

**State Planning Policy 1/03:**  
***Mitigating the Adverse Impacts of Flood, Bushfire and Landslide***  
**Frequently Asked Questions**

ISSUE	QUESTION	RESPONSE
<p><b>Development Assessment</b></p>	<p><b>How does the SPP apply for development purposes immediately upon its becoming operational?</b></p>	<p>From 1 September 2003, the SPP should be used in development assessments until the SPP is appropriately reflected in the relevant local government’s planning scheme, and the Minister ‘signs off’ the scheme to that effect.</p> <p>The SPP contains ‘default’ natural hazard management areas for bushfire and landslide (refer to Annex 3 of the SPP) that will enable the SPP to be used in development assessments immediately.</p> <p>The SPP does not contain a default natural hazard management area for flood. Therefore the SPP will not have effect in relation to flood hazard until a local government has adopted a natural hazard management area (flood) for the particular locality in its planning scheme. However, it should be noted that where a local government has identified a ‘flood-affected area’ (or similar) in its planning scheme, such a designation falls within the SPP’s definition of natural hazard management area, and the SPP would have effect.</p>
<p><b>Development Assessment</b></p>	<p><b>How do I decide whether the SPP applies to a development application?</b></p>	<p>The SPP differentiates between two types of development. The SPP applies anywhere in Queensland to the community infrastructure listed in Annex 1 of the SPP, but only in natural hazard management areas for other development described in Annex 1.</p> <p>A development application involving community infrastructure should be assessed against Outcome 3 anywhere in Queensland, and if the proposal is located within a natural hazard management area Outcomes 1 and 2 may also apply to the development application. Figure 1 in the SPP Guideline shows how the SPP applies to development proposals for community infrastructure.</p> <p>A development application for other development listed in Annex 1 should be assessed against Outcomes 1 and 2 only if the proposal is located within a natural hazard management area.</p> <p>Furthermore, while the SPP’s outcomes apply throughout Queensland for flood, they only apply within the local governments specified in Annex 2 for bushfire and landslide.</p>

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<b>Development Assessment</b>	<b>How do I assess a development application to ensure that it achieves Outcomes 1 and 2 of the SPP?</b>	<p>The assessment process will involve some or all of the following decision-making steps:</p> <ol style="list-style-type: none"> <li>1. Is the development proposal in a natural hazard management area?</li> <li>2. Is the development proposal compatible with the nature of the natural hazard?</li> <li>3. Is the development proposal a development commitment?</li> <li>4. Can overriding need be demonstrated?</li> <li>5. Does the development proposal result in an unacceptable risk to people and property?</li> </ol> <p>The SPP Guideline (Figure 2, and paras 6.1 to 6.34) provides detailed guidance on how to undertake each of these steps.</p>
<b>Development Assessment</b>	<b>What is an unacceptable level of risk and how is it determined?</b>	<p>Ensuring that development does not result in an unacceptable risk to people or property is one of the tests to ensure that development achieves Outcome 2. The SPP Guideline (paras 6.25 to 6.32) provides advice on this aspect of the development assessment.</p> <p>Annex 5 to the SPP specifies certain minimum requirements that a development must satisfy to pass the ‘unacceptable risk’ test. However, the SPP acknowledges that unacceptable risk varies between communities and over time, and notes (see SPP Guideline para 6.31) that local governments and other assessment managers may impose more stringent requirements than the minimums set out in the SPP.</p>
<b>Development Assessment</b>	<b>What do ‘as far as practical’ and ‘wherever practicable’ mean?</b>	<p>These terms are used in Outcomes 2 and 3 of the SPP. The use of these terms demonstrates that the SPP recognises that it will not always be practical to achieve the desired outcomes in relation to natural hazards because there will be a wide range of other factors that need to be taken into consideration when making a decision on a matter that also requires assessment against the SPP.</p> <p>Where terms such as these are used they indicate that the SPP requires the best outcome in relation to natural hazards that can reasonably be achieved taking other relevant factors into consideration.</p> <p>Community infrastructure is a good example. It is desirable that such infrastructure meets the recommended flood levels in Appendix 9 of the SPP Guideline, but there may be other reasons why this is not achievable (see paras 6.41 to 6.43 of the SPP Guideline).</p>

