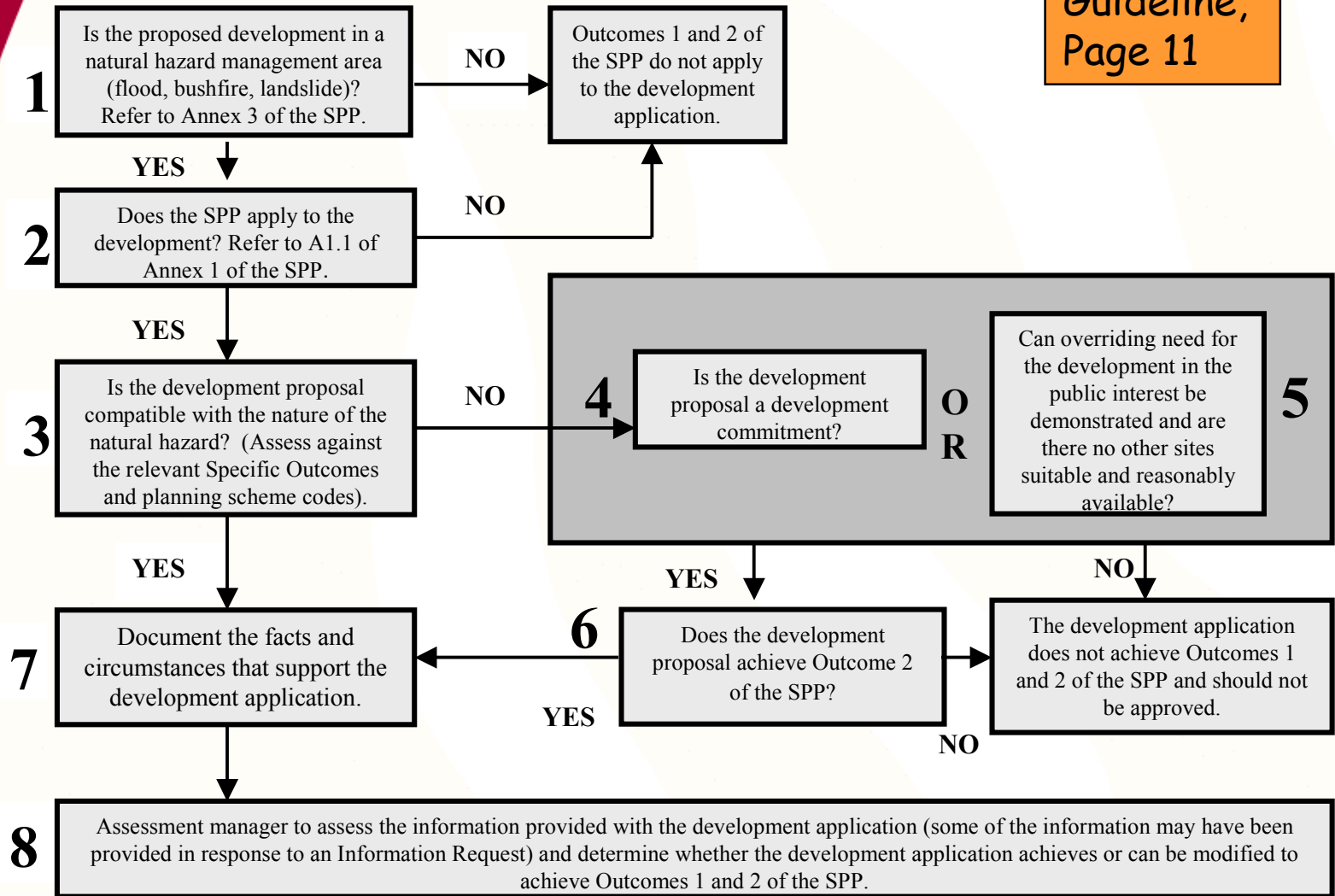
Outcome 2: applies to the **two exceptions to Outcome 1** and requires such development to:

- minimise as far as practicable the adverse impacts from natural hazards; and
- not result in an unacceptable level of risk to people or property.

