

GLENORCHY PLANNING AUTHORITY MEETING

AGENDA

MONDAY, 16 MAY 2022



GLENORCHY CITY COUNCIL

- * Aldermen with an interest or concern in relation to a particular item on this Agenda, are invited to attend the meeting.
- * All application information is available to Aldermen for inspection upon request to the relevant Planning Officer.

Chairperson: Alderman Bec Thomas

Hour: 4.00 p.m.

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1. PLANNING AUTHORITY DECLARATION
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The Chairperson stated that the Glenorchy Planning Authority intended to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993*.

2. APOLOGIES/LEAVE OF ABSENCE

3. PECUNIARY INTERESTS

4. CONFIRMATION OF MINUTES

That the minutes of the Glenorchy Planning Authority Meeting held on 20 April 2022 be confirmed.

5. AMENDMENT PLAM-21/03 - S.40K REPORT ON REPRESENTATIONS

Author: Senior Strategic Planner (Lyndal Byrne)

Qualified Person: Senior Strategic Planner (Lyndal Byrne)

Property ID:

REPORT SUMMARY

Application No.:	PLAM-21/03
Applicant:	N/A
Owner:	Various Properties throughout the municipality
Proposed Amendment:	To reduce the width of the Waterway and Coastal Protection Areas Overlay to align with the text of the Natural Assets Code and add new areas to the Flood-Prone Hazard Areas Overlay
Report Purpose:	To consider the merits of representations received. The Planning Authority's assessment must be provided to the Tasmanian Planning Commission under Section 40K of the <i>Land Use Planning and Approvals Act 1993</i>
Representations Received:	Two (one indicating no objection from TasWater)
Recommendation:	Refer representations and amendment, with changes, to the Commission

REPORT IN DETAIL

INTRODUCTION:

The draft amendment was publicly notified from 15 February 2022 until 15 March 2022.

The public notification involved advertisements in the Mercury on Saturday 12 February 2022 and Wednesday 16 February 2022, and a mailout of letters to landholders who were not previously impacted by the Waterways and Coastal Protection Overlay.

Two representations were received during the exhibition period, noting that one from TasWater indicated no objection. This report examines the merits of the representations.

Background:

The amendment seeks to update two existing Code overlay maps in the Glenorchy Local Provisions Schedule (Glenorchy LPS):

- Waterway and Coastal Protection Areas Overlay under C7.0 Natural Assets Code

The existing maps are modified so that the width of the buffer areas around waterways and coastal protection areas is reduced to 10 m either side of a watercourse or coastal protection area that is within or adjoins an urban zone (ie the zones listed in Table C7.3 Spatial Extent of Waterway and Coastal Protection Areas) and is removed from piped waterways – see Figure 1. The revised maps also reflect the course of some waterways.



Extract of current Waterway and Coastal Protection Overlay Extract of draft Waterway and Coastal Protection Overlay

Figure 1 – comparison of current and draft overlays

- Flood-Prone Hazard Areas Overlay

The Flood-Prone Hazard Areas overlay maps are amended to include flood prone hazard areas identified by recent flood studies and modelling by Council's Hydraulics Engineers.

The flood studies have been undertaken in line with the national guidelines for flood modelling in Australia [*Australian Rainfall and Runoff: A Guide to Flood Estimation*, Commonwealth of Australia (Geoscience Australia), 2019]. Computer models were run using historical flood data, which enabled the extent

of urban flooding for a range of flood events, including flood scenarios related to climate change, to be estimated. Rural catchment areas were not assessed.

A copy of the certified amendment documents are included in **Attachment 1**.

The statutory timeframe to consider any representations made on the amendment [35 days under Section 40K(1) of the *Land Use Planning and Approvals Act 1993* (LUPAA)] has been extended by the Tasmanian Planning Commission (the Commission) until 17 May 2022.

Statutory requirements:

Section 40K(2) of LUPAA requires a planning authority to provide a report to the Commission, comprising:

- (a) *a copy of each representation made under section 40J in relation to the draft amendment before the end of the exhibition period in relation to the draft amendment, or, if no such representations were made before the end of the exhibition period, a statement to that effect; and*
- (b) *a copy of each representation, made under section 40J in relation to the draft amendment after the end of the exhibition period in relation to the draft amendment, that the planning authority, in its discretion, includes in the report; and*
- (c) *a statement of the planning authority's opinion as to the merit of each representation included under paragraph (a) or (b) in the report, including, in particular, as to –*
 - (i) *whether the planning authority is of the opinion that the draft amendment ought to be modified to take into account the representation; and*
 - (ii) *the effect on the draft amendment, and the LPS to which it relates, as a whole, of implementing the recommendation; and*
- (d) *a statement as to whether it is satisfied that the draft amendment of an LPS meets the LPS criteria; and*
- (e) *any recommendations in relation to the draft amendment that the planning authority thinks fit.*

Discussion on merits of Representations:

The representation indicated that land in the Whitestone Point area seemed to have relied on an older digital terrain model that reflected the previous surface of the timber mill site before any subdivision works occurred. As the subdivision significantly changed the surface levels, the flood prone areas shown on the current maps appear to be reflecting local depressions in the surface where flow would have accumulated with the grading of the previous timber mill site. These local depressions have now been filled in and the subdivision regraded to fall towards the new roadways and land division drainage system. The representor concluded that many of the lots in Whitestone Point are incorrectly mapped as flood prone on the exhibition maps (refer to Figure 1 – extract of Flood-Prone Hazard Areas Overlay mapping).



