

AGENDA ATTACHMENTS

PLANNING COMMITTEE MEETING

TUESDAY 12TH JULY 2022

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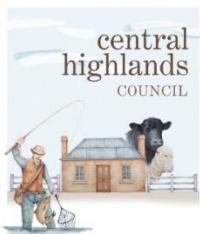
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MINUTES OF THE PLANNING COMMITTEE MEETING OF THE CENTRAL HIGHLANDS COUNCIL HELD AT THE BOHTWELL TOWN HALL, AT 9.00AM ON TUESDAY 14TH JUNE 2022

1.0 PRESENT

Deputy Mayor Allwright (Chairperson), Cllr Bailey & Cllr Cassidy

IN ATTENDANCE

Cllr Honner, Cllr Campbell, Mrs L Eyles (General Manager), Mrs L Brown (Planning Officer), Mr G Rogers (Manager DES), Ms G Balon, Mr M Overeem, Mr M Wilson & Mrs K Bradburn (Minutes Secretary)

2.0 APOLOGIES

Mayor Triffitt

3.0 PECUNIARY INTEREST DECLARATIONS

In accordance with Regulation 8 (7) of the Local Government (Meeting Procedures) Regulations 2015, the Chairman requests Councillors to indicate whether they or a close associate have, or are likely to have a pecuniary interest (any pecuniary or pecuniary detriment) in any item of the Agenda.

Nil

4.0 CONFIRMATION OF MINUTES

Moved **Cllr Bailey**

Seconded **Cllr Cassidy**

THAT the Draft Minutes of the Planning Committee Meeting of Council held on Tuesday 10th May 2022 to be confirmed.

Carried

For the Motion: Deputy Mayor Allwright, Cllr Bailey & Cllr Cassidy

5.0 QUESTION TIME & DEPUTATIONS

Item 6.0 – Ms G Balon

Emergency Access Road

- Concerned emergency access road through to Robertson Road will be used as a shortcut road.
- How will this be managed by Council? Will there be a locked gate?
- Wanted to flag this with Council now in case this become an issue in the future.

Wastewater and Stormwater Runoff

- Concerned about the possible runoff from Lot 915.

Ms Balon thanked the Committee for the opportunity speak.

Item 6.1 – Mr M Overeem

Mr Overeem provided the Committee with an overview of their proposal and made the following points:

- Development will enhance the area bringing eco-tourism to the area.
- Development is low key.
- Designed to be sensitive to the area (i.e. Aboriginal Heritage etc)

6.0 DA2022/11: SUBDIVISION 38 LOTS: JOHNSONS ROAD (CT152719/622) AND ROBERTSON ROAD (CT134100/1,CT130056/1) MIENA

Report by

Louisa Brown (Planning Officer)

Applicant

P H Thiessen

Owner

P H Thiessen & others

Discretions

12.5.1 Lot Design - P2 & P3

12.5.2 Roads - P1

Proposal

An application for a 38 lot (plus balance) subdivision at two separate title areas in Miena, was made to council in February 2022 by the applicant P H Thiessen. The subdivision comprises of the following:

- 26 lot subdivision accessed via Robertson Road, Miena (CT:130056/1);
- 12 lot subdivision accessed via Johnsons Road, Miena (CT:152719/622): and
- Associated infrastructure.

The proposal is to be staged, with stage 1 being the subdivision on Johnson Road and stages 2, 3, 4, 5 and 6 proposed to the Robertson Road area.

- Stage 1 – 12 lots Johnson road.
- Stage 2 – 6 lots to the south west of Robertson Road, junction to Robertson Road and southern section of new road;
- Stage 3 – 6 lots and new section of road, including emergency access point onto Robertson Road;
- Stage 4 – 4 lots;
- Stage 5 – 6 lots: and
- Stage 6 – 4 lots.

The proposal is discretionary owing to being a subdivision and is assessed against the subdivision standards for the Low Density Residential pursuant to section 12.0 of the Central Highlands Interim Planning Scheme 2015.

Additional documents provided with the Development Application include;

- A Traffic Impact Assessment prepared by Midson Traffic Pty Ltd May 2022;
- Bushfire Hazard Assessment prepared by Gifford Bushfire Risk Assessment 04/12/2021;
- Desktop Natural values Assessments prepared by North Barker Ecosystem Services 23/09/2020: and
- Preliminary Onsite Wastewater Rationale prepared by Rock Solid Geotechnics 110/2/2021.

DA2019/45 Boundary Adjustment was approved in 2019 to enable a through road for emergency access on Robertson Road, for this proposed subdivision.

Subject site and Locality.

The site is located in two locations in Miena. One component is on the southern side of Robertson Road (parts of CT134100/1 and CT130056/1) and includes 26 lots and the second located on both sides of Johnsons Road (CT152719/622), situated behind Fleming Drive for 12 lots.

