

Launceston Interim Planning Scheme 2015

AMENDMENT 43

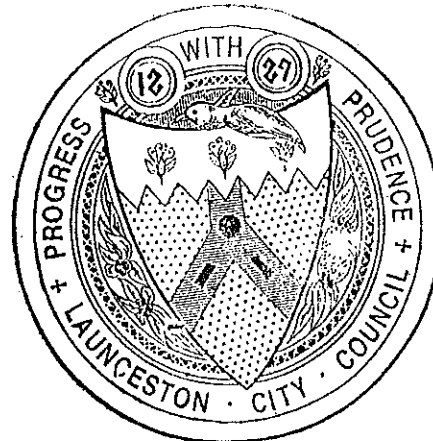
Amend Acceptable Solution A3 of Clause E16.6.1 'Unacceptable uses' under the use standards in the Invermay/Inveresk Flood Inundation Area Code by inserting a qualification allowing for a museum within the Riveredge Industrial precinct, which involves modifying the words in the standard to read:

E16.6.1 Unacceptable Uses

Objective: To prevent unacceptable uses from establishing in areas subject to, or isolated by, flood inundation.	
Acceptable Solutions	Performance Criteria
...	...
A3 Must not be Community meeting and entertainment in the Riveredge Industrial or Inveresk Residential precincts, unless: (a) a museum in the Riveredge Industrial precinct.	P3 No performance criteria.

The City of Launceston resolved at its meeting on 22 January 2018 that Amendment 43 to the Launceston Interim Planning Scheme 2015 meets the requirements specified in Section 32 of the *Land Use Planning and Approvals Act 1993*.

The COMMON SEAL of the City of Launceston is affixed below, pursuant to the Council's resolution on 22 January 2018 in the presence of:-



John Davis
 Manager
 Corporate Strategy
 City of Launceston

Leanne Hurst
 Director
 Development Services
 City of Launceston

Planning Scheme Amendment – Invermay/Inveresk Flood Inundation Code

Submission to the City of Launceston in support of a Section 33 and 37 request to amend the Launceston Interim Planning Scheme 2015

December 2017



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NOTE

References in this document to the provisions of the *Land Use Planning and Approvals Act 1993* are references to the former provisions of the Act as defined in Section 2 of Schedule 6 – Savings and transitional provisions of the Act.

1. Introduction

1.1 Purpose of the Report

Commercial Project Delivery (CPD) have been engaged on behalf of the City of Launceston to request an amendment to *the Launceston Interim Planning Scheme 2015* (Interim Planning Scheme) pursuant to Section 33 and 37 of the *Land Use Planning and Approvals Act 1993* (the Act). The proposed amendment is to amend the Invermay/Inveresk Flood Inundation Area Code (Invermay Flood Code) by amending the current prohibition for development of Community meeting and entertainment in the Riveredge Industrial Precinct and Inveresk Residential Precincts to allow for use and development of a museum within the Precinct.

This report forms the basis of the application and has been prepared taking account the provisions of the Interim Planning Scheme, the requirements under Section 32 of the Act and other relevant strategic documents.

Enquiries relating to this request can be directed to:

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Planning and Development Consultant
Commercial Project Delivery
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0408 397 393

1.2 Statutory References

1.2.1 Name of Planning Instrument

The subject of the proposed amendment is the ***Launceston Interim Planning Scheme 2015*** (hence forth referred to as the interim planning scheme).

1.2.2 Name of Planning Authority

The Planning Authority is the ***City of Launceston*** ('Council')

1.3 Description of Proposed Amendment

It is proposed to amend the interim planning scheme ordinance by removing providing a qualification to Clause E16.7.1 A3 that allows for Museum to be able to be considered within the Riveredge Industrial and Inveresk Residential Precincts subject to the underlying zone controls. A3 to Clause 16.7.1 shall read:

'Must not be Community meeting and entertainment in the Riveredge Industrial or Inveresk Residential Precincts unless:

(a) a museum in the Riveredge Industrial Precinct.'

1.4 Impacted Land

The amendment does not apply to a specific parcel of land but relates to land included within the Invermay/Inveresk Flood Inundation Code, specifically land within the Riveredge Industrial Precinct as shown on Figure 1 below.

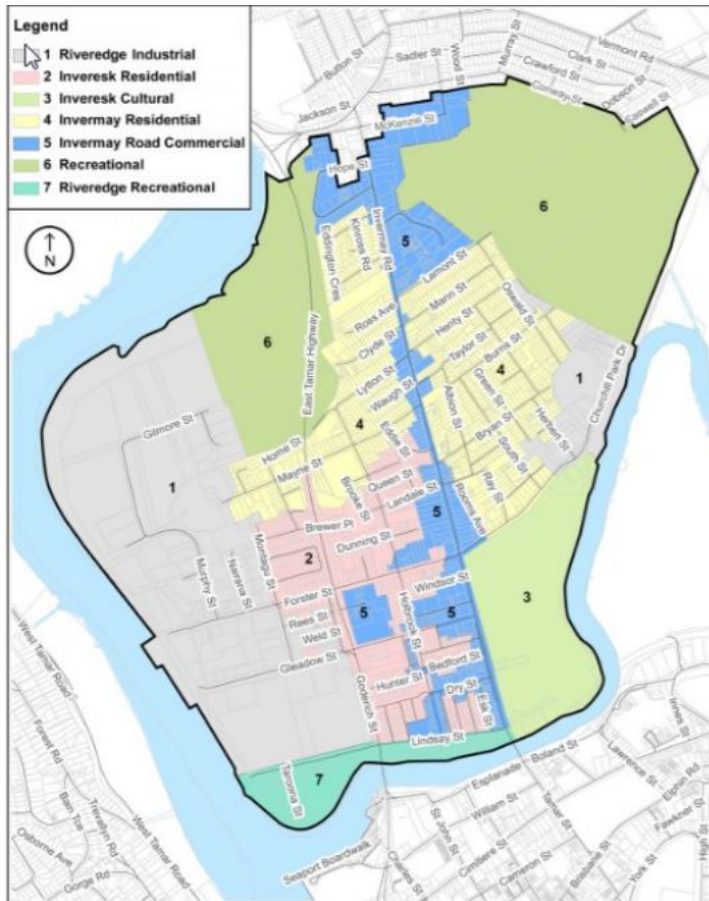


Figure E16.1 - Precinct Maps

Figure 1: Application of Invermay/Inveresk Flood Inundation Code (AREA 1)

1.4.1 Riveredge Industrial Precinct

Figure 2 below shows the underlying zoning of land within the Riveredge Industrial Precinct of the Invermay/Inveresk Flood Inundation Code. It is evident that land within the RIVEREDGE INDUSTRIAL PRECINCT encompasses a range of zones as listed in Table 1 below which also includes the status of Community Meeting and Entertainment (and therefore museum which is a sub class of Community Meeting and Entertainment) within each of the zones.

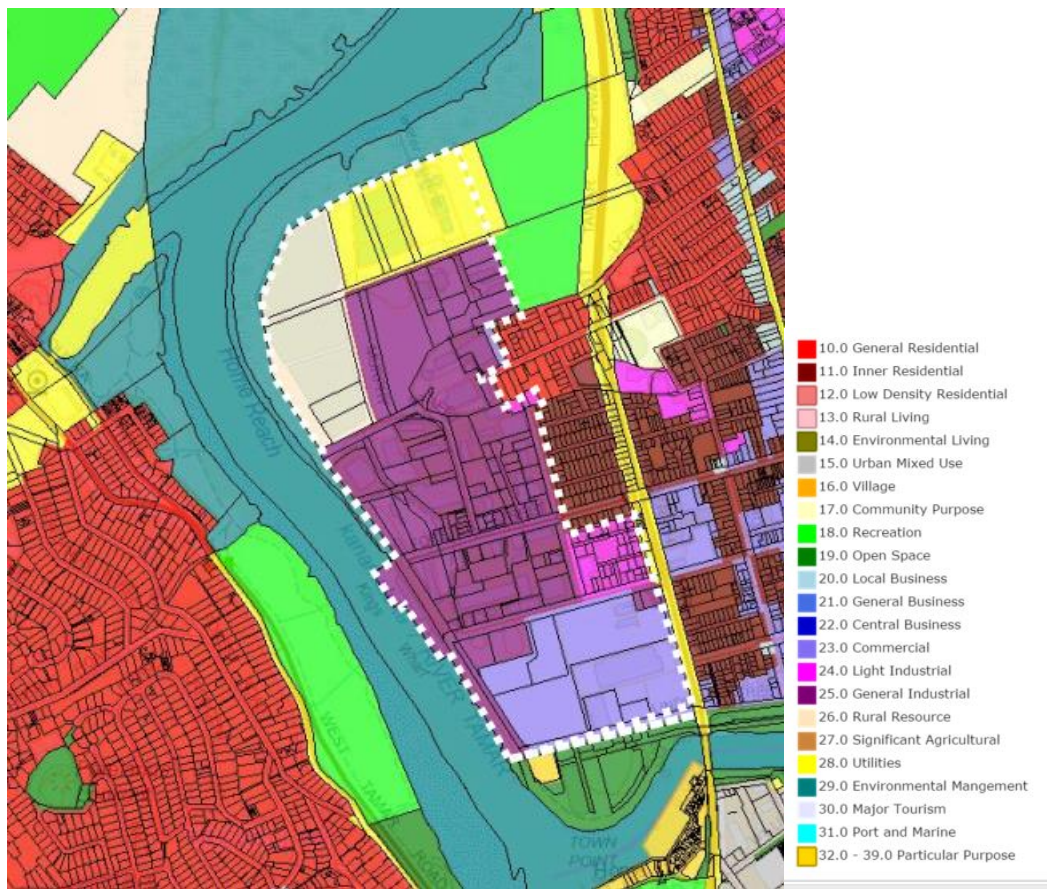


Figure 2: Riveredge Industrial Precinct (white dotted line) overlain on zoning plan

Table 1: Status of Community Meeting and Entertainment within Zones contained within Riveredge Industrial Precinct

Zone	Community Meeting and Entertainment Status
Utilities	Prohibited
Rural Resource	Permitted if for existing premises used for public purposes, discretionary otherwise.
General Industrial	Prohibited
Commercial	Discretionary
Light Industrial	Discretionary

On the basis that the proposed amendment will allow Community Meeting and Entertainment (museum only) to be considered within the Rural Resource, Commercial and Light Industrial zoned

land within the Riveredge Industrial Precinct, the area of land opened up to a dedicated form of development being a museum is limited to that shown in Figure 3.

