

Carolyn Rimmer

From: Debra Bellchambers
Sent: Friday, 7 July 2023 9:14 AM
To: LPS submissions
Subject: FW: SES Representation - Kentish Draft Local Provisions Schedule
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-----Original Message-----

From: Irvine, Chris <Chris.Irvine@ses.tas.gov.au>
 Sent: Wednesday, July 5, 2023 3:39 PM
 To: Kentish Council <council@kentish.tas.gov.au>
 Cc: Stewart, Ann <Ann.Stewart@ses.tas.gov.au>
 Subject: SES Representation - Kentish Draft Local Provisions Schedule

[You don't often get email from chris.irvine@ses.tas.gov.au. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Please find attached the SES representation on the draft Kentish LPS

Regards

Chris Irvine
 Manager, Flood Policy Unit

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Our Ref: A23/151311

3 July 2023

Mr Gerald Monson
General Manager
Kentish Council
PO Box 63
SHEFFIELD TAS 7306

Dear Mr Monson,

SES REPRESENTATION – KENTISH DRAFT LOCAL PROVISIONS SCHEDULE

Thank you for the opportunity to make a representation on the Kentish Draft Local Provisions Schedule (LPS). This representation raises matters related to:

- Flood-prone area hazards; and
- Zoning.

Flood-prone areas hazards

The State Emergency Service (SES) notes that a Flood-Prone Areas Hazard Overlay (the Overlay), has been included as part of the draft LPS. The Kentish draft LPS Supporting Report provides detail on the flood study information used to inform the Overlay, as:

“The Kentish Draft LPS overlay map identifies land impacted by the 2011 flood event and is informed by data collected by Council at the time of the event and subsequent mapping by Esk Mapping finalised in 2014. This map identifies the extent of land with the potential to be impacted by flood.”

SES support the use of the Overlay.

SES note that the Railton Township has a large area of flood-prone land within the General Residential zoned area that requires flood risk management work to be completed. SES recognise the hard work and contribution that Kentish Council has made to understanding and managing the flood risk for the Railton community to date and commend Council's ongoing commitment to building a more disaster resilient community.

SES note that the planned structural flood mitigation works currently being designed in the Railton Township will change the flood behaviour in the locality when the works are completed. There will therefore be a need to amend the Flood-Prone Area Hazards Overlay after the works are completed.

SES notes the Overlay is restricted to the known flood prone areas around the township of Railton and does not cover other known flood prone areas such as those along the Mersey, Dasher, Don, and Minnow Rivers.

SES take this opportunity to recognise the limited flood-prone areas mapping across Tasmania and inform Kentish Council that the State Government is undertaking a Tasmanian Flood Mapping Project. This project will deliver a state-wide comprehensive and consistent flood hazard map later this year. SES has draft mapping covering the greater Kentish Municipal Area. Finalised mapping for the area will be made available to planning authorities for land use planning purposes, including updating or introducing LPS Flood-Prone Areas Hazard Overlays. The SES invite Kentish Council to participate in this project.

Until the state-wide flood hazard map is delivered, many flood-prone areas will remain unmapped within a LPS Flood-Prone Areas Hazard Overlay.

SES can confirm that the absence of a Flood-Prone Areas Hazard Overlay in a LPS does not preclude the implementation of the Flood-Prone Areas Hazard Code. The Flood-Prone Hazard Areas Code applies in a number of circumstances, including; to use in a habitable building, or development of land, identified in a report prepared by a suitably qualified person, that is requested by a planning authority, as subject to risk from flood or that has the potential to cause increased risk from flood. A planning authority may request such a report where it reasonably believes, based on information in its possession, that the land is subject to risk from flood, or has the potential to cause increased risk from flood.

SES is working to prepare draft guidance on what information a planning authority should use to determine if it reasonably believes that land is subject to risk from flood, or where a proposed use or development has the potential to cause increased risk from flood, including offsite impacts and damages.

In the interim, SES suggests that, to determine if a planning authority reasonably believes land is subject to risk from flood, or where a proposed use or development has the potential to cause increased risk from flood, including offsite impacts and damages, the planning authority should have regard to the best, publicly available flood hazard information including:

- Flood-prone Areas Hazard Overlays;
- any report adopted by a council in accordance with the *Building Regulations 2016* and *Director's Determination – Riverine Inundation Hazard Areas*;
- any flood study available on the Australian Flood Risk Information Portal;
- any flood hazard report prepared in accordance with the Flood-Prone Areas Hazard Code; any flood marks, photos, or other historical evidence that are publicly discoverable;
- Flood Data books available from the Department of Primary Industries, Parks, Water and Environment;
- the modelled 2016 flood high water mark extent map available on ListMap (layer called June 2016 Flood HWM Extent); and
- SES Tasmanian Strategic Flood Map data.

Zoning and Specific Area Plans (SAPs)

SES notes there are changes in zoning in the transition from the Interim Planning Scheme to the draft LPS. SES supports the use of zones that provide for the management of density in flood-prone areas.

Please contact the Manager Flood Policy Unit – Chris Irvine, on 6173 2700, or by email chris.irvine@ses.tas.gov.au , if you wish to discuss any of the matters raised in this submission.

Yours sincerely,



Mick Lowe
Executive Director SES and Volunteers