

COASTAL HAZARDS PACKAGE : SUMMARY OF CONSULTATION

The Minister for Planning and Local Government, the Hon Peter Gutwein MP, invited comments on the draft Package from local government and industry on 18 March 2016.

The consultation sought feedback on:

- whether the draft Package achieves the right balance between planning, building control and emergency management;
- how the risk assessment and mapping could be improved;
- information and resources that may assist organisations implementing the Package into their core business, including asset management, emergency management, and community or member awareness, as well as planning and building controls; and
- any other matters that may be considered relevant to the Package.

The Local Government Association of Tasmania (LGAT) ran information sessions on the draft Package for local government. The Office of Security and Emergency Management (OSEM) also provided briefings to the West Tamar Council, the Launceston City Council, the Glenorchy City Council, TasNetworks, the Master Builders Association (Tas) and the Property Council of Australia (Tas).

The consultation period closed on 22 April 2016. Submissions were received from the Property Council, the Housing Industry Association, Tas Water, Engineers Australia, Climate Tasmania, the Tasmanian Coastal Association (Environmental Defenders Office and BirdLife Tasmania), LGAT, the Kingborough Council, and the Hobart City Council.

Themes and responses

- The comments universally supported the Draft Package highlighting it as a 'comprehensive response', 'pragmatic' and 'practical and sensible'. No negative comments on the broad subject matter or intent of the package were received.
- The current Sea Level Rise Planning Allowance based on the Intergovernmental Panel on Climate Change – Fourth Assessment Report: Climate Change (IPCC - AR4) was raised as an issue requiring further consideration.

Response / recommended action: A review of the current Sea Level Rise Planning Allowance has been undertaken by DPAC's Tasmanian Climate Change Office and the CSIRO. OSEM has updated the Package based on the outcomes of the review.

- The relevance of continuing to use Actively Mobile Landforms, as defined by the State Coastal Policy 1996, was questioned in light of the risk assessment methodology and improved coastal science that the Package presents.
Response / recommended action: A separate Minute will be prepared for you, in consultation with the Department of Justice, outlining a proposed response to this issue.
- The absence of a coincident flooding model in the estuaries was raised as potentially underestimating the inundation hazard in estuaries.

Response / recommended action: This is significant scientific and technical challenge for Tasmania. It requires a riverine flood model for all estuaries, a better understanding of the level of dependence between coastal inundation and riverine flooding, and a hazard assessment that takes into account how riverine flooding models interface with the coastal inundation hazard model.

OSEM will, in the short term, amend the terminology in the mapping to highlight that coincident flooding has not been assessed. OSEM will develop a policy on how to include assessments of coincident flooding in to statutory tools.

OSEM is working with SES, DPIPW, BOM, UTAS and local government to develop a methodology to undertake a riverine flood assessment for Tasmania. The pre-feasibility assessment completed in May 2016 indicates that the proposed methodology is considered mature enough to explore funding opportunities in 2017.

- Feedback was received that planning and building professionals and the community will need support to implement the Draft Package.

Response / recommended action: OSEM will write a project plan to support the development of appropriate support and guidance materials planning and building professionals and the public in consultation with key stakeholders.

- A number of editorial comments have been made.

Response / recommended action: Editorial comments will be applied to the Package.

- Comments from the Building industry have raised the need to track the effectiveness of the reporting requirements and to adjust as appropriate.

Response / recommended action: OSEM will liaise regularly with stakeholders to monitor how the changes are progressing.

State Planning Provisions

- The State Planning Provisions prohibit existing dwellings outside of the urban growth boundary from considering coastal defences. It has been suggested that this should be discretionary, as it will enable owners of existing dwellings to consider how to manage the risk from coastal hazards without an increasing the overall public risk.

Response / recommended action: Amend coastal hazard matrix to coastal defences to be considered for existing dwelling outside of the urban growth boundary.

- The wording of the State planning Provisions should be consistent in as far as practical with the Draft Building regulations.

Response / recommended action: OSEM to work with Planning Policy Unit and the Director of Building Control to keep consistency between the instruments.

- Longer-term, resolving issues surrounding Actively Mobile Landforms and coincident flooding may mean some changes are necessary to the Coastal Erosion and Inundation Codes.

Response / recommended action: None at this point

Draft Building Regulations

- The wording of the State Planning Provisions should be consistent in as far as practical with the Draft Building regulations.

Response / recommended action: OSEM to work with Planning Policy Unit and the Director of Building Control to keep consistency between the instruments.

- The consultation feedback on the Draft Package will inform the preparation of the Draft Building Regulations.

Response / recommended action: OSEM to refer the consultation feedback to the Director of Building Control.

Summary of consultation feedback against the questions raised in the draft package

1. *Does the Draft Package achieves the right balance between planning, building control and emergency management?*

The comments received are that the Draft Package achieves an appropriate level of intervention in the hazard areas and in the balance between planning, building control and emergency management. Two issues raised were:

- that the summary report needs a wider discussion of emergency management in the approach; and
- the threshold at which a renovation to an existing building is required to lift the floor level needs further consideration.

2. *How could the risk assessment and mapping be improved?*

The comments support the risk assessment process used and provided suggestions for future improvements including:

- updating the sea level rise allowance to be based on the Intergovernmental Panel on Climate Change (IPCC) 5 report;
- including coincident flooding in the estuaries, and adding a note to the current mapping to make it clear that coincident flooding has not been addressed;
- improving the discussion around the role of strategic land use planning (adaption planning) in the management of the hazard; and
- developing a data management policy.

3. *What information and resources that may assist your organisation implementing the Package into your core business, including asset management, emergency management, community or member awareness, along with planning and building controls?*

The comments on what information and resources may be needed to support the implementation suggested the development of industry and community guides, communication plans, an updated cycle to the mapping and greater guidance on who is suitably qualified.

4. *Other matters raised*

Other matters raised included:

- local government was critical that the mapping in the package will be included in the Local Planning Provisions rather than the State Planning Provisions for consultation, because local government has limited capacity to 'defend' or 'justify' the mapping;
- coastal adaption policies need to be developed on when and how settlements will be defended or required to retreat, including standards as well as addressing liability and financing;
- further consideration needs to be given to how existing coastal defences should be addressed in the hazard banding;
- issues regarding legal liability for mitigation activities; and
- Actively Mobile Landforms for which development is prohibited under the *State Coastal Policy* 1996 and, in particular:
 - the proposed application reduces some uncertainty but does not provide any additional clarity regarding the definition of an Actively Mobile Landform; and
 - the Property Council, local government and the Master Builders Association suggest that an alternative to 'actively mobile' be considered.