The area is characterised as low density dwellings, which is predominantly used for 'shack' accommodation long the southern banks of the Great Lake at Swan Bay and Mackersey Head, Miena. The majority of established dwellings are not fully occupied throughout the year.

The topography of the area is hilly, ranging in 1075m to 1115m above sea level. The land falls downslope towards Swan Bay and rises upslope to a marshy plateau to the south.

Vegetation of the area is predominantly Eucalyptus forest/woodland, with some small areas of alpine heathland.

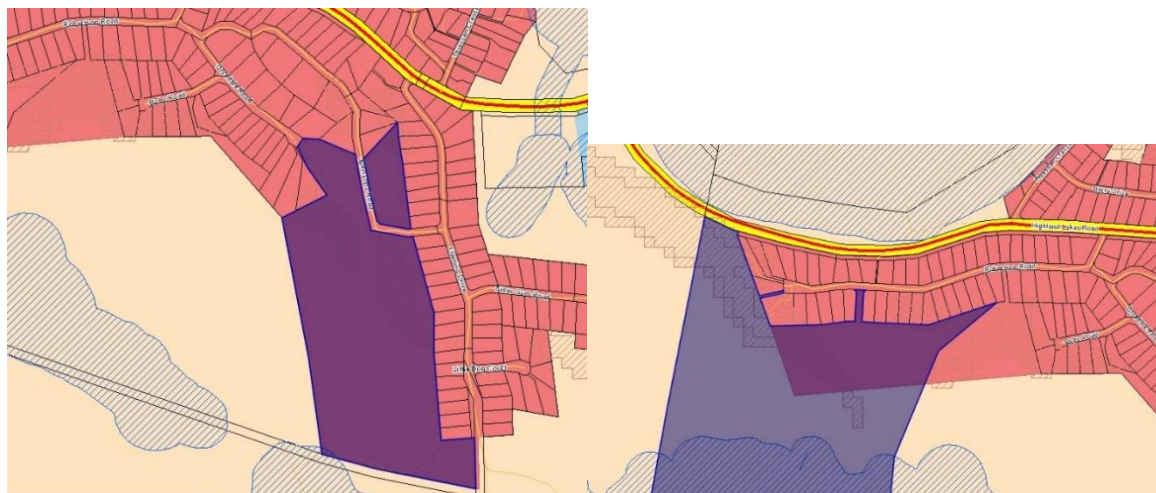


Fig 1. Location and zoning of the existing two titles, indicating the Low density Residential (red) Rural Resource zone (Cream). Waterway and Coastal Protection Code Overlay in blue lines and Landslide Overlay Code in brown lines (Source: LISTmap, accessed 09/06/2022).



Fig 2. Aerial photo of the subject land and surrounding area, (Source: LISTmap, accessed 09/06/2022).

Exemptions

Nil

Special Provisions

Nil

Use standards

The subject land is in the Low Density Residential Zone. The proposal must satisfy the requirements of the following development standards, relevant to development:

12.5 Development Standards for Subdivision

12.5.1 Lot Design

To provide for new lots that:

- (a) have appropriate area and dimensions to accommodate development consistent with the Zone Purpose and any relevant Local Area Objectives or Desired Future Character Statements;
- (b) contain building areas which are suitable for residential development, located to avoid hazards and values and will not lead to land use conflict and fettering of resource development use on adjoining rural land;
- (c) are not internal lots, except if the only reasonable way to provide for desired residential density.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 The size of each lot must be in accordance with the following, except if for public open space, a riparian or littoral reserve or utilities: as specified in Table 12.1.	P1 No Performance Criteria.	Each lot shown on the proposed plan of subdivision is a minimum of 1500 m ² , which is the minimum lot size in table 12.1. The acceptable solution is met.
A2 The design of each lot must provide a minimum building area that is rectangular in shape and complies with all of the following, except if for public open space, a riparian or littoral reserve or utilities; (a) clear of the frontage, side and rear boundary setbacks; (b) not subject to any codes in this planning scheme; (c) clear of title restrictions such as easements and restrictive covenants; (d) has an average slope of no more than 1 in 5; (e) is a minimum of 10 m x 15 m in size.	P2 The design of each lot must to satisfy all of the following: (a) is reasonably capable of accommodating residential use and development; (b) meets any applicable standards in codes in this planning scheme; (c) enables future development to achieve reasonable solar access, given the slope and aspect of the land; (d) minimises the requirement for earth works, retaining walls, and cut & fill associated with future development;	The proposal is assessed against the Performance Criteria. The lot sizes for the subdivision range from the minimum lot size for the zone 1500m ² to 7570m ² . The size of the lots allow for residential development and wastewater requirements within lots. All applicable standards in the scheme are met. The proposed layout of the subdivision allows for the continuation of roads and/or follows existing roads, therefore minimising the need for earthworks, where possible. The layout and orientation of the subdivision and the generous size of the blocks, will enable dwellings to achieve solar access through the orientation of dwellings. The Performance Criteria is met.
A3 The frontage for each lot must be no less than the following, except if for public open space, a riparian or littoral reserve or utilities and except if an internal lot: 30m.	P3 The frontage of each lot must provide opportunity for reasonable vehicular and pedestrian access and must be no less than: 6 m.	The majority of the lots will meet the acceptable solution, however one lot will have an access of not less than 6m. The performance criteria is met.
A4 No lot is an internal lot [R1].	P4 An internal lot must satisfy all of the following:	The acceptable solution is met, no lot is an internal lot.