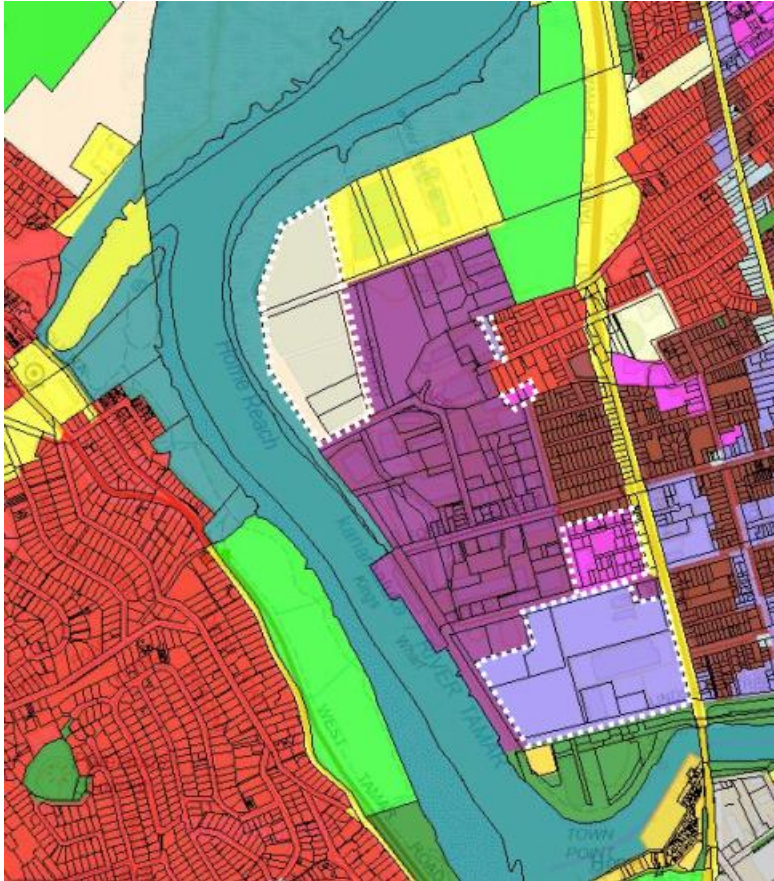


Figure 3: Rural Resource, Light Industrial and Commercial Zoned sites (white highlight)

The commercial zoned land shown on Figure 3 off Lindsay Street forms part of the former Gunns site which has been rezoned Commercial and is now developed with a range of bulky goods retail outlets with further developments at the planning approval stage including car showrooms and service facilities. The light industrial land to the north of Gleadow Street is largely already developed. There is a vacant strip of Commercial land off Mayne Street that would have potential for development for Museum purposes as well as a small area of Light Industrial land at the termination of Montague Street. The final parcel of land with development potential for Museum purposes is the City of Launceston owned Rural Resource zoned land to the west of Murphy Street. This land is vacant, low lying swampy land which is not currently utilised for any purpose. Whilst the amendment theoretically allows it to be considered for Museum purposes, in reality it would need to be filled prior to development of any sort being considered on it.

2. Background to the Proposed Amendment

2.1 Background to Invermay/Inveresk Flood Area Code

In 2008 Launceston City Council and The Crown entered into a Deed of Agreement to better manage the flood risk in Launceston. Essentially this provided funding for the reconstruction of the levees on the basis that there was an ongoing framework to better manage the risk to life and property put in place. Key elements of this were the introduction of modified planning controls, a programme of public education, improved emergency management procedures and the establishment of a new Authority (the Launceston Flood Authority).

The modified planning controls were implemented through the Planning Scheme in operation at the time being the Launceston Planning Scheme 1996. A code was introduced to that Planning Scheme called the Invermay/Inveresk Flood Inundation Area (**refer Appendix A**) that overlaid existing zoning. The code modified the allowable uses, specifically prohibiting a number, and introduced development standards to better deal with flood impact. These provisions were developed to integrate with the provision of the 1996 scheme. Following the introduction of the Invermay Flood Code to the 1996 Scheme, the framework for drafting planning schemes was standardised across the State and regions, and the use classes have been broadened and reduced in number. The translation of the Invermay/Inveresk Flood Inundation Area from the 1996 Scheme to the Interim Scheme therefore required some changes to references to use classes i.e Place of Assembly in the 1996 Scheme was determined to most closely resemble Community Meeting and Entertainment in the 2015 Interim Scheme.

The current 2015 Launceston Interim Planning Scheme includes the Invermay/Inveresk Flood Inundation Area which has been adapted from the original Code introduced within the 1996 Planning Scheme.

2.2 Catalyst for the amendment

The University of Tasmania (UTAS) decision to relocate their Launceston Campus from Newnham to the Inveresk Precinct, a move supported by the City Deal, has involved the sale of a number of Council owned parcels of land to UTAS. One of these parcels is the land referred to as the 'Willis Street' site which includes 80 Cimitiere Street on which the National Automobile Museum is located. As such, a new site for the National Automobile Museum is needed to facilitate the UTAS relocation.

UTAS has entered a deal with the JMC Property Group which involves that party developing a new Automobile Museum facility on land at Invermay, which the City of Launceston will then take ownership of. The current restriction in the Invermay Flood Code on use for Community Meeting and Entertainment in the Riveredge Industrial Precinct is the catalyst for the proposed amendment as it means that the proposed new site for the Automobile Museum cannot be approved, despite the underlying zoning allowing the use.

The amendment as proposed, impacts a number of sites beyond that being considered for the Automobile Museum (refer Figure 3), however it is considered appropriate to broaden the amendment beyond one which is site specific due to the fact that the inclusion of museum as a sub class of the Community Meeting and Entertainment as a prohibited use is considered an anomaly/over

complication of the Planning Scheme that is not necessary to meet the Deed of Agreement. This is evidenced by the correspondence attached as **Appendix B**, from the Treasurer, The Hon. Peter Gutwein, confirming that the proposed amendment does not contravene the Deed of Agreement.

2.3 Current Flood Management in Launceston

The current flood management regime in Launceston is important to consider when understanding the background to the proposed amendment. As stated, the IIFIC was prepared to meet obligations under a Deed of Agreement for the current flood levee system in Launceston. Prior to the construction of the levees, the former levee system afforded the City protection up to a 1:50yr flood event. The new flood levee system now affords a 1:200 yr level of protection.

In addition to the increased level of protection that is now afforded to Launceston, a range of emergency warning procedures are now in place for Invermay including:

- All new purchasers in the suburb of Invermay are provided with the Flooding in Launceston Brochure - tips to protect you, your family, pets and property (**Appendix C**)
- Coloured Flood level markers on Aurora poles placed around the suburb of Invermay
- Every 3 years the information is provided to properties in the Invermay suburb (last provided in June 2016 floods)
- Launceston Flood Evacuation and traffic management plan in place (owned by Tasmania Police/SES as management authority for Evacuation and Flooding)
- City of Launceston Flood Warning and Flood Response plans
- City of Launceston Emergency Communication Plan
- TasALERT the emergency warning and information on line platform is activated - DPAC
- ABC Radio - emergency broadcast radio station is utilised by emergency services
- Standby Flood Evacuation notice **Appendix D** delivered by Australia Post should the Police Commander and SES consider that there is a possibility that the levees will breach or overtop.
- Should an evacuation be required there is a Flood Warning Siren. This is mounted on a trailer and is driven around the suburb of Invermay by SES. The siren is activated for a one minute period every 5 minutes.
- Police and SES personnel doorknock Invermay advising of the need to evacuate
- Emergency Alert - the national telephone **warning system** used by **emergency** services to send voice messages to landlines and text messages to mobiles is activated if there is a requirement to evacuate

The additional level of protection afforded by the new levee system, coupled with the emergency warning procedures outlined above, means that the risk to life and property is significantly reduced in 2017 from what it was in 2008 when the Deed of Agreement was reached and as such, the Invermay Flood Code should be reviewed to ensure it does not include any onerous or unnecessary restrictions. This is particularly relevant given the areas of land that have been unlocked for development within Invermay in recent years due to both the levee construction and rezoning.

2.4 Consideration of Aboriginal Heritage

Consideration of Aboriginal Heritage is not relevant to this amendment application as the underlying zone provisions for each of the parcels of land impacted, determine what development can occur on those sites, most of which are already zoned and developed for urban purposes with the exception of the Rural Resource Land which is currently vacant.

3. Planning Scheme Amendment Assessment

3.1 Requirements of the Act

Pursuant to Section 32(1) of the Act, a draft amendment of a planning scheme, and an amendment of a planning scheme, in the opinion of the relevant decision-maker within the meaning of section 20(2A)–

(a).....

(b).....

(c).....

(d).....

(e) must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and

(ea) must not conflict with the requirements of section 30O; and

(f) must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.

(2) The provisions of section 20(2), (3), (4), (5), (6), (7), (8) and (9) apply to the amendment of a planning scheme in the same manner as they apply to planning schemes.

Section 30O of the Act requires that an amendment to an interim planning scheme is as far as practicable, consistent with the regional land use strategy. Section 30O also sets a number of requirements relating to the insertion of a local provision and its relationship to a common provision.

In addition to these requirements, Section 20(1) is also relevant as a planning scheme amendment is also the making of a planning scheme:

(1) A relevant decision-maker, in preparing, accepting, declaring or making a relevant scheme, or giving approval in relation to the making or approving of a relevant scheme, must, in the opinion of the relevant decision-maker–

(a) seek to further the objectives set out in Schedule 1 within the area covered by the scheme;
and

(b) prepare the scheme in accordance with State Policies made under section 11 of the State Policies and Projects Act 1993; and

(c)....