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<p><b>Development Assessment</b></p>	<p><b>Does the SPP apply to the development of a house on an existing lot in a natural hazard management area?</b></p>	<p>The SPP applies to material changes of use or reconfigurations of a lot that ‘increase the number of people living or working’ in an NHMA (see SPP, Annex 1). Where the development of a new dwelling in an NHMA would be a material change of use, the proposal would fall within the ambit of the SPP. However, the SPP applies only to assessable development [NB: only to impact assessable development until forthcoming legislation - the <i>Integrated Planning and Other Legislation Amendment Bill 2003</i>-makes SPPs a consideration in code assessments).</p> <p>Therefore, whether or not the SPP applies to a house on an existing lot depends on the way a development proposal for a house is treated in the planning scheme. A development proposal for a house on an existing lot is generally made self-assessable by planning schemes and therefore would not be subject to the SPP. Any dwellings that are assessable under the planning scheme would be subject to the SPP. Where a house is consistent with the relevant zone, the proposal would be a development commitment under the SPP and can be approved even if it is not compatible with the nature of the natural hazard. However, the development would need to avoid minimize the adverse impacts of the hazard and avoid “unacceptable risk” in accordance with Outcome 2 of the SPP.</p> <p>A development proposal for a house must be assessed against the Standard Building Regulation (and the Building Code of Australia). A long-standing provision of the SBR allows a local government to declare land liable to flooding, and to specify the level above which the floor levels of habitable rooms must be built.</p>

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<b>Development Commitment</b>	<b>Why is development assessed differently if it is a development commitment?</b>	<p>The SPP acknowledges development commitments to reflect the fact that there have been past planning decisions that should be respected in order to maintain confidence and certainty in the planning process, even though they may not be consistent with current planning requirements.</p> <p>However, Outcome 2 of the SPP includes safeguards to protect public safety even where a development proposal is a development commitment (but nevertheless requires a development permit).</p>
<b>Development Commitment</b>	<b>Why are designations in forward planning documents (e.g. strategic plans or development control plans under a transitional planning scheme) excluded from the definition of development commitment?</b>	<p>Forward planning designations in transitional planning schemes usually indicate the general suitability of land for a particular use or range of uses, subject to detailed assessment of the particular circumstances of the land including an assessment of development constraints such as the natural hazards addressed by the SPP. Such designations differ fundamentally from planning scheme zones or their equivalents that allocate use rights or levels of assessment (e.g. exempt, self assessable etc), and therefore do not represent a development commitment in the same way as a zone or equivalent.</p>
<b>Natural Hazard Management Areas</b>	<b>Why doesn't the SPP include a default natural hazard management for flood?</b>	<p>Unlike the situation for bushfire and landslide, it has not been possible to identify a workable default natural hazard management area for flood because there is a lack of reliable State -wide data on flooding. Also the flood studies that are required to generate reliable flood data can be resource intensive for local governments. In the absence of reliable flood data it is not feasible to mandate a specific level of flood immunity that would be equally applicable to all parts of the State.</p> <p>For these reasons the SPP states that: "... the appropriate flood event for determining a natural hazard management area (flood) is the 1% annual exceedance probability (AEP) flood". However, the SPP retains the flexibility for local governments to adopt a different Defined Flood Event (DFE) depending on the circumstances of individual localities. Local governments proposing to adopt a lower DFE than 1% AEP will be required to demonstrate to the satisfaction of the Departments of Emergency Services and Natural Resources &amp; Mines that the proposed DFE is appropriate to the circumstances of the locality.</p>

