

LAU-S17 Flood Levee Protected Areas Specific Area Plan

LAU-S17.1 Plan Purpose

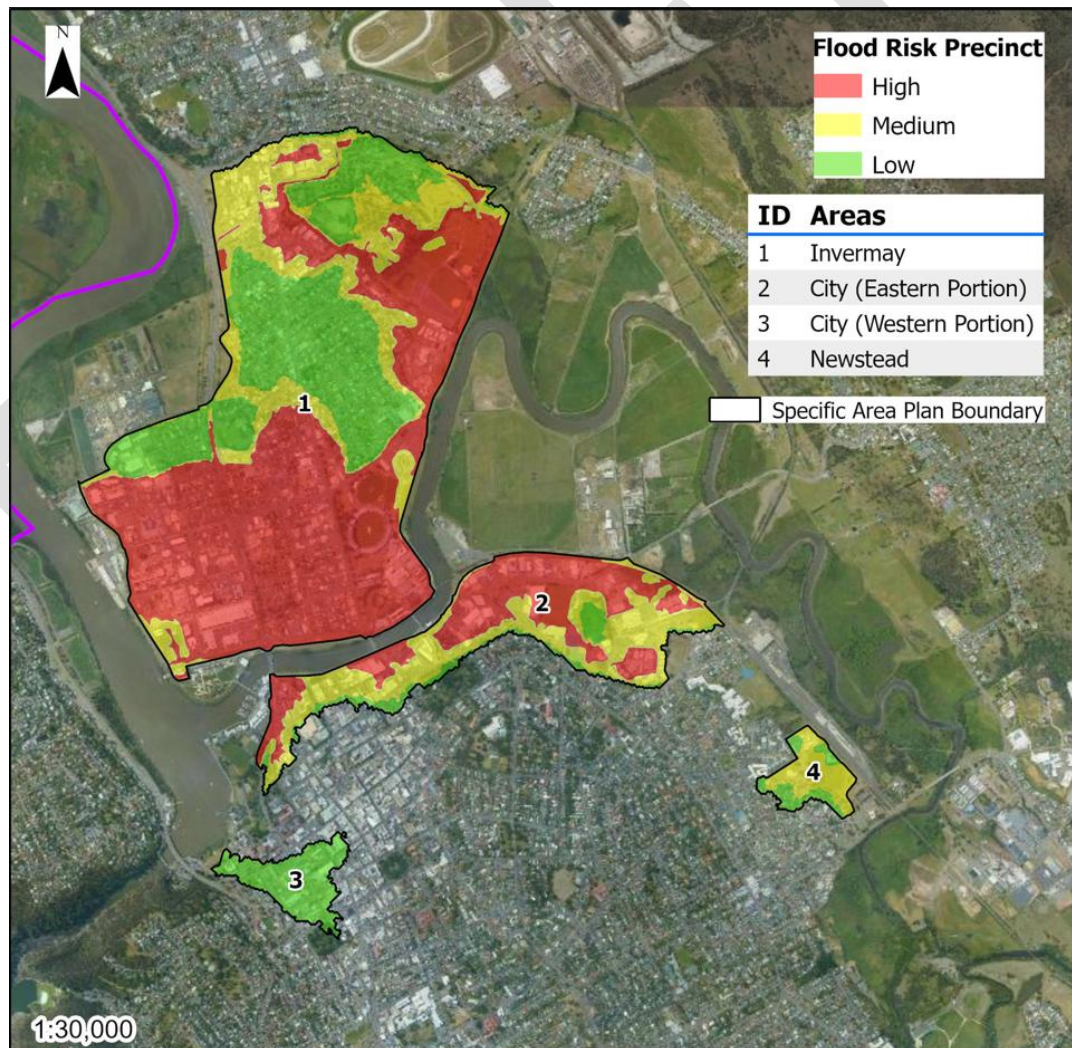
LAU-S17.1.1 The purpose of this Specific Area Plan is to minimise the risk to human life and damage to property caused by flooding and ensure that use and development of land protected by levees is managed to:

- a. To prevent the establishment or intensification of use and development with an unacceptable risk
- b. ensure consideration of the flood risk in the location of future land uses;
and
- c. require new buildings to be resilient to the impacts of flood inundation.