(d) have regard to the strategic plan of a council referred to in Division 2 of Part 7 of the Local Government Act 1993 as adopted by the council at the time the planning scheme is prepared; and

(e) have regard to the safety requirements set out in the standards prescribed under the Gas Pipelines Act 2000.

The following sections address the matters that are covered by the above mentioned legislative requirements.

3.2 Dispensation of Public Advertising in accordance with Section 37

Section 37 of LUPAA grants the Commission power to dispense with certain requirements with respect to draft amendments including the requirement for public exhibition of a draft amendment under section 38 as per Section 7 (b) provided the public interest is not prejudiced. It is submitted that the proposed amendment meets Section 37(1)(a)(ii) and/or (iii) being that the amendment is for the removal of an anomaly in the planning scheme and clarifies and simplifies it. It is further submitted that it meets Section 37(b) being that the amendment will not prejudice the public interest as outlined in sections 3.11.1 and 3.11.2 below.

3.2.1 Amendment to clarify the planning scheme and correct and anomaly

In 2008 the City of Launceston and The Crown entered into a Deed of Agreement to better manage the flood risk in Launceston. Essentially this provided funding for the reconstruction of the levees on the basis that there was an ongoing framework to better manage the risk to life and property put in place. Key elements of this were introduction of modified planning controls, a programme of public education, improved emergency management procedures and the establishment of a new Authority (the Launceston Flood Authority). It is the modified planning controls that are the subject of this amendment but it is noted that all of the other elements have been put in place i.e emergency management procedures.

The original Planning Scheme modifications were introduced into the Launceston Planning scheme 1996 by way of the Invermay/Inveresk Flood Inundation Area (copy attached **Appendix A**). These provisions formed a code that overlaid the existing zoning. The code modified the allowable uses, specifically prohibiting a number, and introduced development standards to better deal with flood impact. These provisions were developed to integrate with the framework of the 1996 scheme. The provisions were developed in partnership with the State Government. Following the introduction of the Invermay/Inveresk Flood Inundation Area Code to the 1996 Scheme, the framework for drafting planning schemes has been standardised, and through the adoption of the Launceston Interim Planning Scheme 2015, the use classes have been broadened and reduced in number.

Since this time there have been a number of matters that have necessitated the planning provisions within the area to which the Invermay Flood Code relates to be revisited including the decision to rezone the ex- Gunn's site at Lindsay Street from General Industrial to Commercial to facilitate a bulky goods precinct (Bunnings etc.).

It is submitted that the prohibition of Community Meeting and Entertainment in its entirety that has resulted in the Invermay Flood Code in the 2015 Interim Scheme is not required to meet the conditions and obligations of the Deed which it was intended to do (again this is evidenced by the correspondence from the Treasurer in **Appendix B**).

Section 4 of the Deed outlines the Condition and obligations and provides the following at Section 4.2 in relation to Planning Controls:

The Council must prepare amendments to the Launceston Planning Scheme and submit those amendments to the Resource Planning and Development Commission. The amendments are to constrain increases in potential future flood damage to property in the 1:100 year flooding overlay areas in Invermay and must address the flood hazard by introducing the following measures.

- (i) prohibit new residential developments*
- (ii) prohibit extensions and or modifications to residences that create new floor area under the 1:100 flood level*
- (iii) prohibit new schools and other education facilities, aged car homes and any essential services premises or similar*
- (iv) prohibit new public buildings that would experience significant damage to electrical or other fittings in a 1:100 flood*
- (v) prohibit developments that increase the number of people that are at risk of injury or death in case of a 1:100 flood*
- (vi) prohibit developments that increase the expected duration of a flood, unless that increase is part of an approved mitigation strategy*
- (vii) encourage the conversion of land use to activities that incur low levels of damage in case of flood.*

As per Table 8.2, Community Meeting and Entertainment is defined as:

use of land for social, religious and cultural activities, entertainment and meetings. Examples include an art and craft centre, church, cinema, civic centre, function centre, library, museum, public art gallery, public hall and theatre.

Community Meeting and Entertainment is not residential or educational, nor is it an aged care home.

It is submitted that if the amendment as proposed is approved, that requirements (iv)-(vii) of the Deed are still addressed via the development Standards in the Code (Clause E16.7). Clause E16.7.2 Flood Impact requires non-residential buildings to have a floor level of at least 3.4m AHD and a maximum floor area of 400m² as the permitted standard with the ability to vary subject to a hydrological report addressing:

- (a) detail:*
 - (i) the risks to life;*
 - (ii) the likely impact on the use or development; and*
 - (iii) how the use or development will manage the risk to tolerable levels;*

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 a 1% AEP flood event; and

(b) consider the following:

- (i) the likely velocity and depth of flood waters;*
- (ii) the need to locate electrical equipment and other fittings above the 1% AEP flood level;*
- (iii) the likely effect of the use or development on flood characteristics;*
- (iv) the development and incorporation of evacuation plans into emergency management procedures for the precinct; and*
- (v) the ability of the use or development to withstand flood inundation and debris damage and the necessity for the incorporation of any flood proofing measures in the development.*

Any proposed museum facility would not experience significant damage in a flood, as it would be designed to withstand a flood as required by the development provisions of the Invermay Flood Code which will remain. In relation to the Automobile Museum specifically, it is noted that the contents of the museum are also mobile so can easily be relocated should a flood be forecast. A museum would not be open or operating should a flood be likely, so would put no person at risk of injury or death. In order to comply with the development provisions under the Invermay Flood Code any building itself would have no material impact on the characteristics of the flood and it is noted that a number of buildings can occur within the Riveredge Industrial Precinct under the Invermay Flood Code currently as it is only Community Meeting and Entertainment that is prohibited.

Taking this into account, it is submitted that in fact the Deed did not intend to prohibit the Community Meeting and Entertainment use class in its entirety, and rather that it should prohibit residential and educational buildings and provide development provisions to ensure any buildings are designed to withstand flood impacts and limit capital losses from flood events.

As such, it is submitted that the proposed amendment to remove the prohibition on Community Meeting and Entertainment use class with respect to Museum within the Riveredge Industrial Precinct meets Section 37 (a) (ii) and (iii) in that the amendment is for the correction of an anomaly and will simplify the planning scheme.

3.2.2 Public interest not prejudiced

The public interest will not be prejudiced by the removal of the prohibition of Museum from the Community Meeting and Entertainment use class within the Riveredge Industrial Precinct in the Invermay Flood Code. As has been outlined, the prohibition was included within the Invermay Flood Code as a result of the Launceston Flood Risk Management Deed between the Crown and the City of Launceston. The Deed was created to serve the public interest and facilitate the construction of a

levee. It required improved planning controls and development and emergency management to be implemented. As outlined in section 3.2.1, it is suggested that the planning controls actually 'over reached' and included a broader range of provisions than was actually specified by the Deed. If this is the case, then it is in the public interest to remove the prohibition as it places restrictions on development that are not necessary or desirable.

The proposed amendment will not impact on the status of Community Meeting and Entertainment within any of the three Zones in the Riveredge Industrial Precinct that it can occur, being Rural Resource, Commercial and Light Industrial. In all instances, Community Meeting and Entertainment is a discretionary use class and therefore any future use and development will be required to be publicly exhibited for the statutory period of 14 days and appeal rights will ensue.

3.3 Strategic Plan

The City of Launceston’s Strategic Plan 2014-2024 seeks to provide direction to the range of operations Council undertakes in their role as the major provider of services and facilities for the City of Launceston. The Strategic Plan essentially indicates the actions and strategies that the Council will implement to deliver on the Greater Launceston Plan goals.

The following section identifies the most relevant principles and key directions of the Plan and provides an assessment of how the proposed draft amendment responds to each principle.

Principle	Description
1	<u>A creative and innovative city</u>
	To foster creative and innovative people and industries
	<p>Response</p> <p>The key directions to achieving the goals include optimising the use and useability of assets for different types of activities and contributing towards artistic, cultural and heritage outcomes. The proposed amendment seeks to remove an unnecessary and outdated restriction to land within the Riveredge Industrial Precinct in Invermay which prohibits use for Museum (a subset of the Community Meeting and Entertainment Use Class) purposes despite the underlying zoning. Given the reason for the prohibition stems from a Deed of Agreement for levee funding and that the translation of that Deed into the Planning Scheme has resulted in an anomaly (refer section 3.11.1 of this report), it is considered that the proposed amendment to remove the restriction will optimise the use of land within the precinct and will enable more land to be utilised for cultural purposes.</p>

2	<u>A city where people choose to live</u>
	To promote Launceston as a unique place to live, work, study and play
	<p>Response</p> <p>Key indicators of success for this goal include increasing usage of the riverfront precinct. Land within the Riveredge Industrial Precinct extends to the riverfront and the ability to utilise appropriate areas of it for Museum purposes will assist in the creation of a vibrant city which has a focus on its river frontage. Given the current prohibition is unnecessary and doesn't actually respond to the requirements of the Deed, it is important that the Planning Scheme provisions are as flexible as possible to ensure Launceston can thrive as a unique place to live, work, study and play.</p>
5	<u>A city that values its environment</u>
	To reduce the impacts on our natural environment and to build resilience to the changing intensity of natural hazards.
	<p>Response</p> <p>Whilst many of the success factors for this goal are around improving the quality of the air and water and ensuring long term environmental sustainability within the municipality, one of the key success factors is directly relevant to the proposed amendment in that it promotes enhanced community understanding of natural hazards.</p> <p>Key direction 4 is to implement floodplain management plans in the Invermay area. This has largely been achieved by the new levee system emergency warning and evacuation procedures which are now in place and it is submitted that the proposal to allow one additional sub use class within a particular area of Invermay in accordance with underlying zoning will not impact on overall flood management for the area.</p>
6	<u>A city building its future</u>
	To drive appropriate development opportunities as well as infrastructure, land use planning and transport solutions.
	<p>Response</p> <p>Whilst the proposed amendment is centred directly upon a minor change to the Invermay Flood Code in the Planning Scheme, its genesis is as the</p>