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<p><b>Natural Hazard Management Areas</b></p>	<p><b>What level of detail is required in the natural hazard management area maps?</b></p>	<p>The natural hazard management areas are the principal mechanism for triggering the development assessment aspects of the SPP and/or planning scheme. Therefore, the NHMA overlay maps will need to clearly identify whether individual sites are affected. The detail of mapping should be related to the accuracy of the natural hazard assessment study results or other data relied on to determine the NHMA (e.g. historical flood data). It may be appropriate to include a disclaimer on NHMA maps that the NHMA is not the predicted extent of the particular hazard but an area within which the hazard potential needs to be considered. Therefore, the disclaimer could also state that the areas identified on the map are not necessarily the full extent of areas prone to the natural hazard.</p> <p>Also, it will be necessary to identify High and Medium bushfire risk areas on an NHMA (bushfire) map, and the flood level(s) applicable to all properties within an NHMA (flood). This information is essential to the achievement of some of the Specific Outcomes and associated Solutions set out in Appendix 5 to the SPP Guideline.</p>
<p><b>Flood Issues</b></p>	<p><b>What factors need to be considered when deciding on an appropriate Defined Flood Event (DFE) for determining a natural hazard management area (flood)?</b></p>	<p>The key factors that should be considered are outlined in Appendix 2 to the SPP Guideline as follows:</p> <ul style="list-style-type: none"> <li>• “potential economic and social impacts of a range of flood events;</li> <li>• community desires and expectations;</li> <li>• environmental values of and objectives for the floodplain;</li> <li>• consistency with adopted DFEs in adjoining;</li> <li>• localities (whether or not within the same local government area);</li> <li>• emergency response requirements e.g. warning times, refuges, evacuation routes, recovery measures; and</li> <li>• management and mitigation measures”.</li> </ul> <p>However, the SPP recognises that a simpler approach may be appropriate in certain circumstances. Therefore Appendix 2 also sets out a number of floodplain management planning alternatives that may be more suitable for low rate-base local governments with a low population growth rate.</p> <p>It should be noted that local governments may decide to adopt different DFEs for different parts of the local government area depending on the characteristics of particular localities.</p>

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<b>Flood Issues</b>	<b>Who is responsible for reviewing flood studies?</b>	<p>Local governments (and their consultants) have the primary responsibility for ensuring that flood studies are conducted to an acceptable standard.</p> <p>The Department of Natural Resources and Mines (NR&amp;M) is the State Government's lead agency for flooding, and can provide technical advice on flooding and floodplain management study issues. DES is responsible for the implementation of the SPP. As part of the implementation of the SPP, it is proposed that NR&amp;M and DES in conjunction will assess flood studies for completeness and accuracy and whether the conclusions of the study are adequately reflected in the planning scheme strategies and measures (e.g. that the proposed DFE is appropriate).</p>
<b>Flood Issues</b>	<b>Why doesn't the SPP cover dam break?</b>	<p>Dam break is a high consequence, low probability event. The generally accepted approach worldwide is that it is regarded as a residual risk (i.e. a risk that a community is prepared to accept and manage through safety audits of dam structures, evacuation and counter disaster planning rather than through land use planning).</p> <p>Under the Water Act 2000, an owner of a referable dam may be required to provide information about the dam's safety to decide licence conditions. The DNRM includes linkages between referable dam emergency plans and local counter disaster plans as a condition of approval under the dam safety provisions of the Water Act 2000.</p>