LAU-S17.2 Application of this Plan

LAU-S17.2.1 The specific area plan applies to the area of land designated as LAU-S17 Flood Levee Protected Areas Specific Area Plan shown on the planning scheme overlay maps and in Figure LAU-S17.1.

Figure LAU-S17.1



LAU-S17.2.2 Where a site the subject of an application is located within more than one flood risk precinct the controls specific to each flood risk precinct will apply if the development is capable of being divided into independently distinguishable components. Otherwise, the controls applying to the highest flood risk precinct will apply.

LAU-S17.2.3 In the area of land to which this plan applies, the provisions of the specific area plan are in addition and to the provisions of the:

- a) General Residential Zone;
- b) Inner Residential Zone;
- c) Urban Mixed Use Zone;
- d) Local Business Zone;
- e) Central Business Zone;
- f) Commercial Zone;
- g) Light Industrial Zone;
- h) Rural Zone;
- i) Utilities Zone;
- j) Community Purpose Zone;
- k) Recreation Zone;
- l) Open Space Zone; and
- m) Particular Purpose Zones.

LAU-S17.3 Use or Development exempt from this plan

LAU-S17.3.1 The following use or development is exempt from this Specific Area Plan:

- a) non-habitable buildings;
- b) modifications or alterations to the internal floor space of residential buildings approved at the effective date;
- c) natural values and Cultural values management;
- d) passive recreation;
- e) port and shipping in a proclaimed wharf area;
- f) resource development excluding a habitable building; or
- g) minor utilities.

LAU-S17.4 Definition of Terms

LAU-S17.4.1 In this Specific Area Plan, unless the contrary intention appears:

Terms	Definition
<i>Annual Exceedance Probability (AEP)</i>	<i>means the probability of an event with a certain magnitude being exceeded in any one year.</i>
<i>Comprehensive risk assessment</i>	<i>means an assessment prepared by a suitably qualified person for a site, that must include:</i>

	(a) details of, and be signed by, the person who prepared or verified the assessment; (b) confirmation that the person has appropriate qualifications and expertise in flood risk assessment, floodplain risk management, hydrology, hydraulics or a related discipline relevant to the assessment; (c) confirmation that the assessment has been prepared in accordance with any methodology, guideline or advice published by a Tasmanian State government authority or relevant Response Management Authority, relating to flood risk management or climate change; (d) clear evidence - based on conclusions on the proposed use or development as to whether flood risk to life, property and infrastructure can achieve and maintain a tolerable risk for the intended life of the use or development, having regard to: (i) the nature, intensity and duration of the use; (ii) the type, form, scale and intended life of any development; (iii) flood hazard, including the likely depth, velocity, rate of rise, duration and warning time for flood events; (iv) the exposure of people, property, infrastructure, utilities and services to flood risk; (v) the vulnerability of persons likely to be present on the site, including any persons requiring assistance during a flood emergency; (vi) the vulnerability and resilience of buildings, works, infrastructure, utilities and services to flood impacts; (vii) the likely change in the level of risk over the intended life of the use or development, including projected climate change conditions; (viii) the ability of the use or development to adapt to a change in the level of risk; (ix) flood events up to and including extreme events greater than a 1% AEP flood, including any overtopping or breach of levees; (x) any measures required to avoid, reduce, manage or mitigate flood risk within or beyond the boundary of the site; (xi) any flood emergency response plan, flood management plan or other arrangements relevant to the ongoing management of the use or development; and (xii) any matter specifically required by Performance Criteria in this Specific Area Plan.
<i>Dangerous Goods</i>	<i>dangerous goods are substances or articles classified under the Australian Dangerous Goods Code that pose a risk to health, safety, property, or the environment due to their</i>