	<p>result of the City Deal works which include the relocation of the UTAS campus from Newnham to Invermay. Invariably, with large scale, city wide initiatives there needs to be relocation of some existing facilities and the National Automobile Museum is one such facility. The proposed new site for the Museum currently prohibits its use as a museum due to the Invermay Flood Code, however in all other respects it is an appropriate site and its development for the purposes of an Automobile museum places no greater risk to life or property than other developments immediately surrounding it such as Bunnings Warehouse, JB Hi-Fi and Petland. The amendment of the Planning Scheme to facilitate use for a Museum within the Riveredge Industrial Precinct is considered to meet the goal by driving appropriate development opportunities and land use planning solutions.</p>
<p>7</p>	<p><u>A city that stimulates economic activity and vibrancy</u></p> <p>To develop a strategic and dedicated approach to securing economic investment in Launceston.</p> <p><i>Response</i></p> <p>Tourism is seen as a key driver of the Launceston economy moving forward. The proposed amendment will further this goal by removing an unnecessary complication in the planning scheme that limits the ability to develop facilities such as museums in the emerging Invermay Precinct adjacent to North Bank.</p>
<p>8</p>	<p><u>A secure, accountable and responsive Organisation</u></p> <p>To communicate and engage consistently and effectively with our community and stakeholders.</p> <p>To seek and champion collaboration to address major issues for Northern Tasmania</p> <p><i>Response</i></p> <p>Part of this amendment application includes seeking dispensation from the Tasmanian Planning Commission to remove the requirement for public exhibition of the draft amendment. Whilst it is clear, the Council aims to be a consultative organisation, in this instance it is considered that public exhibition of a minor amendment to a planning scheme is unnecessarily onerous and time consuming and will not provide any tangible benefit. As noted, any development for Community Meeting and Entertainment (museum) allowed within the Riveredge Industrial Precinct by the proposed amendment, would be subject to a</p>

	<p>discretionary application which would be publicly advertised so each application would be determined on its merits.</p> <p>It is considered that there is little risk to public safety by allowing applications for Community Meeting and Entertainment (museum) to be considered in the Riveredge Industrial Precinct. Given the range of other uses that are allowable within the various zones in the precinct including bulky goods sales (I,e Bunnings), the precinct clearly allows uses that attract large numbers of people to them and with the advent of the early warning flood system for the city, all businesses and facilities at potential risk of a flood would be evacuated well in advance of a major flood event.</p>
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3.4 Greater Launceston Plan

The Greater Launceston Plan (GLP) is the lead strategic reference document for Council for the next 20 years. It outlines a *'community vision and evidence-based framework for the sustainable development of Launceston and its suburbs and localities over the next 20 years.'*

It is understood that the GLP underpins all the actions in the Strategic Plan and provides a blueprint to attainment of the vision under the Strategic Plan.

The GLP is a high level regional document which does not necessarily provide direct guidance on the drafting of the Planning Scheme ordinance in relation to Codes including the Invermay/Inveresk Flood Inundation Code to which this amendment applies.

However, it is noted that the GLP has a focus on liveability and amenity, and one of the key elements of this direction is to plan for safe and resilient communities which are safe and accessible. The GLP also addresses economic development and seeks to support planning decisions that optimise greater Launceston’s regional role and attraction. The proposed amendment which seeks to make a minor amendment to the Invermay Flood Code does not impact on the attainment of either of these objectives. Whilst the amendment allows one additional use class to be considered on a small number of sites in Invermay, the risk to life and property from risk of flooding is considered to be acceptable in terms of the nature of the use and the level of capital investment such uses generally entail. The proposed amendment is required as part of the overall City Deal works and will enable the City of Launceston to continue to focus on investment in the city and improvements.

3.5 Northern Regional Land Use Strategy Version 5.0)

On 27 October 2011, the Northern Tasmania Regional Land Use Strategy (Regional Land Use Strategy) was declared by the Minister for Planning pursuant to Section 30C of the Act. In October 2013 an amended Regional Land Use Strategy was declared.

The Regional Land Use Strategy provides overall direction on future use and development for the Northern Region. As required through Section 32(1)(ea) the proposed amendment must as far as practicable be consistent with the Regional Land Use Strategy.

Again, the high-level nature of this document and the minor scale of the proposed amendment mean that there is little direct correlation between the two.

Part B – Region Vision and Strategic Directions

Section 2.1 of outlines the regional planning vision for Northern Tasmania as follows:

To create a region that through innovation and strong partnerships makes intelligent use of its natural advantages to create a positive, affordable and competitive future for all our communities.

'By joining together, Northern Tasmanian councils and communities can create platforms for sustainable economic prosperity while maintaining our beautiful and unique environmental assets.

We will enhance the region's attractiveness as a place to live, invest and visit; and seek to enhance the quality of life for all both now and into the future.' Pg 19

Comment:

The proposed amendment which effectively allows for an area of land in Invermay to have the ability to be used for Community Meeting and Entertainment (museum) in accordance with the underlying zoning accords with the regional vision in that it enhances the attractiveness Invermay as a place for investment as it reduces unnecessary limitations and will not impact on the safety to life during flood events.

Goal 3: Adopt and maximise sustainability measures for new development and develop stronger community resilience to social and environmental change, such as threats of climate change, changing socio-economic demographics and prevailing economic conditions.

Comment:

Strategic directions under this goal include the management of natural hazards such as flooding. Whilst the proposed amendment will allow the ability for one additional use class to be considered within a flood prone area, it is considered that the risk level of doing to is acceptable for two reasons:

1. The risk to life would be low given the early warning flood system;
2. The development standards under the Invermay Flood Code will remain and ensure that future development is built to a standard to minimise potential future flood damage.

3.6 Objectives of the RMPS

An assessment of the Proposed Amendment against the objectives of the Resource Management and Planning System of Tasmania is outlined below.

Objective	Response
<i>Part 1</i>	
<i>(a) to promote the sustainable development of natural and physical resources and the</i>	The proposed amendment impacts an area of land known as the Riveredge Industrial Precinct within Invermay which is already largely

Objective	Response
<i>maintenance of ecological processes and genetic diversity</i>	developed and urbanised. The ability to allow development of one additional use class within this precinct as per the underlying zoning will not impact on sustainable development.
<i>(b) to provide for the fair, orderly and sustainable use and development of air, land and water</i>	The proposed ordinance amendment represents an orderly and sustainable use of the land and will not have any impacts on air and water resources. The effect of the ordinance amendment to an existing Invermay Flood Code will be to allow 'Community Meeting and Entertainment' only for Museum use to be considered as a discretionary application within a small number of sites shown in Figure 3. As per the underlying zoning, the use class is discretionary in all relevant zones so any future use and development for Museum purposes will be publicly advertised, allowing the community to have input.
<i>(c) to encourage public involvement in resource management and planning</i>	Whilst it is intended to apply to the TPC for dispensation in relation to public exhibition of the amendment, it is noted that as per the underlying zoning, the use class of Community Meeting and Entertainment is discretionary in all relevant zones so any future use and development for that purposes will be publicly advertised, allowing the community to have input on specific use and developments.
<i>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) an (c)</i>	The proposed amendment to the Invermay Flood Code seeks to remove an unnecessary and unintended barrier to economic investment in the Invermay area.
<i>(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State</i>	The proposal represents a process of shared responsibility between State government, local government, the land development industry and the community. All relevant bodies will be consulted as part of the planning approval process.
<i>Part 2</i>	

Objective	Response
<p><i>(a) to require sound strategic planning and co-ordinated action by State and local government</i></p>	<p>As stated, the proposed amendment only allows for ability for Community Meeting and Entertainment (museum only) use class to be considered on flood prone land in Invermay as per the underlying zone provisions.</p> <p>As addressed in sections 3.2-3.5 of this report, the proposed amendment is in accordance with the directions under the Launceston Strategic Plan 2014-2024, the Greater Launceston Plan, the Northern Regional Land Use Strategy and the Launceston Residential Strategy.</p>
<p><i>(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land</i></p>	<p>The proposed ordinance amendment only allows one additional sub-use class within a flood prone area on a limited range of zones and in accordance with the underlying zone provisions. The amendment is considered minor in nature and does not alter any development standards that applies to land within the Riveredge Industrial Precinct.</p>
<p><i>(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land</i></p>	<p>The proposal will not impact significantly on the environment given the area of land to which the amendment has any effect on is an urban area and the underlying zone provisions will remain as existing.</p> <p>The amendment will have little social or economic consequence. As stated, the reason for the prohibition to the area of land in question was as a result of a Deed of Agreement and the resulting translation to the 2015 Interim Scheme and not considered necessary going forward given the actual intent of the Deed and the flood protection measures now in place.</p>
<p><i>(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels</i></p>	<p>The proposal furthers the State and municipal objectives of sustainable economic development of land in a manner which does not compromise environmental, social, conservation and resource management values.</p>

Objective	Response
<p><i>(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals</i></p>	<p>This objective is not affected by this proposal.</p>
<p><i>(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania</i></p>	<p>The proposed amendment will not impede the attainment of the objective. The inclusion of Community Meeting and Entertainment in its entirety as a prohibited use within the Riveredge Industrial Precinct under the Invermay Flood Code was a result of translation from the 1996 Scheme within which the Code was created to address requirements of a Deed of Agreement in relation to funding of the flood protection levee. The retention of the development standards within the Code and the prohibition on residential uses effectively maintains adherence to the Deed and ensure that the safety of the area in question is maintained.</p>
<p><i>(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value</i></p>	<p>Most of the land holdings that are impacted by this amendment are already developed urban lots.</p> <p>It is noted however, that should any Aboriginal heritage sites are discovered during any future construction works then the Aboriginal Relics Act 1975 will apply for reporting and management purposes which is the case regardless of whether this amendment is approved.</p>
<p><i>(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.</i></p>	<p>The proposed ordinance amendment will not impact on the attainment of this objective.</p>
<p><i>(i) to provide a planning framework which fully considers land capability.</i></p>	<p>There is some land within the precinct which is zoned Rural Resource, however the amendment does not change the status of varying uses within the zone and will therefore not impact on how the planning framework considers land capability.</p>

3.7 State Policies

3.7.1 State Coastal Policy 1996

The proposed amendment does not impact on the application of the State Coastal Policy which has largely been translated into the Launceston Interim Planning Scheme via the Coastal Code which does not apply to land within the Invermay Flood Code. The proposal to allow one additional sub use class to occur within the Riveredge Industrial Precinct within the Invermay/Inveresk Flood Inundation Area whilst retaining development provisions will not increase any risk to life or property.

