

Answers To Practical Examples

*In relation to the
State Planning Policy 1/03*

*From a Series of
Information Workshops
Held July-September 2003*

NB: State Planning Policy 1/03 hereinafter is referred to as "SPP" and State Planning Policy 1/03 Guideline hereinafter referred to as "Guideline"

Answers - Figure 1

QUESTION 1	<i>Answer</i>			
<p>By placing a tick (✓) in the appropriate boxes, please show which of the outcomes 1-3 may be applicable to each of the proposals.</p>	Development Proposal	Outcome (✓)		
		1	2	3
	R1			
	R2	<input checked="" type="checkbox"/>		
	R3 *			<input checked="" type="checkbox"/>
	R4	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
	E1			<input checked="" type="checkbox"/>
E2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
* includes hospital development				

<p>WHY?</p> <ul style="list-style-type: none"> • R1 is not in an NHMA, nor is it community infrastructure, so the SPP does not apply. • R2 is within the NHMA so Outcome 1 applies. Outcome 2 may also apply – refer to Question 3 below. • R3 contains an element of community infrastructure to which the SPP applies (Outcome 3) anywhere in Queensland. • R4 is within an NHMA (Outcome 1) and is likely to be a development commitment so Outcome 2 may also apply. • E1 is outside the NHMA but is community infrastructure to which the SPP applies. • E2 is within the NHMA and is also community infrastructure to which the SPP applies. Also it is a development commitment (Code Assessable and otherwise consistent with the planning scheme) and may be able to demonstrate overriding need so Outcome 2 may also apply.

QUESTION 2	<i>Answer</i>
Which of the residential proposals is likely to be a development commitment under the SPP 1/03?	R4 ✓
<p>WHY? Because residential Material Change of Use (MCU) subdivision is consistent with the planning scheme and therefore falls within the definition of “development commitment”.</p>	

QUESTION 3	<i>Answer</i>
Under what circumstances might Proposal R2 be acceptable under the SPP (assuming that it cannot be made “compatible with the nature of the natural hazard”)?	Overriding need (unlikely given R1 and R3), or if it is a development commitment (eg may have a preliminary approval).
<p>WHY? As R1 and R3 appear to provide alternative sites for residential development, overriding need may be difficult to demonstrate. R2 may be a development commitment if it has a preliminary approval. (Refer to the definition of ‘development commitment’ in the SPP)</p>	

Answers - Figure 2

QUESTION 1	<i>Answer</i>
What aspects of the proposal would trigger assessment under the SPP?	a) MCU that increases people living or working in NHMA. b) Child care centre – difficult to evacuate. c) Works (including clearing vegetation) in a waterway.
WHY? <ul style="list-style-type: none"> • Refer Annexure A1.1 page 13 of SPP. • Other possibilities could be if the proposal involved the manufacture or storage of hazardous materials in bulk, or involved net filling exceeding 50 m³. 	

QUESTION 2	<i>Answer</i>
Assuming the subdivision is for <u>non-residential</u> purposes: 2.1 Does the SPP require a minimum floor level for development within the NHMA 2.2 What are the options for achieving Specific Outcome 1? 2.3 What types of industrial activity require specific consideration under the SPP?	2.1 No. 2.2 Either demonstrates that the development site is not subject to flood at the DFE or minimum floor level, safe evacuation route, sufficient flood warning time or safe refuge. 2.3 Manufacture or storage of certain hazardous materials in bulk.
WHY? <ul style="list-style-type: none"> • A minimum floor level above the DFE is only one option for satisfying Specific Outcome 1 (see Guideline page 55). • Refer to Solution 1.1 and Solution 1.4 (a)-(d) at Page 55 of the SPP Guideline. • See specific Outcome 4 page 59 SPP Guideline and definition of hazardous material in SPP Glossary on page 11. 	