	<i>explosive, flammable, toxic, corrosive, or environmentally hazardous properties</i>
<i>Flood compatible materials and methods</i>	<i>means, when inundated by flood water, materials that are resistant to damage, a building design that reduces the potential for the failure of electrical and plumbing services, and building methods that reduce the potential for the structural integrity of the building to be permanently damaged.</i>
<i>Flood emergency response plan</i>	<i>means a plan prepared by a suitably qualified person for a site, that must include:</i> <i>(a) details of, and be signed by, the person who prepared or verified the plan;</i> <i>(b) confirmation that the person has appropriate qualifications and expertise in emergency management and flood emergency planning;</i> <i>(c) confirmation that the plan has been prepared in accordance with any methodology, guideline or advice published by a Tasmanian state government authority or relevant Response Management Authority, relating to flood risk management or climate change;</i> <i>(d) clearly specifies the prevention, preparedness, response and recovery measures required to effectively manage flood risk and flood emergencies.</i> <i>(e) clear, evidence-based conclusions on the proposed use or development as to whether persons on the site can be safely managed during a flood emergency, having regard to:</i> <i>(i) the nature, intensity and duration of the use;</i> <i>(ii) the number and vulnerability of persons likely to be present on the site;</i> <i>(iii) the available warning time for flood events, including extreme floods involving the overtopping or breach of levees at the closest point in the levee;</i> <i>(iv) the reliability, capacity and safety of any evacuation route or access to a safe refuge and/or assembly area, having regard to the Tasmanian Emergency Evacuation Framework;</i> <i>(v) the procedures for warning, evacuation, shelter-in-place, emergency communication and assistance to persons requiring support;</i> <i>(vi) the availability and suitability of safe refuge for all potential floods up to the year 2090;</i> <i>(vii) the roles and responsibilities of owners, operators, staff, occupants and emergency services in implementing the plan, consistent with Tasmanian Emergency Management Arrangements;</i> <i>(viii) arrangements for maintaining, testing and reviewing the plan over the intended life of the use or development; and</i>

	<i>(ix) any matter specifically required by Performance Criteria in this Specific Area Plan.</i>
<i>Flood hazard report</i>	<i>means a report prepared by a suitably qualified person for a site, that must include:</i> <i>(a) details of, and be signed by, the person who prepared or verified the report;</i> <i>(b) confirmation that the person has the appropriate qualifications and expertise;</i> <i>(c) confirmation that the report has been prepared in accordance with any methodology specified by a State authority; and</i> <i>(d) conclusions based on consideration of the proposed use or development:</i> <i>(i) as to whether the use or development is likely to cause or contribute to the occurrence of flood on the site or on adjacent land;</i> <i>(ii) as to whether the use or development can achieve and maintain a tolerable risk for the intended life of the use or development, having regard to:</i> <i>a. the nature, intensity and duration of the use;</i> <i>b. the type, form and duration of any development;</i> <i>c. the likely change in the level of risk across the intended life of the use or development;</i> <i>d. the ability to adapt to a change in the level of risk;</i> <i>e. the ability to maintain access to utilities and services;</i> <i>f. the need for flood reduction or protection measures beyond the boundary of the site;</i> <i>g. any flood management plan in place for the site and/or adjacent land;</i> <i>h. any advice relating to the ongoing management of the use or development;</i> <i>i. how the use or development will manage the risk during either an overtopping of the levee or a levee breach at the closest point in the levee during a 5% AEP, 2% AEP or 1% AEP flood event;</i> <i>j. the likely velocity and depth of flood waters</i> <i>k. the need to locate electrical equipment and other fittings above the 1% AEP flood level; and</i> <i>(iii) any matter specifically required by Performance Criteria in this Specific Area Plan.</i>
<i>Flood Risk Precinct (FRP)</i>	<i>means that part of the floodplain distinctively shown on the LAU-S17 overlay map with an identified risk level of High, Medium or Low.</i>
<i>Freeboard</i>	<i>means a factor of safety expressed as the height above the design flood level. Freeboard provides a factor of safety to</i>