3.7.2 State Policy on the Protection of Agricultural Land 2009

Assessment against the State Policy on the Protection of Agricultural Land has not been provided as the proposed amendment does not impact on the allowable uses under the Rural Resource Zone nor does it contemplate a rezoning of land. The Riveredge Industrial Precinct impacted by the amendment is entirely within the urban area of Launceston and the only Rural Resource zoned land is Council owned and currently vacant as it is low lying swamp area.

3.7.3 State Policy on Water Quality Management 1997

Management of water quality as per the State Policy on Water Quality Management 1997 is addressed in the Interim Scheme via the Water Quality Code provisions, the applicability of which will not be altered as a result of the proposed amendment.

3.7.4 National Environment Protection Measures

National Environmental Protection Measures (NEPMs) are developed under *the National Environment Protection Council (Tasmania) Act 1995* and outline objectives and protections for aspects of the environment. Section 12A of the *State Policies and Projects Act 1993* provides NEPMs with the status of a State Policy.

Seven NEPMs have been made to date that deal with:

- Ambient air quality;
- Air Toxins;
- Assessment of Site Contamination;
- Diesel Vehicle Emissions;
- Movement of Controlled Waste Between States and Territories;
- National Pollutant Inventory; and
- Used Packaging Materials.

None of these NEPMs are considered directly relevant to this application. Site contamination is dealt with under the Planning Scheme via the Potentially Contaminated Sites Code. Application of this Code to future use and development will not be altered as a result of the amendment.

3.8 Provisions relating to use, development, protection or conservation of land and potential land use conflict

All required provisions relating to the sustainable development of the land are provided for through the normal planning scheme requirements. In particular, the range of codes dealing with land hazards and values will continue to apply to future applications for a permit on any land within the Riveredge Industrial Precinct under the Invermay/Inveresk Flood Inundation Area Code. Further, it is noted that since the introduction of the Code into the 1996 Planning Scheme, the flood levee system has been completed which affords protection for up to a 1:200 year flood event and the Council now has emergency management and evacuation procedures in place in the event of a likely flood event.

The underlying zone provisions will still apply and as outlined in Section 1.4 of this report, there are only three zone types within the Riveredge Industrial Precinct which Community Meeting and Entertainment (specifically museum) can be contemplated within being Commercial, Light Industrial and Rural Resource.

3.9 Gas Pipelines Act 2000

The subject land is not affected by the Gas Pipeline. This requirement is therefore not applicable.

3.10 Regional Impact

The proposed amendment is considered to be consistent with the Northern Tasmania Regional Land Use Strategy, as discussed in Section 3.5 above. This demonstrates that the future development facilitated by the proposed amendment is consistent with the desired environmental, economic and social outcomes for the Northern Region.

3.11 Other requirements of Section 20

The proposed amendment is also consistent with the other requirements under Section 20(2), (3), (4), (5), (6), (7), (8) and (9) of the Act. In particular, the proposed amendment does not:

- prevent the continuance or completion of any lawful use or development;
- prevent the reconstruction or restoration of buildings or works unintentionally destroyed or damaged;
- extend or transfer a use from one part of a parcel of land to another part; and
- affect forestry operations, mineral exploration, fishing or marine farming.

4. Conclusion

The proposed ordinance amendment to remove the current prohibition on Community Meeting and Entertainment use class in its entirety (allowing development of a museum) within the Riveredge Industrial Precinct as defined by the Invermay Inveresk Flood Inundation Area Code has been assessed against all relevant strategic plans, strategies and the objectives of the RMPS. The amendment effectively removes an anomaly between translation of requirements of a Deed of Agreement for funding of the Launceston Levee system and the Launceston Interim Planning Scheme 2015. The removal of the prohibition will not cause an increased risk of loss of life nor for the potential for greater capital losses in the event of a flood. With the construction of the flood levee system, the Invermay area is now afforded a greater level of protection from flood events and the development standards that remain in the Invermay Flood Code require impacts to buildings to be considered at the planning approval stage.

Based on all the supporting information provided in this report, it is submitted that there is sufficient justification to support the case for the proposed ordinance amendment and request that in accordance with Section 37 of the Act, that the Tasmanian Planning Commission dispenses with the requirement for public exhibition of the amendment.

Appendix A. Invermay/Inveresk Flood Inundation Area Code from the Launceston Planning Scheme 1996

Launceston Planning Scheme 1996

- (3) If any modification of flood characteristics likely to result from the use or development would significantly affect the use or structural safety of any surrounding development;
- (4) Safety of the occupants of the development and whether there is flood free access to the land;
- (5) Ability of the use or development to withstand flood inundation and debris damage and the necessity for the incorporation of any flood proofing or protection measures in the development;
- (6) If the use or development by its nature requires access or proximity to a river or river related activities which include boat building, repair and maintenance, marinas, wharves, ship provedores and chandlers, boat ramps, and the like.

39.5 INVERMAY/INVERESK FLOOD INUNDATION AREA

39.5.1 Purpose

The purpose of this clause is to minimise risks and hazards from flooding in accordance with the specific principles applying to flood prone land under Objective 4.22.2 of the planning scheme, and in particular:

- (1) To limit development that increases the potential flood damage to property subject to inundation;
- (2) To limit land uses that create unacceptable level of risk for residents in the event of inundation; and
- (3) To ensure that consideration is given to community, infrastructure and environmental impacts of development on land subject to flood inundation.

Launceston Planning Scheme 1996

39.5.2 Applications of the provisions

This clause applies to use and development, including subdivision, on land shown in Schedule 15 “Invermay/Inveresk Flood Inundation Precincts”.

39.5.3 Definitions

ARI – Average Recurrence Interval. Floods with a discharge as great as the 100 year ARI design flood will occur on average once every 100 years.

Habitable room – means a habitable room as defined in the Building Code of Australia.

Inundation area – area subject to flooding in the absence of flood protection levees.

Significant community infrastructure – A use and development that provides essential services to the community for example, hospitals, schools, aged care services, government offices.

39.5.4 Exemptions

This schedule does not apply to Minor Construction if it is a maximum of 3m x 3m with a maximum height of 2.1m and not a habitable room.

39.5.5 Invermay Flood Inundation Management Precincts

To guide the appropriate future control of land use and development the area affected by flood inundation has been divided into 7 management precincts.

The extent of the seven management precincts are shown in the “Inveresk/Invermay Flood Inundation Precincts” contained in Schedule 15.

Precinct		Description	Management objectives
1	Riverside Industrial	Industrial area with mixed character. Include wharf area with river related activities including ship building.	<ul style="list-style-type: none"> ○ Long term limitation of riverside industrial uses; ○ Limitations on future capital intensification of existing industry; ○ Prohibit new residential uses; ○ Prohibit significant community infrastructure; ○ No conversion of industrial uses to residential uses.

Launceston Planning Scheme 1996

2	Riverside Residential	Residential area with higher density housing interspersed with commercial and community uses. Significant heritage and cultural values exist.	<ul style="list-style-type: none"> ○ Long term maintenance of the residential area at the current intensity; ○ Limitation on future increases in residential development; ○ Prohibit significant community infrastructure.
3	Inveresk Cultural	Former rail yards area redeveloped as a centre for education, culture and recreation.	<ul style="list-style-type: none"> ○ Maintenance of the area as a centre of cultural, recreational, entertainment and educational facilities; ○ Prohibit new residential uses; ○ Limit commercial development opportunities to those uses that support the cultural, recreational, entertainment and community intents of the precinct.
4	Invermay Residential	Traditional residential area of mixed character. Largely not subject to inundation although would be isolated in a flood event.	<ul style="list-style-type: none"> ○ Maintenance of the exiting residential character; ○ Prohibit significant community infrastructure.
5	Invermay Road Commercial	Commercial, retail and light industrial area fronting on or accessed primarily from Invermay Road.	<ul style="list-style-type: none"> ○ Maintenance of the current/retail character of the area with limitations on future capital intensification of existing commercial, retail and light industry; ○ Provide for limited re-development opportunities; ○ Prohibit residential uses ○ Prohibit significant community infrastructure.

Launceston Planning Scheme 1996

6	Recreational	Open Space areas including Heritage Forest and Churchill Park recreational areas. Informal and formal recreational facilities.	<ul style="list-style-type: none"> ○ Maintain the largely open space character of the area; ○ Buildings only to support recreational use of land; ○ No new commercial or industrial uses; ○ Prohibit new residential uses; ○ Prohibit significant community infrastructure.
7	Riverside Recreational	Land between Lindsay Street and the North Esk River from the Tamar Street Bridge to Town Point. This precinct is currently industrial in nature. As part of the flood management project this land is being acquired to be used for the re-constructed levees.	<ul style="list-style-type: none"> ○ To create an open space precinct to be used for reconstructed levees; ○ To allow limited development consistent with the use of the area for public recreation; ○ Prohibit new residential development; ○ Prohibit significant community infrastructure.

39.5.6 Modifications to statues of use and development

39.5.6.1 Controls over land use

Notwithstanding the provisions of the underlying zones the following tables show the status of defined uses in each of the management precincts. Where there is a difference between the schedule and the underlying zone the schedule applies. Where the schedule is silent on a particular use class the underlying zone provisions apply.