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<p><b>Flood Issues – Storm Tide</b></p>	<p><b>Why doesn't the SPP address storm tide inundation, and how is this hazard being addressed?</b></p>	<p>Storm tide is a coastal hazard and is addressed under the State Coastal Management Plan (State Coastal Plan) along with other coastal hazards, including coastal erosion. To avoid duplication and potential conflict, it was decided that the SPP should not attempt to address storm tide, except that the SPP requires the cumulative flood impacts of storm tide inundation to be considered when determining the extent and severity of flood hazard under the SPP.</p> <p>The State Coastal Plan describes how the coastal zone of Queensland is to be managed and addresses coastal management issues. Storm tides are a component of physical coastal processes and they have a number of impacts on foreshores and low-lying coastal areas including inundation and erosion.</p> <p>The State Coastal Plan establishes the statewide policy direction for storm tide inundation. Regional coastal management plans will identify the regional context in relation to storm tide inundation and where regional information is available may identify areas at risk and specific regional measures to address the risks.</p> <p>The EPA is currently developing Guidelines for storm tide hazard that will be consistent with the SPP. In this way, the approach to dealing with storm tide inundation in planning schemes and through the development assessment process will be consistent with the approach to rainfall flooding in the SPP.</p>
<p><b>Flood Issues – Storm Tide</b></p>	<p><b>How should the impact of storm tide inundation be incorporated into a flood study?</b></p>	<p>Storm tide inundation may be addressed in a flood study in a number of ways, depending on the topography and dominant type of flooding. Where the dominant type of flooding is as a result of rainfall runoff, the effect of storm tides is the same as that of tides generally, i.e. they reduce the rate at which flows can discharge to the sea. This results in raised flood levels for the area of the floodplain within the tidal influence.</p> <p>Where storm surge is the dominant flooding mechanism (i.e. very low lying coastal areas), the “flood study” should become a “storm surge study” and EPA – Beach Protection needs to be consulted/involved.</p> <p>It should be noted that there may be instances where both forms of flooding are significant. Therefore it should be the aim of the “flood study” to determine the extent of each so that management measures can be developed that address the whole flooding problem.</p>

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<b>Bushfire Issues</b>	<b>What is meant by the term “hazardous vegetation” in the SPP Guideline?</b>	Hazardous vegetation comprises those vegetation communities that have a hazard score of 4 or greater in Table A3.1 (p45) in the SPP Guideline.																
<b>Bushfire Issues</b>	<b>What is meant by the term “firebreak”?</b>	A firebreak is an area maintained free of any hazardous vegetation (i.e. vegetation with a hazard score of 4 or greater in Table A3.1 [p45] in the SPP Guideline).																
<b>Bushfire Issues</b>	<b>What is meant by “retained vegetation strips or small areas of vegetation” as mentioned in Solution 1.2(a) on page 60 of the SPP Guideline?</b>	<p>The setback requirements in Solution 1.2(a) apply only to hazardous vegetation (see above).</p> <p>A retained vegetation strip should have one dimension less than the maximum shown in Table 1, and should include firebreaks in accordance with Solution 1.5(c) on p.62 of the SPP Guideline:</p> <p><b>Table 1: Maximum Width of Hazardous Vegetation Strips</b></p> <table border="1" data-bbox="789 1050 1471 1241"> <thead> <tr> <th>Vegetation Hazard Score<sup>1</sup></th> <th>Maximum Dimension (metres)</th> </tr> </thead> <tbody> <tr> <td>4, 5 or 6</td> <td>100</td> </tr> <tr> <td>8</td> <td>75</td> </tr> <tr> <td>10</td> <td>50</td> </tr> </tbody> </table> <p>Note: <sup>1</sup> From Table A3.1 in the SPP Guideline</p> <p>A small area of vegetation should not exceed 5 hectares (excluding linking vegetation strips as described above), and should be either:</p> <ol style="list-style-type: none"> <li>separated from the main area of hazardous vegetation by a firebreak with a minimum width as shown in Table 2; or</li> <li>where the small area of vegetation is linked to the main area of hazardous vegetation by a retained vegetation strip, that vegetation strip should include at least one firebreak in accordance with Solution 1.5(c).</li> </ol> <p><b>Table 2: Minimum Width of Firebreaks</b></p> <table border="1" data-bbox="789 1730 1471 1921"> <thead> <tr> <th>Vegetation Hazard Score<sup>1</sup></th> <th>Minimum Width of Firebreaks (metres)</th> </tr> </thead> <tbody> <tr> <td>4, 5 or 6</td> <td>50</td> </tr> <tr> <td>8</td> <td>75</td> </tr> <tr> <td>10</td> <td>100</td> </tr> </tbody> </table> <p>Note: <sup>1</sup> From Table A3.1 in the SPP Guideline</p>	Vegetation Hazard Score <sup>1</sup>	Maximum Dimension (metres)	4, 5 or 6	100	8	75	10	50	Vegetation Hazard Score <sup>1</sup>	Minimum Width of Firebreaks (metres)	4, 5 or 6	50	8	75	10	100
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<b>Bushfire Issues</b>	<b>What is the minimum area of hazardous vegetation that should be considered when conducting a natural hazard assessment for bushfire?</b>	Small areas of vegetation (i.e. less than 5 hectares) and linking vegetation strips that comply with the requirements set out in response to the previous question do not need to be assessed.
<b>Community Infrastructure</b>	<b>If a proposed community infrastructure development is located within a natural hazard management area, how can that development achieve Outcomes 1, 2 and 3?</b>	<p>The achievement of Outcome 3 for community infrastructure proposals can require a higher standard of hazard immunity than would be required under Outcomes 1 and 2 (e.g. the levels of flood immunity set out in Appendix 9 of the SPP Guideline are higher than those in Appendix 5). These higher standards reflect the importance of the community infrastructure to the safety and well-being of the community, and should be applied when assessing a development proposal for community infrastructure (see the note in Figure 1 of the SPP Guideline).</p> <p>It should be noted that Outcome 3 requires these standards to be achieved “wherever practicable”. Where achievement isn’t practicable (see FAQ on interpreting “wherever practicable”), the community infrastructure development should achieve the best outcome in relation to natural hazards that can reasonably be achieved taking other relevant factors into consideration. Also, “unacceptable risk” should be avoided by achieving the specific outcomes set out in Annex 5 of the SPP.</p>
<b>Community Infrastructure</b>	<b>Why do some types of community infrastructure require higher levels of flood protection?</b>	The types of community infrastructure to which the SPP applies perform vital response or recovery roles during and immediately after a natural hazard event, or store valuable or irreplaceable items. Therefore, such infrastructure requires a higher level of resilience to natural hazards than many other forms of development.

