1.

### Flood hazard overlay code[[1]](#footnote-1) [[2]](#footnote-2)

#### Application

This code applies to development:-

1. subject to the flood hazard shown on the Flood hazard maps adopted by Council; and
2. identified as requiring assessment against the Flood hazard overlay code by the tables of assessment in **Part 5 (Tables of assessment)**.

#### Purpose and overall outcomes

1. The purpose of the Flood hazard overlay code is to ensure that development protects people and avoids or mitigates the potential adverse impacts of flood and storm tide inundation on property, economic activity and the environment, taking into account the predicted effects of climate change.
2. The purpose of the code will be achieved through the following overall outcomes:-
	1. floodplains and the flood conveyance capacity of watercourses are protected;
	2. development in areas at risk from flood or storm tide inundation is compatible with the nature of the flood or storm tide hazard;
	3. the safety of people is protected and the risk of harm to property and the natural environment from flood and storm tide inundation is minimised;
	4. wherever practical, infrastructure essential to the health, safety and wellbeing of the community is located and designed to function effectively during and immediately after a flood or storm tide event;
	5. development does not result in a material increase in the extent or severity of flood or storm tide inundation.

#### Specific benchmarks for assessment

Table 8.2.8.3.1 Requirements for development accepted subject to requirements and benchmarks for assessable development

| **Performance outcomes** | **Acceptable outcomes** | **Compliance / Representations** |
| --- | --- | --- |
| ***Assessment benchmarks for dwelling houses*** |  |
| **PO1**Dwelling houses are resilient to flooding and storm tide inundation by ensuring that:-1. they are sited and located to avoid or minimise risk to people and damage to property; and
2. essential infrastructure effectively maintains its function during and immediately after flood and storm tide events.
 | **AO1.1**The finished floor level of all habitable rooms of the dwelling house is at or above the flood hazard level (FHL).**OR**Where involving an extension to an existing dwelling house that is situated below the DFL and the extension constitutes less than 50% of the gross floor area of the existing building:-1. the extension has a gross floor area not exceeding 50m²; and
2. the finished floor level of habitable rooms is not less than the floor level of existing habitable rooms.

**OR**Where DFL data is not available, flood resilience is optimised by ensuring that the dwelling house (including extensions to an existing dwelling house):-1. is elevated; and
2. located on the highest part of the site.

Note—the highset ‘Queenslander’ style house is a resilient housing form in flood hazard areas.Editor’s note—dwelling houses utilising slab on ground construction are generally inappropriate within flood hazard areas.**AO1.2**Infrastructure necessary to service the dwelling house is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFL. Notes—1. The relevant building assessment provisions under the *Building Act 1975*, including QDC MP3.5 – Construction of Buildings in Flood Hazard Areas, apply to building work within a flood hazard area.
2. The Queensland Government Fact Sheet ‘Repairing your house after a flood’ provides information about water resilient products and building techniques.

Editor’s note—it is recommended that building materials and surface treatments used under the DFL are resistant to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment. Council guidelines for building within a flood hazard area provide information and recommendations for improving resilience against scour and the forces of flood waters. | Provide a brief description how your proposal complies with the relevant Acceptable outcome (if applicable) or a detailed analysis how compliance is achieved with the Performance outcome. |
| **PO2**Dwelling houses do not directly, indirectly or cumulatively change flood characteristics which may cause adverse impacts external to the development site. | **AO2**Building work does not involve filling within a flood hazard area as identified on a Flood hazard map adopted by Council. | Click and provide your representations.  |
| **PO3**The height of dwelling houses does not negatively impact on the visual amenity and streetscape of the surrounding area as a result of the raising of floor levels for flood immunity purposes.Note—alternative provision to QDC MP1.1, P4 and MP1.2, P4.  | **AO3**Where required to increase flood resilience of a dwelling house (or part of the dwelling) by raising the habitable floor height, the height of the building, when measured from ground level to the highest point of the building roof, is not greater than 9.5m.Note—alternative provision to QDC MP1.1, A4 and MP1.2, A4. | Click and provide your representations. |