Launceston Planning Scheme 1996

1 Riverside industrial	
Use	
Care facility	PROHIBITED
Childcare Centre	PROHIBITED
Caretakers dwelling	PROHIBITED
Education centre	PROHIBITED
Government Services Centre	PROHIBITED – if police station, ambulance station, fire station or other emergency services depot
Hospital	PROHIBITED
Multiple dwelling	PROHIBITED
Medical Centre	PROHIBITED
Place of Assembly	PROHIBITED
Retirement village	PROHIBITED
Single Dwelling	PROHIBITED

2 Inveresk Residential	
Use	
Care facility	PROHIBITED
Childcare facility	PROHIBITED
Education Centre	PROHIBITED
Government Services Centre	PROHIBITED – if police station, ambulance station, fire station or other emergency services depot
Hospital	PROHIBITED
Multiple dwelling	PROHIBITED
Medical Centre	PROHIBITED – if more than practitioners
Place of Assembly	PROHIBITED
Retirement village	PROHIBITED

3 Inveresk Cultural	
Use	
Care facility	PROHIBITED
Childcare Centre	PROHIBITED
Education Centre	PROHIBITED
Government Services Centre	PROHIBITED – if police station, ambulance station, fire station or other emergency services depot
Multiple dwelling	PROHIBITED
Hospital	PROHIBITED
Retirement village	PROHIBITED
Single Dwelling	PROHIBITED

Launceston Planning Scheme 1996

4 Invermay Residential	
Use	
Care facility	PROHIBITED
Childcare Centre	PROHIBITED
Government Services Centre	PROHIBITED - if police station, ambulance station, fire station or other emergency services depot
Hospital	PROHIBITED
Retirement Village	PROHIBITED

5 Invermay Road Commercial	
Use	
Care facility	PROHIBITED
Childcare Centre	PROHIBITED
Caretakers dwelling	PROHIBITED
Education centre	PROHIBITED
Hospital	PROHIBITED
Government Services Centre	PROHIBITED - if police station, ambulance station, fire station or other emergency services depot
Multiple dwelling	PROHIBITED
Medical Centre	PROHIBITED
Place of Assembly	PROHIBITED
Retirement village	PROHIBITED
Single dwelling	PROHIBITED

6 Recreational	
Use	
Care facility	PROHIBITED
Caretakers dwelling	PROHIBITED
Childcare Centre	PROHIBITED
Education centre	PROHIBITED
Government Services Centre	PROHIBITED - if police station, ambulance station, fire station or other emergency services depot
Hospital	PROHIBITED
Multiple dwelling	PROHIBITED
Medical Centre	PROHIBITED
Retirement village	PROHIBITED
Single dwelling	PROHIBITED

Launceston Planning Scheme 1996

7 Riverside Recreational	
Use	
Care facility	PROHIBITED
Caretakers dwelling	PROHIBITED
Childcare Centre	PROHIBITED
Education centre	PROHIBITED
Government Services Centre	PROHIBITED - if police station, ambulance station, fire station or other emergency services depot
Hospital	PROHIBITED
Multiple dwelling	PROHIBITED
Medical Centre	PROHIBITED
Retirement village	PROHIBITED
Single dwelling	PROHIBITED

39.5.6.2 Standards for development

These standards must be read in conjunction with the standards for development contained within the zone provisions and other schedules of special areas.

Unless a development complies with the Acceptable Solutions for each applicable objective, a Discretionary Permit will be required under this clause.

Where there are no performance criteria for a standard the development must meet the acceptable solution in order to be permitted under this clause.

A development must be refused if it does not meet the applicable acceptable solutions for a standard and is also assessed as not meeting the relevant performance criteria for that standard.

Launceston Planning Scheme 1996

A. Intensification

Objective: To limit the intensification of development in areas subject to, or seriously affected by, flood inundation.

Performance Criteria	Acceptable Solution
<p>P1. New floor area for residential buildings on a vacant lot must not exceed 200m² or through extensions of existing buildings increase the floor area by more than 10% of that existing or approved on the 1st January 2008 unless the building will be within the Invermay Residential Precinct and development is consistent with achieving the management objectives for the precinct.</p>	<p>A1. New residential buildings, extensions to existing residential buildings or relocated buildings:</p> <p>(a) will not increase the floor area of individual buildings or total floor area on the title to more than 110% of that existing or approved on the 1st January 2008; or</p> <p>will not result in a total floor area of more than 200m² on a vacant site.</p>
<p>P2. New floor area for non-residential buildings on a vacant lot must not exceed 400m² or through extensions of existing buildings increase the floor area by more than 10% of that existing or approved on the 1st January 2008 unless:</p> <p>(a) the use is for a river related activity such as boat building, boat repair and maintenance, marina, wharf, provedore, chandlery or a boat ramp within the Riverside Industrial Precinct; or</p> <p>(b) the use is for public entertainment, recreational or community purposes in the Inveresk Cultural Precinct; or</p> <p>(c) all new floor area is located above the 1:100 year ARI flood level; and in all cases</p> <p>(d) the development is consistent with achieving the management objectives for the relevant precinct.</p>	<p>A2. New non residential buildings, extensions to existing non residential buildings or relocated buildings:</p> <p>(a) will not increase the floor area of individual buildings or the total floor area on the title to more than 110% of that existing or approved on the 1st January 2008 or 400m² whichever is greater, or</p> <p>(b) will not result in a total floor area of more than 400m² on a vacant site.</p>

Launceston Planning Scheme 1996

<p>P3. Subdivision or division of land by strata plan will not create any additional lots capable of future residential development unless:</p> <p>(a) The proposal is to separate existing dwelling units that have approved by Council on a single title; or</p> <p>(b) The proposal is to separate existing residential buildings and non residential buildings that have been approved by Council on a single title; or</p> <p>(c) The proposal is within the Invermay Residential Precinct and is consistent with achieving the management objectives for that precinct.</p>	<p>A3 Subdivision or division of land by strata plan will not create any additional lots capable for any future residential development.</p>
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B. Flood Impact

<p>Objective: To ensure that new buildings and infrastructure are sited and designed to avoid or mitigate the risk and minimise the impact of flooding.</p>	
<p>Performance Criteria</p>	<p>Acceptable Solution</p>
<p>P1 (a) No performance criteria</p>	<p>A1. Floor levels of habitable rooms will be at least 300mm higher than the 1:100 ARI flood event in accordance with the Building Act 2000</p>
<p>P2. (a) New non habitable rooms or buildings must be sited and designed in accordance with a hydrological report and an emergency management plan prepared by a suitably qualified engineer.</p>	<p>A2. Non habitable rooms or buildings will be located on land the surface of which at 1st January 2008 is or is subsequently approved to be above the 1:100 ARI flood event.</p>

Launceston Planning Scheme 1996

The report and plan must detail the risks and likely impacts of a 1:20 year, 1:50 year, and 1:100 year ARI flood event on the site, the building and its occupants and how the development will be designed and how the use will be managed to avoid, mitigate or remedy the impacts to take account of:

- (i) the risk of levee failure in the vicinity of the site;
- (ii) likely velocity of flood waters and depth of inundation;
- (iii) the need to locate electrical equipment and other fittings above the 1:100 year ARI flood level;
- (iv) the likely affect of the use or development on flood characteristics;
- (v) safety of the occupants of the development, potential evacuation routes and whether there is a flood free access to the land;
- (vi) ability of the use or development to withstand flood inundation and debris damage and the necessity for the incorporation of any flood proofing or protection measures in the development.

Appendix B. Correspondence from State Government

**Treasurer
Minister for Planning and Local Government
Minister for State Growth**

Level 9 15 Murray Street HOBART TAS 7000 Australia
GPO Box 123 HOBART TAS 7001 Australia
Ph: +61 3 6165 7670
Email: treasureroffice@dpac.tas.gov.au



15 DEC 2017

Mr Michael Stretton
General Manager
Launceston City Council
PO Box 396
LAUNCESTON TAS 7250
Michael.Stretton@launceston.tas.gov.au

Dear Mr ~~Stretton~~ *Michael,*

I refer to your letter of 13 November 2017, seeking a modification to the 2008 Inveresk/Invermay Flood Deed of Agreement between the Government and the Launceston City Council, to effect a relocation of the National Automobile Museum from its present site to Lindsay Street.

I am aware that the Deed provisions were introduced into the Launceston Planning Scheme 1996 under the Invermay Inveresk Flood Inundation Areas Code. I note that relocation of the Museum to Lindsay Street is currently prohibited under the provisions of the Code, as it falls into the Use Class community meeting and entertainment.

I am advised that the Deed does not specifically prohibit museums of the type envisaged. Accordingly, there is no need to amend it to give effect to the Museum's relocation.

I note your request for approval to remove the Museum from the prohibitions required by the Code.

I understand that Council will need to seek an amendment to its Interim Planning Scheme and it is recommended that this is restricted to allow for a museum through qualification, rather than by allowing for the broad Use Class "Community Meeting and Entertainment". The risk of the broad use class is that it might provide for higher risk developments, such as large auditoria or halls, which can accommodate substantial numbers of people.

Please note that the Government is satisfied with this limited change and will support an appropriate amendment to the Scheme.

Yours sincerely

Hon Peter Gutwein MP
Minister for Planning and Local Government

SF4642
SF2227/SF5034/

FILE No.	<i>SF4493/SF0030</i>				
EO	<input checked="" type="checkbox"/>	OD	<input type="checkbox"/>	Box	<input checked="" type="checkbox"/>
RCVD		19 DEC 2017		LCC	
Doc No.					
Action Officer	Noted	Replied			
<i>M. STRETTON</i>					

M17/37949
DOC/17/112819

Appendix C. Flooding in Launceston Brochure

Flooding in Launceston

Tips to protect you, your family, pets and property.



Launceston is located at the junction of three major rivers, the South Esk, the North Esk and the Tamar. The South Esk and North Esk Rivers drain approximately 14 percent of the whole State.

Most of early Launceston was built on a flood plain and as a result, Launceston has suffered a number of floods throughout its history, with the 1929 flood leaving 4,000 people homeless. The last major flood in Launceston occurred in 1969.

The Flood Levee Project began in the 1960s, to protect the low lying areas from property damage. At the commencement of construction, failure of the levees was common, as they had to be built on silt next to the rivers.

During a flood, any levee system may fail. Launceston is no exception and even newly constructed levees may overtop or fail. If this happens, some properties in Launceston may be significantly damaged and people's lives could be affected for an extended period.

It is vital the community is educated about flood risk, preparedness, flood warnings, evacuation and recovery.

This brochure contains the following information on how to be better prepared for flooding -

BEFORE Learn • Plan • Prepare

DURING Protect • Evacuate • Travel

AFTER Insurance • Hazards • Cleaning

In the back of this brochure is a list of items you will need to put in an Emergency Kit, and on the back page we have listed important telephone numbers you may need in such an emergency.

Please place this brochure in your Emergency Kit.



What to do **BEFORE** **A FLOOD**

BEFORE



Learn...