The assessment process involves **6 key steps** (Figure 2).

# Figure 2: Achieving Outcomes 1 and 2 of the SPP

Guideline,  
Page 11



## Step 1

- Is the proposed development **in a NHMA** (either in the planning scheme or default as per the SPP)?

## Step 2

- Does SPP 1/03 apply to the development?  
(refer to SPP 1/03 Annex 1, A1.1)

If the answer to either of these questions is “No”, then Outcomes 1 and 2 do not apply to the development proposal

# Step 3

Guideline,  
Page 13

- Is the development proposal **compatible?**
- Should **achieve** the relevant **Specific Outcomes** in Annex 4 of SPP 1/03.
- Appendix 5 of Guideline provides **Solutions** that help the assessment.
- If compatible then Steps 4, 5 and 6 do not apply.

# Step 4

- Is the proposal a **development commitment**?
- Refer to definition of development commitment (Guideline, p 26).
- Applicant to demonstrate through an assessment of the proposal against the planning scheme.
- Assessment Manager to confirm.

# Step 5

Guideline,  
Page 15

- Can **overriding need** be demonstrated?
- Requires an assessment of:
  - **net benefits** to the community (e.g. improved access, services, economic or environmental benefits); and
  - **alternative sites** (with lower hazard risk).
- Applicant to undertake assessment, assessment manager to confirm.

# Step 6

Guideline,  
Page 16

- Does the development proposal achieve Outcome 2?
- Outcome 2 applies to the two exceptions to Outcome 1 and requires such development to:
  - **minimise as far as practicable the adverse impacts** from natural hazards; and
  - **not result in an unacceptable level of risk to people or property.**

# Step 6

Guideline,  
Page 17

- “As far as practicable” and “unacceptable risk” were discussed earlier.
- The minimum requirements for unacceptable risk are set out in SPP Annex 5 and Guideline Table 1 (page 17).
- Assessment managers may impose more stringent requirements (see para 6.31).

# Community Infrastructure

## Outcome 3:

**Wherever practicable, community infrastructure to which this SPP applies is located and designed to function effectively during and immediately after natural hazard events commensurate with a specified level of risk.**

- Applies throughout Queensland, including in NHMAs for certain community infrastructure (Annex 1 of SPP 1/03, page 13).

SPP, page 8  
and  
Guideline,  
page 18 and  
Appendix 9

# Community Infrastructure

Outcome 3 - continued

- Applies higher standards of hazard protection.
- Specific Requirements are set out on Guideline Appendix 9.
- Incorporates the concept of “where ever practicable”, discussed earlier.
- Required essential community infrastructure to have an *emergency rescue area*.

# Planning Schemes

## Outcome 4:

**Natural Hazard Management Areas are identified in the planning scheme.**

SPP, page 8  
and  
Guideline,  
page 20  
and  
Appendices  
1 to 4.

# Planning Schemes

SPP, page 9  
and  
Guideline,  
page 21.

## Outcome 5:

The **planning scheme contains planning strategies** that aim to:

- **Ensure development in NHMAs is compatible with the nature of the natural hazard;**
- **Minimise the impacts from natural hazards on existing developed areas; and**
- **Prevent development from materially increasing the extent or severity of natural hazards.**

# Planning Schemes

SPP, page 9  
and  
Guideline,  
page 23 and  
Appendices  
5 and 9.

## Outcome 6:

### **The planning scheme measures:**

- Include a **code(s) to achieve development outcomes consistent with Section 6.**
- **Ensure development to which this SPP applies is assessable or self-assessable against that planning scheme code(s).**
- **The planning scheme, or planning scheme policy(ies), specifies information to be submitted with development applications subject to the code(s).**

# Further Information



**Go to the DES website:**

**[www.emergency.qld.gov.au/publications/spp](http://www.emergency.qld.gov.au/publications/spp)**

**for Frequently Asked Questions and Responses**

**OR**



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