Figure 1 – extract of Flood-Prone Hazard Areas Overlay mapping for Whitestone Point estate

Council's hydraulics engineers indicated that the flood modelling is downloaded from elevation information system (ELVIS) Geoscience Australia. The source datasets have been captured to standards that are generally consistent with the Australian ICSM LiDAR Acquisition Specifications which require a fundamental vertical accuracy of at least 0.30m (95% confidence) and horizontal accuracy of at least 0.80m (95% confidence). However, it was acknowledged that this may not have been updated to reflect the recent development.

The works done at Whitestone Point incorporate a stormwater network to ensure that no lots within the estate should be subject to flooding. It is therefore considered appropriate that the mapping be removed from the Whitestone Point subdivision area (refer to Figure 2 – modified mapping for Whitestone Point estate).

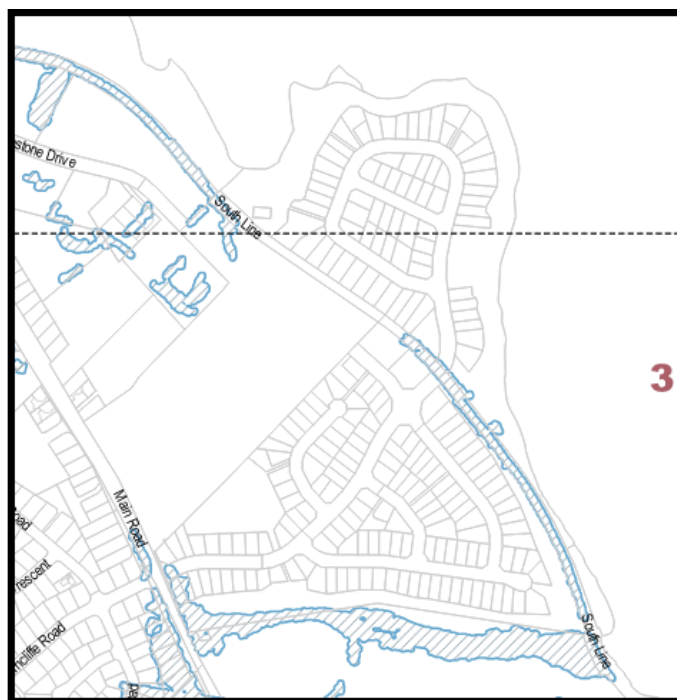


Figure 2 – modified mapping for Whitestone Point estate

While the overlay may include some other sites where development may have occurred since the flood modelling was undertaken, this would likely impact only a small number of properties, so the risk of triggering unnecessary development applications would be quite low. Further, there may be some remaining level of flood hazard on these properties (unlike for Whitestone Point estate which has been fully addressed under the subdivision works). It is considered appropriate to retain the overlay as exhibited for all other areas to trigger a planning application and assessment against the Flood-Prone Hazard Areas provisions to ensure the risk is properly considered.

Conclusion:

The representor's concerns are considered to have merit, and it is recommended that the Flood-Prone Hazard Areas overlay be modified to remove the overlay from the Whitestone Point estate to the extent shown in Figure 2 above. The modified maps are included in **Attachment 2**.

The minor change to the Flood-Prone Hazard Areas overlay map is not considered to have any effect on the Glenorchy LPS as a whole. The amendment is still considered to meet the LPS Criteria with this change.

The process from here:

The representations, this report and attachments will be forwarded to the Commission. The Commission may hold a public hearing prior to making a determination on the amendment.

Recommendation:

That the Glenorchy Planning Authority, after considering the merits of the representations, and being satisfied that a change to the amendment will still meet the Local Provisions Schedule (LPS) Criteria and have no impact on the Glenorchy LPS as a whole:

1. **MODIFY** PLAM-21/03 as recommended in this report and shown in **Attachment 2**; and
2. **PROVIDE** the representations, and this GPA Report on PLAM-21/03 on modifications to the Waterway and Coastal Protection Areas and Flood-Prone Hazard Areas Overlays, to the Tasmanian Planning Commission under S40K of the *Land Use Planning and Approvals Act 1993*.

Attachments/Annexures

- 1 GPA Attachment 1



- 2 GPA Attachment 2