Don't wait for a flood to learn what to do. Know how the Flood Warning System works.

- The Bureau of Meteorology issues a **flood watch** if flood producing rain is expected to happen in the near future.
- The Bureau issues a **flood warning** when flooding is occurring or is expected to occur.
- Trained Launceston City Council employees monitor the warnings provided by the Bureau of Meteorology and also monitor river levels to predict the possible level of flooding.
- **ABC Radio 91.7FM** is the local emergency notification station. It will provide regular advice and updates on the current situation during a flood. Local radio stations such as LAFM 89.3FM and Chilli 90.1FM also provide updates.

Flood categories

Minor Flooding

Low-lying areas can be inundated which may require the removal of stock and equipment. Some roads may need to be closed.

Moderate Flooding

The evacuation of some houses may be required. Some traffic routes may be covered and roads closed.

Major Flooding

Properties are likely to be isolated and major traffic routes likely to be closed. Evacuation of people from the flood affected areas may be required.

- If Tasmania Police and the Council consider that Invermay is at risk of major flooding and the suburb must be evacuated, a **siren will be activated**. The siren sounds similar to a traditional 'air raid' siren.



Plan and prepare...

BEFORE

- **Prepare an Emergency Kit** with essential items (see inside back page).
- **Plan where you will evacuate to.** (The Council will have evacuation centres set up, should you not be able to stay with family or friends.)
- **Check your insurance cover.**
 - Are you covered for flooding?
 - Does your policy replace new for old, does it have a limit on repairs?
 - Check both building and contents cover; don't underestimate the value of contents.
- **Know how to turn off your water, gas and electricity.**
 - Ask your supplier how to do this.
 - Mark taps or switches with stickers to help you remember.
- **Know who to contact and how.**
 - Agree where you will go and how to contact each other.
 - The Council has arrangements in place for you to take your pets with you to an evacuation centre.
 - Keep a list of important contacts with you.
- **Think about what you can move now.**
 - Don't wait for a flood. Move items of personal value such as photo albums, family videos and treasured items to a safe place (secured in plastic bags or waterproof containers).



- **Think about which items you will need to move to safety during a flood**
 - Pets (dogs need to be muzzled and you will need to put all pets on a lead or in a pet container)
 - Cars (you should never drive through floodwaters)
 - Furniture (should be placed on beds)
 - Electrical equipment (should be placed on furniture)
 - Garbage bins (should be tied and anchored)
 - Car oils, pesticides and chemicals (should be stored in plastic airtight containers in a higher location)

See the ‘What to do During a Flood’ section for more information.

If you have any questions or concerns in relation to possible flooding in your area, visit **www.launcestonflood.com** or **www.launceston.tas.gov.au** or call 03 6323 3000.



Preparation and protection...

If people are asked how they would defend their property to prevent the inflow of water the initial response is sandbags. However, what is not generally understood is that sandbags are not waterproof.

Also, sandbags empty or full are not easily obtained. The State Emergency Service (SES) and the Council have limited stocks and these are usually required for public infrastructure, such as response to flood levees being overtopped or minor failures in the levees.

The main points of water inflow to properties are:

- Back flow through toilets and sink plug holes.
- Through the gaps around windows and door frames.
- Through air bricks

To aid in preventing water coming in these main entry points the following techniques can be used when sandbags are not available or in preference to sandbags as they can be more effective:

- Insert the plug in sinks and baths, and weigh it down with a heavy object.
- For toilets fill a plastic bag or pillow case with dirt or sand and insert it in the bowl and weigh it down.
- Manhole covers within your property boundary should also be weighed down with earth or sand filled bags or heavy objects.





- The gaps around windows and door frames can be sealed with duct tape and plastic available from most hardware stores. Duct tape and plastic well applied on a dry surface is far more effective than sandbagging.
- Similarly air bricks can be sealed, duct tape placed over, or a sheet of plastic and duct taped. Do not permanently seal your air bricks.

Well in advance of any flood, and to increase the flood resilience of your property, it is recommended you seal gaps between door frames and brick work, or the structure with silicone or approved water resilient filler.

In preparation for a flood, assess your property and its vulnerability. To increase the flood resilience of your home think about using the methods described above, and have on hand stocks of plastic, duct tape, bags filled with sand or dirt and silicone sealant. This will assist with protecting your home in the event of flooding taking place.

Ask...

Questions for the Council:

- How deep will the water get in and around my property?
- Will my home become isolated?
- Do I have to evacuate and where do I evacuate to? What is the safest evacuation route?
- What flood advice will be given by local officials in addition to that given by the Bureau of Meteorology?

The Council has produced 'Flood Plain Maps' which will tell you the areas of inundation should the levees become breached. These maps are based on previous floods and modelling work undertaken by the Council. Ask about the plans in place, warning systems and evacuation plans. This information will assist you in being prepared for flooding.



What to do **DURING** **A FLOOD**

DURING



What you can do to protect your home...

Listen to and act on the advice of the emergency services. Follow these simple steps to stay safe:

- Locate your Emergency Kit.
- Move small manageable furniture and items upstairs or to a high point in your home (e.g. ceiling space for light items).
- Place furniture on beds and then personal items on the furniture. Electrical equipment should be placed at the top.
- Secure all items that may become hazardous and cause damage if moved by floodwater, for example refrigerators and other large household items.
- If safe to do so, turn off gas, electricity and water supplies when floodwater is about to enter you home. **DO NOT touch sources of electricity when standing in floodwater.**
- Put plugs in sinks and baths. Weigh them down with a strong plastic bag filled with sand or earth.
- Place a strong plastic bag full of sand or earth in the toilet bowl to prevent sewage entering your property. Close the lid and weigh down.
- Disconnect any equipment that uses water (like washing machines and dishwashers).
- Leave all drawers, cabinet doors and room doors open. This makes sure they don't swell and stick shut.
- If possible, move any outside belongings to higher locations including car oils, pesticides and chemicals which can be very hazardous to the environment when mixed with floodwaters. These should be stored in plastic, airtight containers in a secure place away from the floodwaters.
- Cardboard boxes and newspapers, etc. should be placed in waterproof containers and moved to higher ground. If this is not done, they will disintegrate and clog drains.
- Tie and anchor outdoor garbage, recycling and wheelie bins to minimise the spread of disease.

Evacuate...

In the event of an evacuation please be aware of the following:

- Keep listening to **ABC Radio 91.7 FM**, which is the local emergency notification station for regular advice and updates. LAFM 89.3FM and Chilli 90.1FM also provide updates.
- For online updates on the current situation follow 'Emergency Management North Tas' on Facebook.
- Emergency personnel will door knock in the area. Mobile public address warnings may also be activated.
- For the Invermay area, a siren will be activated. The siren sounds similar to a traditional 'air raid' siren.
- Please leave your home if emergency services say so. Refusing to leave on their advice will put you, your family and those trying to help you at risk.
- Tasmanian Legislation provides Tasmania Police with the authority to evacuate people in the event of an emergency.
- Leave before floodwaters arrive. You may only have minutes to evacuate.
- Take your pets (secured with a leash or in a pet container – dogs should be muzzled) and pet food with you. Evacuation centres will have resources available for your pets.
- Lock and secure your home.
- When you evacuate, you should go to family or friends or to an evacuation centre run by the Council.
- If you evacuate and stay with friends and family, Tasmania Police may request you register your details. If so, please call Red Cross on 1800 246 850.
- Once an evacuation has been called, residents and the general public will not be able to return to the flood affected area until Tasmania Police have deemed it safe to do so. This may be for some days or months.

DURING



Traveling in flood conditions...

- The majority of flood-related deaths in Australia are a result of inexperienced people entering floodwaters either in boats, vehicles or on foot. Avoid entering floodwater on foot or by vehicle, it may be deeper or faster flowing than you think, manhole covers may have come off and floodwaters contain hidden snags and debris.
- Don't walk on the riverbanks or across bridges if possible. They may have been damaged and might even collapse.
- Don't swim in floodwater – it is usually contaminated and often contains hidden snags, strong currents and other hazards.
- Avoid wading, even in shallow water, for the above reasons.
- If you must enter shallow water, wear rubber shoes or gumboots to protect feet. Don't proceed beyond waist-depth unless absolutely necessary and only if there is no obvious current.
- Keep in contact with other people. Do things in pairs. Do not go anywhere alone.

Important! Floodwater is dangerous

- Avoid walking or driving through it
- Keep children and vulnerable people away from it
- Wash your hands thoroughly if you touch it
- Never drink floodwater in any circumstance; it may contain hazardous substances which can harm you.

Evacuation centres

Help available at evacuation centres includes:-

- Temporary accommodation
- Financial assistance
- Personal support
- Refreshments and meals
- Clothing and personal needs
- Arranging contact with family and friends
- Evacuation centres are located at:-
 - **University of Tasmania, Mowbray**
 - **Silverdome, Prospect**

Directional signage will be displayed at these sites.



What to do **AFTER** **A FLOOD**

AFTER

Insurance...

- Call your building and contents insurance company as soon as possible.
- The insurance company will confirm what repairs and replacements are needed and covered by your policy.
- Ask the insurance company how long it will be before the loss adjustor visits.
- Ask the insurance company if you are to clean your property or if they will get a company to do it for you.
- If you rent your property, contact your landlord and your contents insurance company as soon as possible.
- Photograph and video record your damaged property. List the damage to your property and belongings.
- Use a permanent ink pen to mark on the wall the maximum height of the floodwater – do this in every room affected by flooding.
- Make a note of all phone calls. Record the date, name and what was agreed.
- Keep copies of all letters, emails and faxes you send and receive. Also keep all receipts.
- Don't throw anything away until told to (except ruined food).
- If you do not have insurance, contact the Launceston City Council who will be able to provide information on hardship grants or charities that may be able to assist you.

Temporary housing

Flood repairs can take weeks or months to complete, especially when there is widespread flooding and builders are scarce. It takes time to dry out a property and some buildings have to be gutted before repair. The Department of Health and Human Services can assist with temporary accommodation if you are unable to stay with family or friends. If you are to be in a temporary property for some time, think about having your mail redirected.

Hazards on entering your home...