Answers - Figure 2 - Continued

QUESTION 3	<i>Answer</i>
<p>Assuming the subdivision is for <u>residential</u> purposes:</p> <p>3.1 What is the minimum floor level for habitable rooms for development within the NHMA?</p> <p>3.2 Other than the SPP, what other regulation could influence the minimum floor level for habitable rooms?</p> <p>3.3 If the subdivision was a development commitment, what are the minimum requirements imposed by the SPP</p>	<p>3.1 7.5m and applicable freeboard</p> <p>3.2 SBR</p> <p>3.3 Specific Outcomes 1, 2 and 4. (Although specific outcome 4 only applies for development involving the manufacture or storage of hazardous materials in bulk).</p>
<p>WHY?</p> <p>3.1 The DFE on which the NHMA is based is the 1% AEP flood, which has a height of 7.5 m AHD at this location, as shown in the figure. To this should be added any applicable freeboard specified in the planning scheme.</p> <p>It is proposed to amend the SBR to link the DFE used for NHMAs in the planning scheme to the minimum flood height for habitable rooms specified in the SBR to ensure consistency.</p> <p>3.2 SBR, as per 3.1, above.</p> <p>3.3 These minimum requirements are set out in Annexure 5 to the SPP and repeated at Table 1 (page 17) of the Guideline.</p>	

QUESTION 4	<i>Answer</i>	
<p>Which of the following matters need to be assessed when determining 'compatibility with the nature of the natural hazard' under the SPP?</p>	✓	External flood impacts (eg loss of flood storage capacity).
	X	Impacts on the amenity of nearby areas.
	✓	The location and/or design of essential services infrastructure.
	X	Whether the development proposal is a development commitment or can demonstrate overriding need.
	X	Impacts on water quality.
<p>WHY?</p> <p>Although they may be significant issues in their own right, amenity and water quality are not directly related to hazard mitigation and are not matters that need to be addressed under SPP 1/03. (Although there may be some indirect consideration of water quality in relation to development that involves the manufacture or storage of hazardous materials in bulk).</p> <p>Whether the proposal is a development commitment or can demonstrate overriding need relates to achievement of Outcome 1 but not to "compatibility", which is determined only by assessment against the relevant specific outcomes.</p>		

Answers - Figure 3

QUESTION 1	<i>Answer</i>
Why is the NHMA (bushfire) boundary located where it is in relation to the hazardous vegetation?	100m buffer must be added to areas with High severity bushfire hazard to obtain the NHMA boundary.
<p>WHY?</p> <ul style="list-style-type: none"> • Refer to Appendix 3, Step 7, page 48 of the Guideline. • The reason for adding the buffer is that the bushfire hazard does not stop at the edge of the hazardous vegetation, due to factors including radiant heat, flying embers, falling trees and rolling logs. 	

QUESTION 2	<i>Answer</i>
Identify 3 aspects of Proposal A that do not comply with the relevant requirements in Appendix 5 of the SPP Guideline.	<ol style="list-style-type: none"> 1. Cul-de-sacs. 2. Inadequate setbacks 3. Long narrow lots 4. Poor emergency access 5. No fire access trails
<p>WHY?</p> <p>The answer to this question requires an assessment of the proposal against the relevant Solutions in Appendix 5B of the SPP Guideline (page 60).</p> <ol style="list-style-type: none"> 1. Cul-de-sacs See Solution 1.6(b). Only permitted where a perimeter road isolates the development from hazardous vegetation or cul-de-sacs are provided with alternative access. 2. Inadequate Setbacks Lots are less than 2,500m² therefore Solution 1.2(b) applies; ie maximise setbacks from hazardous vegetation. This has not been achieved. 3. Long, Narrow Lots See Solution 1.4 (a) 4. Emergency Access to Buildings is Inadequate See Solution 1.4 (a) 5. No perimeter road or fire maintenance trails between development and bushfire hazard See Solution 1.5 	

QUESTION 3	<i>Answer</i>
For Proposal B, please nominate the required setbacks from hazardous vegetation.	<ol style="list-style-type: none"> a) 15 metres b) 10 metres
<p>WHY? See Solution 1.2, page 60, Guideline, which required 1.5 times the predominant mature canopy tree height (given as 10m in the figure) plus 10m to retained strips.</p>	

Answers - Figure 3 - Continued

QUESTION 4	<i>Answer</i>
If Proposal B was on an existing 2,000m ² lot in the same location, what does the SPP require in relation to setbacks from hazardous vegetation?	Maximise setbacks
WHY? See Solution 1.2 (b), Guideline page 60.	

QUESTION 5	<i>Answer</i>
If Proposal B involved the manufacture or storage of hazardous materials in bulk, what additional requirement would apply?	Bushfire Management Plan if hazardous materials are those to which the SPP applies.
WHY? <ul style="list-style-type: none"> • See Solution 2.1, Guideline page 62 • Note that Appendix 8 to the SPP Guideline set outs the requirements for a Bushfire Management Plan. 	

QUESTION 6	<i>Answer</i>
If a suitable reticulated water supply is not provided, what quantity of water must be stored on site (for each lot)?	5,000 litres
WHY? See Solution 1.3, Guideline page 60.	