	<i>compensate for uncertainties in the estimation of flood levels across the floodplain, such as wave action, localised hydraulic behaviour and impacts that are specific-event related, such as levee and embankment settlement.</i>
<i>Hazardous materials</i>	<i>means a hazardous chemical, as defined in the Work Health and Safety Regulations 2022, if the amount of hazardous chemical stored exceeds the manifest quantity as specified under the Work Health and Safety Regulations 2022.²</i> <i>² It will be necessary to refer to the relevant Safety Datasheet.</i>
<i>High flood risk precinct</i>	<i>means that part of the floodplain distinctively shown on the LAU-S17 overlay map</i>
<i>Inveresk Cultural Precinct</i>	<i>means that area generally bound by Forster Street, Invermay Road and North Esk River, and as shown in Figure LAU-S17.2.</i>
<i>Low flood risk precinct</i>	<i>means that part of the floodplain distinctively shown on the LAU-S17 overlay map.</i>
<i>Medium flood risk precinct</i>	<i>means that part of the floodplain distinctively shown on the LAU-S17 overlay map.</i>
<i>Probable Maximum Flood (PMF)</i>	<i>Means the largest flood that could conceivably occur at a particular location. The PMF defines the extent of flood-prone land – that is, the floodplain.</i>
<i>Significant community infrastructure</i>	<i>means a use and development that provides hospital services, emergency services or education and occasional care (if for tertiary institution or employment training centre).</i>

LAU-S17.5 Use Table

LAU-S17.5.1 This sub-clause is not used in this specific area plan.

LAU-S17.6 Use Standards

LAU-S17.6.1 Unacceptable uses

This clause is in addition to the:

- (a) General Residential Zone - Clause 8.3 Use Standards;
- (b) Inner Residential Zone - Clause 9.3 Use Standards;
- (c) Urban Mixed Use Zone - Clause 13.3 Use Standards;
- (d) Local Business Zone - Clause 14.3 Use Standards;
- (e) Central Business Zone - Clause 16.3 Use Standards;
- (f) Commercial Zone - Clause 17.3 Use Standards;
- (g) Light Industrial Zone - Clause 18.3 Use Standards;
- (h) Rural Zone - Clause 20.3 Use Standards;
- (i) Utilities Zone - Clause 26.3 Use Standards;

- (j) Community Purpose Zone - Clause 27.3 Use Standards;
- (k) Recreation Zone - Clause 28.3 Use Standards;
- (l) Open Space Zone - Clause 29.3 Use Standards; and
- (m) Particular Purpose Zones - Use Standards.

Objective:	
To prevent the establishment of new land uses that present an unacceptable risk when subject to, or isolated by, flood inundation	
Acceptable Solution	Performance Criteria
A1 If for the establishment of new non-residential uses except for: (a) Custodial facility; (b) Storage (Liquid fuel depot), within the High or Medium FRP; (c) Significant community infrastructure within the high or Medium FRP. A2.1 If for the establishment of new residential uses within the low or medium FRP except for: (a) Residential care facility; (b) Retirement village; (c) Respite centre (d) Assisted housing A2.2 If for the establishment of new single dwellings in the High FRP	P1 No Performance Criterion.

LAU-S17.6.2 Intensity of Uses

This clause is in addition to the:

- (a) General Residential Zone - Clause 8.3 Use Standards;
- (b) Inner Residential Zone - Clause 9.3 Use Standards;
- (c) Urban Mixed Use Zone - Clause 13.3 Use Standards;
- (d) Local Business Zone - Clause 14.3 Use Standards;
- (e) Central Business Zone - Clause 16.3 Use Standards;
- (f) Commercial Zone - Clause 17.3 Use Standards;
- (g) Light Industrial Zone - Clause 18.3 Use Standards;
- (h) Rural Zone - Clause 20.3 Use Standards;
- (i) Utilities Zone - Clause 26.3 Use Standards;

- (j) Community Purpose Zone - Clause 27.3 Use Standards;
- (k) Recreation Zone - Clause 28.3 Use Standards;
- (l) Open Space Zone - Clause 29.3 Use Standards; and
- (m) Particular Purpose Zones - Use Standards.

