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Mr Gerald Monson
 General Manager
 Latrobe Council
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Dear Mr Monson

Representation – Latrobe Draft Local Provisions Schedule

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

- Flood-prone area hazards;
- Coastal inundation hazards; and
- Zoning.

Flood-prone areas hazards

The State Emergency Service (SES) notes that the Flood-Prone Areas Hazard Overlay in the draft LPS is an update of the Latrobe Interim Planning Scheme overlay and has been based on flood modelling undertaken by Entura after the 2016 flood event and mapping from the Latrobe Council Stormwater System Management Plan 2020.

The SES notes that flood mitigation work to construct a flood levee system at Latrobe is currently underway. SES recognises that when completed the levee system will change the flood behaviour in the locality and there will be a need to amend the Overlay.

SES take this opportunity to recognise the limited flood-prone areas mapping across Tasmania and inform Latrobe 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. The map 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 Latrobe 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 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 where a proposed use or development has the potential to cause increased risk from flood, including offsite impacts and damages. 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 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, planning authorities 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; and,
- the modelled 2016 flood high water mark extent map available on ListMap (layer called June 2016 Flood HWM Extent).

Coastal inundation hazards

SES notes the draft LPS has incorporated the Coastal Inundation Hazard Code and Overlay. The Code overlay mapping, and Code list in *LAT – Table C11.1 – Coastal Inundation Hazard Bands AHD Levels*, have been informed by the appropriate data source, (*Coastal Hazards Technical Report*, prepared by the Department of Premier and Cabinet (DPAC) in 2016), and prepared in accordance with the *TPC Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application*.

There appears to be an error in the LAT-Table C11.1 – Coastal Inundation Hazard Bands AHD Levels, where the Low Hazard Bands levels and the Defined Flood Level (M AHD) have been transposed incorrectly from the original source document. The Table LAT-Table C11.1 should read:

Locality	High Hazard Band (m AHD)	Medium Hazard Band (m AHD)	Low Hazard Band (m AHD)	Defined Flood Level (m AHD)
Bakers Beach	1.8	2.6	3.2	2.9
Hawley Beach	1.8	2.6	3.2	2.9
Latrobe	1.8	2.7	3.2	2.9
Port Sorell	1.8	2.6	3.2	2.9
Shearwater	1.8	2.6	3.2	2.9
Squeaking Point	1.8	2.6	3.2	2.9
Tarleton	1.8	2.7	3.2	2.9
Latrobe Average	1.8	2.7	3.2	2.9

SES recommends that Table LAT-C11.1 be amended to reflect the corrected data.

SES supports the use of this information in the draft LPS to enable the full application of the Code and the *Director's Determination – Building Requirements for Coastal Inundation Hazard Areas*, which commenced on the 16 March 2020, and will apply when the LPS is made.

Zoning and Specific Area Plans (SAPs)

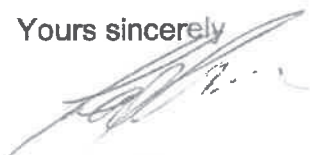
SES notes there are changes in zoning in the transition from the Interim Planning Scheme to the draft LPS. SES supports the use of zones that provide for the management of density in flood-prone and coastal inundation hazardous areas.

SES notes that the *Particular Purpose Zone (PPZ) P1.0 – Port Sorell Waterfront Site* has transitioned from the IPS to the LPS without material change. PPZ P1.0 provides for residential and commercial use and development in high and medium coastal inundation hazard areas. SES are concerned that the use and development provided for in the PPZ will not be realised as it would be inconsistent with the requirements of the *State Planning Provisions C11.0 Coastal Inundation Hazard Code*. Specific inconsistencies with the Code include, that the Use Classes in the zone are not reliant on a coastal location, and cannot achieve and maintain a tolerable risk from a 1% annual exceedance probability coastal inundation event in 2100 for the intended life of the use without requiring specific hazard reduction and protection measures.

SES note that the draft LPS has two large areas of land zoned Future Urban at Port Sorell and Shearwater. These areas appear to be located outside the Flood-Prone Areas Hazard Overlay. SES recommend that flood studies are carried out in the Future Urban areas prior to future rezoning, noting that Poyston Creek and its tributaries are in the Future Urban area and may hold an unmapped flood risk.

SES supports the purpose of the Port Sorell and Environs SAP S2.0 and the Tarleton SAP S3.0 to provide for improved street connectivity and emergency access, and a safe road network.

Yours sincerely



Leon Smith
Acting Director