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BY:

Mr Chris Schroeder
General Manager
Glamorgan Spring Bay Council
PO Box 6
TRIABUNNA TAS 7190

Dear Mr Schroeder

Representation – Glamorgan Spring Bay Draft Local Provisions Schedule

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

- Flood-prone areas hazards;
- Coastal inundation hazards;
- Zoning; and
- Emergency management.

Flood-prone areas hazards

The State Emergency Service (SES) notes that a Flood-Prone Areas Hazard Overlay, has not been included as part of the draft LPS. The Supporting Report, exhibited as part of the draft LPS documentation, makes the following explanatory statement:

“3.2.12 Flood-Prone Areas Code

Clause LP1.7.10 of the SPPs state that ‘if a planning authority has flood-prone areas in its municipal area, the LPS must contain an overlay showing the areas for the application of the Flood-Prone Areas Hazard Code.’ The planning authority has insufficient data to demonstrate that riverine areas are known to be prone to flooding within the 1 per cent annual exceedance probability level and therefore the code is not used in the draft LPS.

*The inability to produce a flood-prone hazard area overlay, **thereby not implementing the Flood-Prone Areas Code** is consistent with the SPPs and the Guidelines.”*

SES notes that while sufficient data is not available to inform a comprehensive Flood-Prone Areas Hazard Overlay for the municipal area, there are areas within the Glamorgan Spring Bay (GSB) municipal area that have been studied by a suitably qualified person and are known to be at risk from flooding. The *Saltwater Creek Flood Study 2018*, commissioned by GSB Council and prepared by Burbury Consulting, identified land within the municipality at

risk of flooding in a 1% AEP flood event and could inform a Flood-Prone Areas Hazard Overlay.

SES recommends that a Flood-Prone Areas Hazard Overlay, incorporating the 1% AEP extent from the *Saltwater Creek Flood Study 2018*, is included in the draft LPS.

In recognition of the limited flood-prone areas mapping across Tasmania, the State Government is undertaking the Tasmanian Flood Mapping Project. This project will deliver a state-wide comprehensive and consistent flood hazard map by 2020. The map will be made available to planning authorities for land use planning purposes, including updating LPS Flood-Prone Areas Hazard Overlays. The SES invite GSB 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 take this opportunity to 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 with the Department of Justice 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 has the potential to cause increased risk from flood. A request will be made to the Tasmanian Planning Commission to consider issuing the guidance under section 8A of the *Land Use Planning and Approvals Act 1993*.

In the interim, SES suggests that, to determine if it reasonably believes that land is subject to risk from flood or has the potential to cause increased risk from flood, planning authorities should have regard to the best, publicly available flood hazard information including:

- any report adopted by a council in accordance with regulation 52(2)(b) of the *Building Regulations 2016*
- 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*).

Coastal inundation hazards

SES notes that the draft LPS includes a table headed, *GSB – Table C11.1 Coastal Inundation Hazard Bands AHD Levels*, and that the data included in this table has been informed by the Department of Premier and Cabinet's - *Coastal Hazards Technical Report - Appendix 9*. SES supports the inclusion of this table in the draft LPS.

This Table enables the full application of the Code and the forthcoming *Director's Determination – Building Requirements for Coastal Inundation Hazard Areas*.

Zoning

SES notes that there are a number of proposed changes in zoning compared to the current interim planning scheme. These proposed zoning changes do not appear to significantly increase the potential future flood risk or coastal inundation risk land use profile.

Emergency Management

SES notes that the Dolphin Sands area is surrounded by land at high risk of coastal inundation. Access to and from this locality may be limited during storms and elevated ocean water level events. The *draft LPS – GSB-P1.0 Particular Purpose Zone - Dolphin Sands*, in conjunction with the *Dolphin Sands Emergency Management Sub-plan*, is an important plan that contributes to the management of this risk. Regular reviews of the *Dolphin Sands Emergency Management Sub-plan* should continue to include specific consideration of coastal inundation emergencies in combination with changes to use and development in the locality.

Yours faithfully



Andrew Lea, ESM
Director