Objective:	
To limit the intensity of uses that present an unacceptable risk when subject to, or isolated by, flood inundation.	
Acceptable Solution	Performance Criteria
A1 a) if for residential use in the low FRP; or b) in the High or medium FRP: (i) Residential use up to 200m² of gross floor area on a single title; or (ii) Extensions to existing residential use of no more than 10% of the gross floor area existing or approved at the effective date.	P1 No Performance Criterion.
A2 a) if for non-residential use in the low FRP, except for: (i) Significant community infrastructure; (ii) Community meeting and entertainment. b) in the High or medium FRP: (i) Non-Residential use up to 400m² of gross floor area on a single title; or (ii) Visitor accommodation use within a dwelling up to 200m² of gross floor area on a single title; or (iii) Extensions to existing non-residential use of no more than 10% of the gross floor area existing or approved at the effective date.	P2 Must be designed and located to prevent an unacceptable level of risk to life and property having regard to a comprehensive risk assessment report.

LAU-S17.6.3 Dangerous Goods and Hazardous Materials

This clause is in addition to the:

- (a) General Residential Zone - Clause 8.3 Use Standards;
- (b) Inner Residential Zone - Clause 9.3 Use Standards;
- (c) Urban Mixed Use Zone - Clause 13.3 Use Standards;
- (d) Local Business Zone - Clause 14.3 Use Standards;
- (e) Central Business Zone - Clause 16.3 Use Standards;
- (f) Commercial Zone - Clause 17.3 Use Standards;
- (g) Light Industrial Zone - Clause 18.3 Use Standards;
- (h) Rural Zone - Clause 20.3 Use Standards;
- (i) Utilities Zone - Clause 26.3 Use Standards;
- (j) Community Purpose Zone - Clause 27.3 Use Standards;
- (k) Recreation Zone - Clause 28.3 Use Standards;
- (l) Open Space Zone - Clause 29.3 Use Standards; and
- (m) Particular Purpose Zones - Use Standards.

Objective:	
To ensure the storage of dangerous goods and hazardous materials are managed to avoid impacts on the environment during a flood.	
Acceptable Solution	Performance Criteria
A1 No Acceptable Solution.	P1 Dangerous Goods or Hazardous materials must be stored in a manner that avoids impacts on the environment during a flood event, having regard to; (a) a flood hazard report; and (b) a flood emergency response plan that demonstrates how potential impacts on the environment are minimised during a flood event, having regard to: i. the quantity of material stored; ii. the storage method; iii. the nature of the materials stored, including their potential to cause contamination of floodwaters, flood affected areas and environmental receptors during a flood event; iv. the nature and characteristics of the proposed use development; v. the characteristics of the inundation of the land that is subject to the risk; vi. the capacity of the development to withstand flooding; and

	vii. the capacity of the owner or occupants to respond to or manage the flood risk.
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LAU-S17.6.4 Emergency Management

This clause is in addition to the:

- (a) General Residential Zone - Clause 8.3 Use Standards;
- (b) Inner Residential Zone - Clause 9.3 Use Standards;
- (c) Urban Mixed Use Zone - Clause 13.3 Use Standards;
- (d) Local Business Zone - Clause 14.3 Use Standards;
- (e) Central Business Zone - Clause 16.3 Use Standards;
- (f) Commercial Zone - Clause 17.3 Use Standards;
- (g) Light Industrial Zone - Clause 18.3 Use Standards;
- (h) Rural Zone - Clause 20.3 Use Standards;
- (i) Utilities Zone - Clause 26.3 Use Standards;
- (j) Community Purpose Zone - Clause 27.3 Use Standards;
- (k) Recreation Zone - Clause 28.3 Use Standards;
- (l) Open Space Zone - Clause 29.3 Use Standards; and
- (m) Particular Purpose Zones - Use Standards.