Wait until authorities have declared the area safe before entering a flood zone.

- Take care as there may be hidden dangers in the floodwater like sharp objects and pollution.
- Wear rubber boots (or rubber soled shoes), long pants and sleeves and rubber or leather gloves. Floodwater can contain sewage, chemicals and animal waste – wear your rubber gloves at all times when cleaning up after a flood.
- Move slowly around and carry a torch to inspect for damage. Pay particular attention to any loose floor boards, holes in the floor, protruding nails and sagging ceiling areas that may be ready to fall.
- Also keep a look out for other flood ‘victims’ such as spiders and snakes.
- Check with Aurora Energy to find out whether electricity supplies to your property have been affected and if they are safe to be turned on by you. **DO NOT touch sources of electricity when standing in floodwater. EVERY SOURCE OF ELECTRICITY CAN BE EXTREMELY DANGEROUS UNDER FLOOD CONDITIONS. DO NOT turn on any lights or appliances until a qualified electrician has checked your entire electrical distribution system.**
- If the water supply has been flooded, you must assume it is contaminated. Drink only boiled or bottled water until the normal supply has been declared safe by health authorities.



AFTER

Cleaning your property...

- When flood levels outside your property start to become lower than inside, you can begin using a pump and generator to remove water from your home. Position the generator outside in the open air as generators produce fumes that can cause harm or be fatal.
- Wash out mud, dirt and debris from your home. Start at the top or upper limit of the flooding and work downwards to the floor.
- If cleaning the house yourself, clean one room at a time and make sure you work in a well-ventilated area. Apply cleaner and give it time to work before you mop it up. After cleaning a room go over it again with a disinfectant to kill the germs and smell left by the floodwater.
- If you are drying your property naturally, keep doors and windows open as much as possible. Drying can also be assisted by the use of fans and heaters, but keep windows open and only use one heater per room (too much heat can cause timber to crack).
- Allow furniture to dry outdoors but keep it out of direct sunlight to prevent warping or fading.
- Don't rush into repairs until the timber and brickwork has had a chance to thoroughly dry (and check with your insurance company first).



- It's important to thoroughly wash and disinfect every item and part of your home that has come into contact with floodwaters because of contamination. To be on the safe side, consider all items exposed to floodwaters as contaminated.
- Thoroughly wash your hands with a disinfectant soap after handling any contaminated article.
- Use household or commercial disinfectants or sanitisers. A good disinfectant to use is a solution of a quarter of a cup of household laundry bleach to every four litres of water.
- Clean and disinfect dishwashers, washing machines and dryers with water that has been declared safe for drinking. Make sure the sewerage and stormwater lines are working before starting a dishwasher or washing machine. Hand wash crockery and cutlery in disinfectant and allow to air dry, or alternatively use a hot setting in your disinfected dishwasher.
- Any food touched by floodwater is ruined and should be thrown out (even jars, canned and bottled goods), including anything in your fridge or freezer ruined by loss of power.
- Fridges and freezers should be cleaned, disinfected and checked by a professional before use or replaced.



AFTER

- Mattresses soaked with floodwater are generally damaged beyond use and should be discarded (check with your insurance company before discarding).
- Wall to wall carpeting will be hard to dry. If you leave it on the floor it could cause wood decay, mildew and warpage of the flooring and hinder drying. However, if you remove the carpet you risk shrinkage – seek advice from a professional cleaner.
- Clean clothing by shaking, brushing or vacuuming loose dirt from the articles before washing or sending to the cleaners.
- Sanitise the washing machine occasionally after washing items contaminated by floodwater to kill bacteria on the interior surface. Pour a disinfectant into the empty machine, then complete a 15 minute cycle on a hot water setting.
- Don't let photos dry out, they will stick together. Try to get to flood damaged photos within two days to prevent mould. Place them in a tub of cold, clear water and gently separate any that are stuck together. Do not allow water from the tap to run directly on the photos, as this may further damage them. Place photos face up on a kitchen towel. Do not wipe the photograph.
- Place books on ends to dry and keep the pages apart. If books are very damp, sprinkle cornflour or talcum powder between the pages to take up the moisture, leave for several hours and then brush off. Repeat if necessary. After exposure to air for some time, pile and press them to keep the pages from crumpling. Continue the drying pressing procedure until they are dry to prevent mildew. Heat can be applied between the pages to prevent musty odours.



Cleaning your yard...

- Drain or remove standing water as soon as possible to prevent creating a breeding area for mosquitoes.
- Tip water out of barrels, old tyres and cans.
- Check gutters are clean and able to drain.
- Clean ditches and drains so they can carry stormwater away from your home.
- If you can't get rid of standing water talk to the Council's Environmental Health Department about obtaining a commercial product that kills mosquito larvae but doesn't harm other animals. Alternatively apply a thin layer of cooking oil to the water.
- Clean and disinfect the BBQ plate and wash and rinse thoroughly. Have a plumber check the gas fittings before operating.
- Dispose of paints and poisons safely.



AFTER

Some suggestions for cleaning

PRODUCT / PROBLEM
Cleaners
Disinfectants
Mildew removers
To remove mildew on wood
To remove mildew on leather or suede
To remove mildew on upholstered articles
To remove rust stains from timber
Mud on walls
Locks and hinges
White salt growth on brickwork



flood damaged property...

RECOMMENDED SOLUTION

Household all purpose cleaner

Laundry soap or detergent

Commercial disinfectants

1/4 cup of laundry bleach in 4 litres of water

Commercial mildew removers

Washing soda, tri-sodium phosphate

1/4 cup of laundry bleach in 4 litres of water

4-6 tablespoons of baking soda in 5 litres of water. Dry away from sunlight in an airy place.

Wipe with cloth wrung out of diluted household bleach. Dry away from sunlight in an airy place. When dry, rub with saddle soap. Use fine steel wool (lightly) or a suede brush on suede when dry. Rinse leather and suede jackets in cold water and dry away from heat.

Sponge lightly with thick suds of soap or detergent and wipe with a clean, damp cloth. Use as little water as possible on the fabric.

Treat with bleach.

Water, detergent and a good stiff nylon or bristle brush.

Oil promptly to prevent rust.

Brush off with a bristle broom when completely dry.

AFTER

What you will need in your Emergency Kit

- Warm, waterproof clothing and a change of clothing
- Blankets/sleeping bag
- Rubber shoes and/or gumboots
- Hats, sunscreen
- Camping stove or small bbq
- A food kit filled with foods that do not need to be refrigerated. Make sure it includes bottled water
- Baby food and baby care items (e.g. nappies, if applicable)
- Pet food (if applicable)
- A list of emergency telephone numbers (take this brochure with you)
- A first aid kit with essential medications
- Your mobile phone and charger
- A portable radio with spare batteries tuned to ABC 91.7FM
- Candles and waterproof matches
- Torch with spare batteries.
- Rubber gloves
- Toiletries and toilet paper
- Alcohol wipes and anti-bacterial gel
- Children's activities such as colouring books, pens and pencils (if applicable)
- A waterproof bag for clothing and valuables
- Important papers (including insurance documents), bank books, money and credit cards
- Valuables and cherished articles (jewellery, photos, etc.)

Your Emergency Kit should be kept in a waterproof storage box. Check your Kit contents regularly and restock any out-of-date items such as batteries.

Important telephone numbers

Tasmania Police

General enquiries _____ 131 444
Emergency _____ 000

State Emergency Service

General enquiries _____ 03 6336 3790
Emergency _____ 132 500

Ambulance

General enquiries _____ 1800 008 008
Emergency _____ 000

Tasmania Fire Service

General enquiries _____ 1800 000 699
Emergency _____ 000

Red Cross _____ 1800 246 850

Powerco _____ 1800 770 018

Aurora Energy _____ 1300 132 003

Bureau of Meteorology _____ 1300 659 216

Launceston City Council

Business hours _____ 03 6323 3000
After hours _____ 03 6323 3333



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Appendix D. Standby Flood Evacuation Notice



Flood Evacuation Standby Notice

1. STANDBY

- Listen to radio **ABC 91.7 FM**.
- Check a Flood Warning Marker located on a power pole near your home. You will be advised whether flood waters are going to reach the red, yellow, blue or white areas on the marker. Stack possessions on benches and tables.
- Check on neighbours.
- Register with Tasmania Police if you require assistance to evacuate. Phone 131 444.
- Start making plans to evacuate, contact friends and family to see if you can stay with them.
- Start self-evacuation now if you wish.
- Prepare a water proof Emergency Kit. Keep in mind the possibility of not being able to return to your home for some weeks.
- Ensure valuables and important papers are placed in your Emergency Kit.
- Place plugs in sinks and weigh down with heavy objects.
- Place a sandbag or similar in the toilet, close and weigh down the lid.
- Take your pets to a safe location ie Pet Pal.

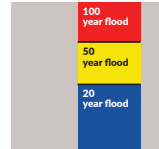
2. EVACUATION

- Siren will sound notifying you of the need to evacuate. **EVACUATE NOW.** The siren sounds similar to a traditional 'air raid' siren and will be activated for a one minute period, every 5 minutes.
- ABC 91.7 FM will provide regular advice and updates.
- Emergency personnel will be door knocking in the area.
- Tasmanian Legislation provides Tasmania Police with the authority to evacuate people in the event of an emergency.
- Take your pets and their pet food with you. Pets are to be secured with a leash or in a pet container, dogs should be muzzled.
- Turn off electricity, gas and water before you leave.
- If you are unable to stay with friends or family, go to an evacuation centre.
- Take your Emergency Kit with you.
- Lock and secure your home.
- Metro buses will be travelling along Invermay Road and Goderich Street at regular intervals and will deliver people to the two evacuation centres free of charge.
- Once an evacuation has been called, residents and the general public will not be able to return to the evacuated area until Tasmania Police have deemed it safe to do so. This may be for some days or months.
- For additional information and updates, contact City of Launceston on 6323 3000, online at the City of Launceston Official facebook page and listen to ABC Radio 91.7FM.

3. EVACUATION CENTRES

- Evacuation Centres are located at:
University of Tasmania – Mowbray; and Silverdome – Prospect.

Please make your way to these facilities and follow the signs to the Evacuation Centre.



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