QUESTION 7	<i>Answer</i>
If Proposal A is a development commitment, what are the minimum requirements that must be met under the SPP?	<ul style="list-style-type: none"> • Adequate access for fire fighting vehicles and emergency access • Adequate water supply
WHY? These minimum requirements are set out in Annex 5 to the SPP and repeated as Table 1 (page 17) of the Guideline.	

Answers - Figure 4

QUESTION 1	<i>Answer</i>	
Which of the following areas should be included in a natural hazard management area (landslide)?	✓	Land that is geologically unstable?
	X	Land with little or no vegetation cover?
	✓	Land within the likely runout distance of debris flows?
	X	Land that shows evidence of soil erosion?
WHY?	<ul style="list-style-type: none"> • See Annex 3, Para A 3.4 of the SPP (page 16). • Land that is not vegetated or is subject to erosion is not necessarily unstable. 	

QUESTION 2	<i>Answer</i>	
In a natural hazard management area (landslide), to which of the following types of building or other work on potentially unstable slopes does the SPP apply?	✓	Earthworks exceeding 50 cubic metres?
	X	Structures involving footings in excess of 10 cubic metres?
	✓	Vegetation clearing?
	✓	Redirecting the existing flow of surface or ground water?
	X	Buildings of two or more storeys?
WHY?	<ul style="list-style-type: none"> • See Annex 1, Para A1.1 (c) on page 13 of the SPP 1/03 or the left-hand column in Appendix 5 to the SPP Guideline. 	

QUESTION 3	<i>Answer</i>
Figure 4 shows four different proposals for a tourist facility. To which of the four proposals would the SPP apply?	
1. If the default natural hazard management area (landslide) set out in Annexure 3, paragraph A3.4 of the SPP applied?	C ✓
2. If the natural hazard management area (landslide) was based on a landslide hazard assessment that had identified the line of geological instability shown in the figure?	B ✓ C ✓ D ✓
WHY?	<ol style="list-style-type: none"> 1. The default NHMA only includes land within a slope >15%. 2. If a hazard assessment has been undertaken, the NHMA should include land that is geologically unstable or that may be affected by debris flows. (Refer to the footnote on page 16 of the SPP and Appendix 4 of the SPP Guideline)

QUESTION 4	<i>Answer</i>
List three ways a development proposal could achieve Specific Outcome 1 (refer to Appendix 5C)	<ol style="list-style-type: none"> (1) Development is not subject to landslide either internally or from sloping land above the site. (2) Development does not involve vegetation clearing or alter ground levels of storm water conditions. (3) Development includes measures that ensure long-term stability of the development site and not adversely affected by landslides above site.
WHY?	Refer to Solutions 1.1 – 1.3 in Appendix 5C, page 63 of Guideline.

Answers - Figure 5

QUESTION 1	Answer
All other things being equal, which of the numbered sites would be preferred?	3 ✓
WHY?	Because it is outside the NHMAs for flood and bushfire and above the recommended flood level for emergency services (0.2% AEP – see Appendix 9, page 70).

QUESTION 2	Answer
There are two possible ways to satisfy the bushfire requirements of the SPP for Sites 1 & 2, what are they?	(1) Undertake a site specific bushfire hazard assessment. (2) Bushfire hazard management plan.
WHY?	See Solutions 2.2 and 2.4 in Guideline Appendix 9, page 71.

QUESTION 3	Answer
An application for development at Site 4 or Site 5 would require the provision of a report demonstrating:	That the proposal can function effectively during and immediately after the RFL flood event.
WHY?	See Solution 1.2 and the associated note in Appendix 9 of Guideline, page 70.

QUESTION 4	Answer
Whichever of the 5 sites is proposed, the development would need to include an area	Emergency Rescue Area
WHY?	See Solution 1.3, Appendix 9 of Guideline, page 70.

QUESTION 5	Answer
Name three key features of an emergency rescue area:	(1) Must be above DFE/RFL (2) FATO with a minimum diameter of 30m (3) Obstacle Limitation Area
WHY?	Refer to the definition of <i>emergency rescue area</i> (Guideline page 26).

QUESTION 6	Answer
Give an example of a circumstance where it might not be practicable to achieve Outcome 3	Where it would result in an unacceptable level of service (eg response time by fire service)
WHY?	See Para 6.15 of the SPP and Para 6.43 of the Guideline, page 20.