Objective:	
To ensure use appropriately considers flood risk and emergency management planning in the event of a flood and as part of its ongoing operations, to minimize risk to human life and property.	
Acceptable Solution	Performance Criteria
A1 If for: (a) Residential uses with less than 4 dwellings; or (b) Non-residential uses with a gross floor area of 400 m² or less.	P1 Use must demonstrate that it is designed and would operate to minimise the impacts of inundation having regard to: (a) The advice contained within a flood emergency response plan; (b) The need for preparedness to respond in the event of possible inundation; (c) Plans for evacuation and relocation of portable property; and (d) The requirements for post event recovery.

LAU-S17.7 Development standards for Buildings and Works

LAU-S17.7.1 Floor Levels

This clause is in addition to the:

- (a) General Residential Zone - Clause 8.4 Development Standards for Dwellings and clause 8.5 Development Standards for Non-dwellings;
- (b) Inner Residential Zone - Clause 9.4 Development Standards for Dwellings and clause 9.5 Development Standards for Non-dwellings;
- (c) Urban Mixed Use Zone - Clause 13.4 Development Standards for Buildings and Works;
- (d) Local Business Zone - Clause 14.4 Development Standards for Buildings and Works;
- (e) Central Business Zone - Clause 16.4 Development Standards for Buildings and Works;
- (f) Commercial Zone - Clause 17.4 Development Standards for Buildings and Works;
- (g) Light Industrial Zone - Clause 18.4 Development Standards for Buildings and Works;
- (h) Rural Zone - Clause 20.4 Development Standards for Buildings and Works;
- (i) Utilities Zone - Clause 26.4 Development Standards for Buildings and Works;
- (j) Community Purpose Zone - Clause 27.4 Development Standards for Buildings and Works;
- (k) Recreation Zone - Clause 28.4 Development Standards for Buildings and Works;
- (l) Open Space Zone - Clause 29.4 Development Standards for Buildings and Works; and
- (m) Particular Purpose Zones - Development Standards for Buildings and Works.

Objective:	
To ensure building floor levels are constructed in a manner that minimises the risk to human life and damage to property caused by flooding.	
Acceptable Solutions	Performance Criteria
A1 Habitable floor levels of buildings within the Residential or Visitor Accommodation Use classes must be equal to or higher than the level shown in Table 17.7.1.	P1 No Performance criterion.

A2.1 If for new non-residential development in the low FRP, except for: (i) Significant community infrastructure; or (ii) Community meeting and entertainment. which must have a floor levels equal to or higher than the level shown in Table 17.7.2.	P2 Buildings must have a floor level that demonstrates that the development will be able to manage the risk of flooding to tolerable levels, having regard to: (a) a comprehensive risk assessment; (b) a flood hazard report; and (c) the recommendations/actions specified in a flood emergency response plan.
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Table 17.7.1

Location	Minimum Floor level (including 300 mm freeboard)
Invermay	5.3 m AHD
City (Eastern Portion)	5.3 m AHD
City (Western Portion)	3.5 m AHD
Newstead	5.6 m AHD

Table 17.7.2

Location	Minimum Floor Level (0.5% AEP, including 300 mm freeboard)
Invermay	5.8 m AHD
City (Eastern Portion)	5.9 m AHD
City (Western Portion)	5.9 m AHD
Newstead	5.9 m AHD

LAU-S17.7.2 Effects on Others

This clause is in addition to the:

- (a) General Residential Zone - Clause 8.4 Development Standards for Dwellings and Clause 8.5 Development Standards for Non-dwellings;