Table 8.2.8.3.2 Benchmarks for assessable development only

| **Performance outcomes** | **Acceptable outcomes** | **Compliance / Representations** |
| --- | --- | --- |
| ***Development siting and design*** |  |
| **PO4**Development is sited and designed such that potential risk to people and damage to property on the site from flooding or storm tide inundation is avoided or minimised. | **AO4.1**There is no intensification of residential uses on premises situated below the DFL, including the development of dual occupancy and multiple residential uses.**AO4.2**No additional residential lots are created below the DFL.**AO4.3**Development that increases the number of people living or working in a flood or storm tide hazard area has an emergency evacuation plan for people to evacuate to a gathering point above the DFL in the face of advancing flood waters. **AO4.4**Buildings and other structures are sited on the highest part of the site, or in the area of least hazard, to increase flood resilience.Notes—1. The relevant building assessment provisions under the *Building Act 1975*, including QDC MP3.5 – Construction of Buildings in Flood Hazard Areas, apply to building work within a flood hazard area.
2. The Queensland Government Fact Sheet ‘Repairing your house after a flood’ provides information about water resilient products and building techniques.
 | Click and provide your representations. |
| ***Building design and built form***  |  |
| **PO5**Building design and built form:-1. is resilient to flood and storm tide events by appropriately responding to the potential risks of flooding and inundation; and
2. maintains a functional and attractive street front address appropriate to the intended use.
 | **AO5.1**The design and layout of buildings used for residential purposes minimises risks from flooding and inundation by providing:-1. non-habitable uses at ground level such as parking and other low intensity uses (e.g. temporary storage of readily removable items); and
2. the finished floor level of all habitable rooms is at or above the flood hazard level (FHL).

**AO5.2**Buildings incorporate appropriate screening to ensure that the under-storey is not visible from the street, where such screening does not impede flood water flows.***Additional requirements for non-residential uses*****AO5.3**Where possible, the design and layout of building used for non-residential purposes provides for:-1. parking or other low intensity uses at ground level;
2. retail, commercial and work areas are located above parking areas to increase resilience to flooding and inundation.

Note—business owners/applicants should undertake their own risk assessment to determine the floor level that maximises flood resilience for mechanical plant, equipment and stock.Editor’s note—Council guidelines for building within a flood hazard area provide information and recommendations for improving resilience against scour and the forces of flood waters. | Click and provide your representations. |
| ***Essential services infrastructure*** |  |
| **PO6**Essential services infrastructure within a site (including electricity, gas, water supply, wastewater and telecommunications) maintains effective functioning during and immediately after flood and storm tide events. | **AO6**Infrastructure necessary to service the development is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFL. | Click and provide your representations. |
| ***Utility installations, telecommunications facilities and emergency services*** |  |
| **PO7**Utility installations, telecommunications facilities and emergency services are able to function effectively during and immediately after flood events. | **AO7**No acceptable outcome provided.  | Click and provide your representations. |
| ***Hazardous and other materials*** |  |
| **PO8**Public safety and the environment are not adversely affected by the detrimental impacts of floodwater on materials, including hazardous materials, manufactured or stored on site. | **AO8**Materials stored on-site:-1. are those that are readily able to be moved in a flood or storm tide event;
2. are not hazardous or noxious, or comprise materials that may cause a detrimental impact on the environment if discharged in a flood or storm tide event; and
3. where at risk of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood or inundation.

Note—businesses should ensure that the necessary continuity plans are in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upper-storey of a building or off-site). | Click and provide your representations. |
| ***Flood impacts*** |  |
| **PO9**Development does not directly, indirectly or cumulatively change flood characteristics which may cause adverse impacts external to the development site. | **AO9.1**Development within the flood hazard area does not result in a reduction in flood storage capacity. **AO9.2**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 premises external to the development site.**AO9.3**No earthworks (including filling of land or reduction of flood storage capacity) occurs on land below the DFL, unless –1. such earthworks result in the rehabilitation and repair of the hydrological network and the riparian ecology of the watercourse; and
2. 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 watercourse and does not in any way result in the reduction of flood storage capacity on the site.

Note—the Council may consider acceptable tolerances for changes to flood behaviour compared to existing conditions where included in an approved floodplain management plan. | Click and provide your representations. |

1. Editor’s note—to demonstrate compliance with the relevant performance outcomes of this code, a site-based flood study that investigates the impact of the development on the floodplain may be required. The **Planning scheme policy for information Council may request, and preparing well made applications and technical reports** provides guidance for preparing a site-based flood study. [↑](#footnote-ref-1)
2. Editor’s note—the Flood hazard maps adopted by Council identify flood hazard areas (including storm tide inundation areas) for the Bundaberg Region declared by Council resolution under section 13 of the Building Regulation 2006, as referenced at **Section 1.7.4 (Other documents incorporated in the planning scheme)**. [↑](#footnote-ref-2)