

TASMANIAN PLANNING COMMISSION



Urgent Amendment HVO UA2-2017 Huon Valley Interim Planning Scheme 2015

In the Inundation Prone Areas Code at clause E15.0 amend the following:

- a) Under E15.3 *Definition of Terms* at clause E15.3.1
- (i) after the definition for existing floor area insert the following:

flood hazard report	means a report prepared by a suitably qualified person for a site, that must include: <p>(a) details of, and be signed by, the person who prepared or verified the report;</p> <p>(b) confirmation that the person has the appropriate qualifications and expertise;</p> <p>(c) confirmation that the report has been prepared in accordance with any methodology specified by a relevant agency; and</p> <p>(d) conclusions based on consideration of the proposed use or development:</p> <p>(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;</p> <p>(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:</p> <p>a. the nature, intensity and duration of the use;</p> <p>b. the type, form and duration of any development;</p> <p>c. the likely change in the level of risk across the intended life of the use or development;</p> <p>d. the ability to adapt to a change in the level of risk;</p> <p>e. the ability to maintain access to utilities and services;</p> <p>f. the need for flood reduction or protection measures beyond the boundary of the site;</p> <p>g. any inundation risk management plan in place for the site and/or adjacent land; and</p> <p>h. any advice relating to the ongoing management of the use or development; and</p> <p>(iii) any matter specifically required by Performance Criteria in this code.</p>
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(ii) after the definition for Riverine Inundation Hazard Area insert the following:

relevant agency	means as defined in the former provisions of the Act ¹ .
tolerable risk	means the lowest level of likely risk from the relevant hazard: (a) to secure the benefits of a use or development in a relevant hazard area; and (b) which can be managed through: (i) routine regulatory measures; or (ii) by specific hazard management measures for the intended life of each use or development.

¹ The *former provisions* of the Act as defined in Schedule 6 – Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme) Act 2015*.

b) Under E15.8 *Development Standards for Subdivision*, after clause E18.2 insert the following:

E15.8.3 Subdivision within a Riverine Inundation Hazard Area

Objective:	
That subdivision within a Riverine Inundation Hazard Area does not create an opportunity for use or development that cannot achieve a tolerable risk from flood.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within a Riverine Inundation Hazard Area must:</p> <ul style="list-style-type: none"> (a) be able to contain a building area, vehicular access and services, that are wholly located outside a Riverine Inundation Hazard Area; (b) be for the creation of separate lots for existing buildings; (c) be required for public use by the Crown, a council or a relevant agency; or (d) be required for the provision of Utilities. 	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within a riverine inundation hazard area , must not create an opportunity for use or development that cannot achieve a tolerable risk from flood, having regard to:</p> <ul style="list-style-type: none"> (a) any increase in risk from flood for adjacent land; (b) the level of risk to use or development arising from an increased reliance on public infrastructure; (c) the need to minimise future remediation works; (d) any loss or substantial compromise by flood of access to the lot, on or off site; (e) the need to locate building areas outside the riverine inundation hazard area; (f) any advice from a State authority, regulated entity or a council; and (g) the advice contained in a flood hazard report.



Greg Alomes
Executive Commissioner
Tasmanian Planning Commission

This amendment comes into effect on 26 September 2017