- (b) Inner Residential Zone - Clause 9.4 Development Standards for Dwellings and clause 9.5 Development Standards for Non-dwellings;
- (c) Urban Mixed Use Zone - Clause 13.4 Development Standards for Buildings and Works;
- (d) Local Business Zone - Clause 14.4 Development Standards for Buildings and Works;
- (e) Central Business Zone - Clause 16.4 Development Standards for Buildings and Works;
- (f) Commercial Zone - Clause 17.4 Development Standards for Buildings and Works;
- (g) Light Industrial Zone - Clause 18.4 Development Standards for Buildings and Works;
- (h) Rural Zone - Clause 20.4 Development Standards for Buildings and Works;
- (i) Utilities Zone - Clause 26.4 Development Standards for Buildings and Works;
- (j) Community Purpose Zone - Clause 27.4 Development Standards for Buildings and Works;
- (k) Recreation Zone - Clause 28.4 Development Standards for Buildings and Works;
- (l) Open Space Zone - Clause 29.4 Development Standards for Buildings and Works; and
- (m) Particular Purpose Zones - Development Standards for Buildings and Works.

Objective:	
To ensure that new buildings and works do not alter the behaviour of floods in a manner that has a materially detrimental impact on property or the safety of persons external to the development site.	
Acceptable Solution	Performance Criteria
A1 If for: (a) new buildings with 400m² or less Gross Floor Area; and (b) filling of land utilising less than 25m³ (Net) of imported material at the effective date.	P1 Building and works must not have a detrimental impact on the characteristics of the flood or cause an increase in adverse impact to human life and property having regard to the advice contained in a flood hazard report.

LAU-S17.7.3 Building resilience

This clause is in addition to the:

- (a) General Residential Zone - Clause 8.4 Development Standards for Dwellings and clause 8.5 Development Standards for Non-dwellings;
- (b) Inner Residential Zone - Clause 9.4 Development Standards for Dwellings and clause 9.5 Development Standards for Non-dwellings;
- (c) Urban Mixed Use Zone - Clause 13.4 Development Standards for Buildings and Works;
- (d) Local Business Zone - Clause 14.4 Development Standards for Buildings and Works;
- (e) Central Business Zone - Clause 16.4 Development Standards for Buildings and Works;
- (f) Commercial Zone - Clause 17.4 Development Standards for Buildings and Works;
- (g) Light Industrial Zone - Clause 18.4 Development Standards for Buildings and Works;
- (h) Rural Zone - Clause 20.4 Development Standards for Buildings and Works;
- (i) Utilities Zone - Clause 26.4 Development Standards for Buildings and Works;
- (j) Community Purpose Zone - Clause 27.4 Development Standards for Buildings and Works;
- (k) Recreation Zone - Clause 28.4 Development Standards for Buildings and Works;
- (l) Open Space Zone - Clause 29.4 Development Standards for Buildings and Works; and
- (m) Particular Purpose Zones - Development Standards for Buildings and Works.

Objective:	
To ensure that new buildings are designed and constructed to be resilient to the impacts of flooding.	
Acceptable Solution	Performance Criteria
A1 If for buildings in a low or medium FRP.	P1 Buildings within the high FRP must be capable of withstanding the forces of flood water, debris and buoyancy for flood levels specified in Table 17.7.3 assuming no levee protection, having regard to the advice of a suitably qualified person and a flood hazard report.

Table 17.7.3 - Flood levels

Location	Flood level
Invermay	5.0 m AHD
City (Eastern Portion)	5.0 m AHD
City (Western Portion)	3.2 m AHD
Newstead	5.3 m AHD