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<b>Making/ Amending Planning Schemes</b>	<b>What is the process for integrating the SPP into a planning scheme?</b>	The <i>IPA Plan Making Guideline 1/02</i> describes the principles for drafting planning schemes. The SPP Guideline provides guidance in section 7, Appendix 5 and Appendix 9 on devising detailed planning scheme measures to address the SPP's outcomes, following the basic process and terminology set out in the Plan Making Guideline. It should be noted that the SPP and Guideline provide considerable flexibility for local governments to devise planning scheme measures that are suited to their particular circumstances when achieving Outcomes 4, 5 and 6 of the SPP.
<b>Making/ Amending Planning Schemes</b>	<b>Does the SPP need to be reflected in planning schemes that are partly developed?</b>	<p>The most desirable situation is one where the planning scheme reflects the SPP by interpreting it in the local context so that the SPP is not used for development assessments under IDAS. In this way, the State's interests in the three natural hazards can be addressed through the planning scheme and the scope for conflicts between the SPP and planning scheme is avoided.</p> <p>However, integration of the two instruments needs to be completed before public consultation is undertaken on a draft planning scheme. This may be impossible because consultation has occurred/about to occur, or impracticable because an excessive amount of work would be required to amend an advanced draft planning scheme. In such circumstances, the SPP would be used in development assessments alongside the planning scheme until the latter is reviewed/amended.</p>
<b>Climate Change</b>	<b>How can the potential impacts of climate change be incorporated into natural hazard assessments?</b>	<p>The likely impacts of climate change on natural hazards can be incorporated in hazard assessment studies through the adoption of reasonable assumptions about likely changes to relevant factors such as rainfall intensity and duration, temperature changes, sea level changes and the like. At this stage it does not appear feasible to include climate change impacts in bushfire assessments, and this is acknowledged in the SPP Guideline (Appendix 3, para A3.7).</p> <p>Any such assumptions should be made by appropriately qualified people on the basis of the best scientific information available at the particular time. The SPP Guideline provides links to suitable data sources (see Appendix 11).</p>