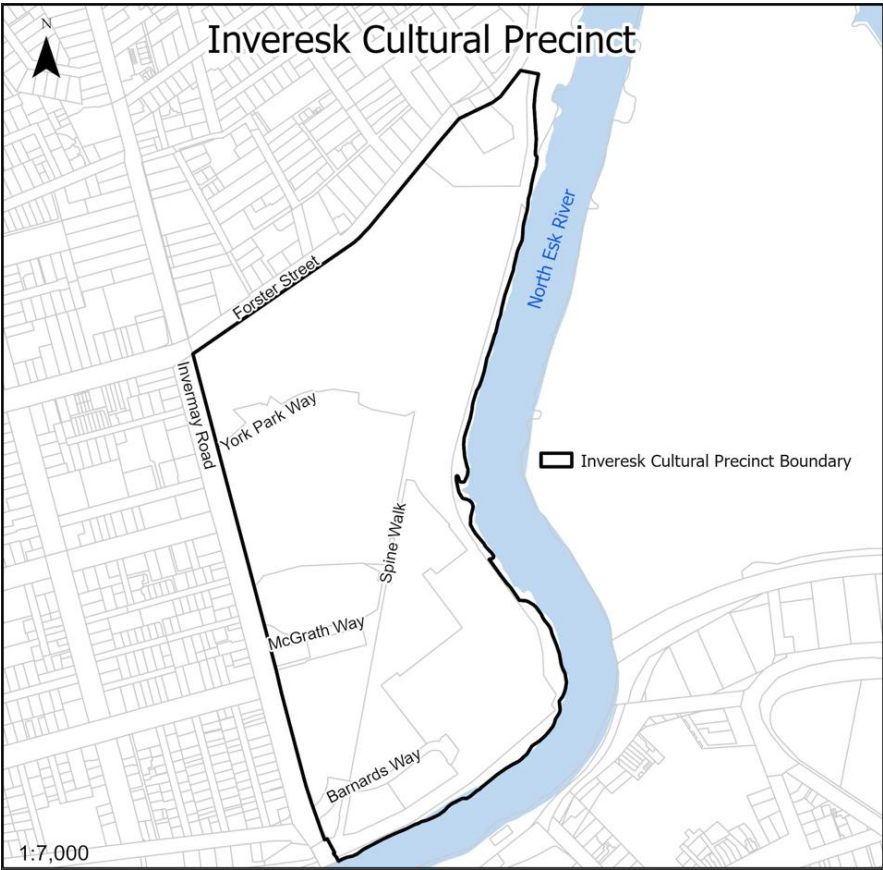
LAU-S17.7.4 Subdivision

This clause is in addition to the:

- (a) General Residential Zone - 8.6 Development Standards for Subdivision;
- (b) Inner Residential Zone - 9.6 Development Standards for Subdivision;
- (c) Urban Mixed Use Zone - 13.5 Development Standards for Subdivision;
- (d) Local Business Zone - 14.5 Development Standards for Subdivision;
- (e) Central Business Zone - 16.5 Development Standards for Subdivision;
- (f) Commercial Zone - 17.5 Development Standards for Subdivision;
- (g) Light Industrial Zone - 18.5 Development Standards for Subdivision;
- (h) Rural Zone - 20.5 Development Standards for Subdivision;
- (i) Utilities Zone - 26.5 Development Standards for Subdivision;
- (j) Community Purpose Zone - 27.5 Development Standards for Subdivision;
- (k) Recreation Zone - 28.5 Development Standards for Subdivision;
- (l) Open Space Zone - 29.5 Development Standards for Subdivision; and
- (m) Particular Purpose Zones - Development Standards for Subdivision.

Objective:	
To limit opportunities for the intensification of residential development and occupation of areas subject to flood risk.	
Acceptable Solution	Performance Criteria
A1 Subdivision must not create any additional lots capable of any future residential development unless: (a) it is within the Low FRP or medium FRP; or (b) it is for residential activities within the Inveresk Cultural Precinct; or (c) it is to: i. separate existing dwelling units; or ii. separate existing residential and non-residential buildings; that have been approved by Council on a single title.	P1 No Performance Criterion.

Figure LAU-S17.2 - Inveresk Cultural Precinct Map as required by clause LAU-S17.7.4





Flood Risk Precinct

- High
- Medium
- Low

ID Areas

- | | |
|---|------------------------|
| 1 | Invermay |
| 2 | City (Eastern Portion) |
| 3 | City (Western Portion) |
| 4 | Newstead |

 Specific Area Plan Boundary

1:30,000

Inveresk Cultural Precinct



Forster Street

Invermay Road

York Park Way

Spine Walk

McGrath Way

Barnards Way

North Esk River



Inveresk Cultural Precinct Boundary

1:7,000