	<p>(a) access is from a road existing prior to the planning scheme coming into effect, unless site constraints make an internal lot configuration the only reasonable option to efficiently utilise land;</p> <p>(b) it is not reasonably possible to provide a new road to create a standard frontage lot;</p> <p>(c) the lot constitutes the only reasonable way to subdivide the rear of an existing lot;</p> <p>(d) the lot will contribute to the more efficient utilisation of living land;</p> <p>(e) the amenity of neighbouring land is unlikely to be unreasonably affected by subsequent development and use;</p> <p>(f) the lot has access to a road via an access strip, which is part of the lot, or a right-of-way, with a width of no less than 3.6m;</p> <p>(g) passing bays are provided at appropriate distances along the access strip to service the likely future use of the lot;</p> <p>(h) the access strip is adjacent to or combined with no more than three other internal lot access strips and it is not appropriate to provide access via a public road;</p> <p>(i) a sealed driveway is provided on the access strip prior to the sealing of the final plan.</p> <p>(j) the lot addresses and provides for passive surveillance of public open space and public rights of way if it fronts such public spaces.</p>	
A5 Setback from a new boundary for an existing building must comply with the relevant	P5 Setback from a new boundary for an existing building must satisfy the relevant Performance Criteria for setback.	There are no existing buildings on the property.

Acceptable Solution for setback.		
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12.5.2 Roads

To ensure that the arrangement of new roads within a subdivision provides for all of the following:

- (a) the provision of safe, convenient and efficient connections to assist accessibility and mobility of the community;
- (b) the adequate accommodation of vehicular, pedestrian and cycling traffic;
- (c) the efficient ultimate subdivision of the entirety of the land and of neighbouring land.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 The subdivision includes no new road.	P1 The arrangement and construction of roads within a subdivision must satisfy all of the following: <ul style="list-style-type: none"> (a) the appropriate and reasonable future subdivision of the entirety of any balance lot is not compromised; (b) the route and standard of roads accords with any relevant road network plan adopted by the Planning Authority; (c) the subdivision of any neighbouring or nearby land with subdivision potential is facilitated through the provision of connector roads and pedestrian paths, where appropriate, to common boundaries; (d) an acceptable level of access, safety, convenience and legibility is provided through a consistent road function hierarchy; (e) cul-de-sac and other terminated roads are not created, or their use in road layout design is kept to an absolute minimum; (f) connectivity with the neighbourhood road network is maximised; (g) the travel distance between key destinations such as shops and services is minimised; (h) walking, cycling and the efficient movement of public transport is facilitated; (i) provision is made for bicycle infrastructure on new arterial and collector roads in accordance with Austroads Guide to Road Design Part 6A; (j) multiple escape routes are provided if in a bushfire prone area. 	The subdivision will require new roads, therefore the application is assessed against the Performance Criteria. <p>The proposed layout of roads makes efficient use of the available land, whilst not compromising any future subdivision of the balance lots.</p> <p>All new roads will be conditioned to meet Council standards and will be to the satisfaction of the Council's General manager.</p> <p>Existing roads will be connected through the subdivision, to join with connector roads where possible.</p> <p>All new roads will be legible for road users, roads will be direct and will connect to existing roads where possible.</p> <p>A turning area to the Robertson Road site is required for emergency vehicles. No other cul-de-sac arrangements in the road layout is required.</p> <p>Roads and emergency access points will be direct and will connect to the existing road network.</p> <p>Segregated footpaths will not be provided, as the road serves vehicles, pedestrians and cyclists combined. Low vehicle numbers are predicted, based on the findings of the Traffic Impact Report.</p> <p>The Traffic Impact Assessment indicates that the likely additional traffic movements created by the development will not create significant detrimental road safety impacts.</p> <p>An emergency access only is created on Robertson Road.</p>

12.5.3 Ways and Public Open Space

To ensure that the arrangement of ways and public open space provides for all of the following:

- (a) the provision of safe, convenient and efficient connections for accessibility, mobility and recreational opportunities for the community;
- (b) the adequate accommodation of pedestrian and cycling traffic;
- (c) the adequate accommodation of equestrian traffic.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 No Acceptable Solution.	P1 The arrangement of ways and public open space within a subdivision must satisfy all of the following: (a) connections with any adjoining ways are provided through the provision of ways to the common boundary, as appropriate; (b) connections with any neighbouring land with subdivision potential is provided through the provision of ways to the common boundary, as appropriate; (c) connections with the neighbourhood road network are provided through the provision of ways to those roads, as appropriate; (d) new ways are designed so that adequate passive surveillance will be provided from development on neighbouring land and public roads as appropriate; (e) topographical and other physical conditions of the site are appropriately accommodated in the design; (f) the route of new ways has regard to any pedestrian & cycle way or public open space plan adopted by the Planning Authority; (g) new ways or extensions to existing ways must be designed to minimise opportunities for entrapment or other criminal behaviour including, but not limited to, having regard to the following: (i) the width of the way; (ii) the length of the way; (iii) landscaping within the way; (iv) lighting; (v) provision of opportunities for 'loitering'; (vi) the shape of the way (avoiding bends, corners or other	<p>The proposal must be assessed against the Performance Criteria.</p> <p>All new roads will connect to existing roads where possible. Roads and emergency access points will be direct and will connect to the existing road network.</p> <p>Segregated footpaths will not be provided, as the road serves vehicles, pedestrians and cyclists combined. Low vehicle numbers are predicted, based on the findings of the Traffic Impact Report.</p> <p>Ways will be created on common boundaries if applicable.</p> <p>All lots will front onto the public, creating opportunities for passive surveillance.</p> <p>The Performance Criteria is met.</p>

	opportunities for concealment). (h) the route of new equestrian ways has regard to any equestrian trail plan adopted by the Planning Authority.	
A2 No Acceptable Solution.	P2 Public Open Space must be provided as land or cash in lieu, in accordance with the relevant Council policy.	The Performance criteria is met.

12.5.4 Services

To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Each lot must be connected to a reticulated potable water supply where such a supply is available. R1	P1 No Performance Criteria.	Reticulated water by a water corporation is not available to the area. Static water supply will be necessary.
A2 Each lot must be connected to a reticulated sewerage system where available. R1	P2 Where a reticulated sewerage system is not available, each lot must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.	Reticulated sewage is systems are not available in the area, therefore each lot will accommodate an on-site wastewater treatment system. A Preliminary onsite wastewater report has been prepared and confirms that lots can sustain an onsite wastewater system for a 3 bedroom dwelling. The Performance Criteria is met.
A3 Each lot must be connected to a stormwater system able to service the building area by gravity. R2	P3 Each lot must be capable of accommodating an on-site stormwater management system adequate for the likely future use and development of the land.	The Performance Criteria is met. Stormwater will be managed on-site.
A4 The subdivision includes no new road.	P4 The subdivision provides for the installation of fibre ready facilities (pit and pipe that can hold optical fibre line) and the underground provision of electricity supply.	The Performance Criteria is met.

Codes

E1 Bushfire-Prone Areas Code

The Bushfire-Prone Code applies to subdivision of land that is located within a bushfire-prone area. E1.6 Development Standards, E1.6.1 Subdivision: Provision of Hazard Management Areas requires that a Bushfire Risk and Hazard Management Plan be prepared by TFS or an accredited person.

A Bushfire Hazard Report has been submitted as a part of the application, prepared by Gifford Bushfire Risk Assessment 04/12/2021. This report includes a Certificate confirming that both lots Provides BAL-19 or BAL-12.5, access complies with requirements and static water supply complies requirements. The report has been certified by an accredited Bushfire Assessor.

E3.0 Landslide Code

Some parts of the subject land are identified as Low Landslide Risk Areas. As the areas are small and no works will be required for the subdivision further assessment is not required.

E5.0 Road and Railway Assets Code

The purpose of this provision is to:

- (a) protect the safety and efficiency of the road and railway networks; and
- (b) reduce conflicts between sensitive uses and major roads and the rail network.

The applicable standards of the Code are addressed in the following tables:

Development Standards		
E5.6.2 Road accesses and junctions		
To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h.	P1 For roads in an area subject to a speed limit of more than 60km/h, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to: (a) the nature and frequency of the traffic generated by the use; (b) the nature of the road; (c) the speed limit and traffic flow of the road; (d) any alternative access; (e) the need for the access or junction; (f) any traffic impact assessment; and (g) any written advice received from the road authority.	<p>Proposed lots on Johnsons road will be accessed via an existing formed gravel public road and connects to Fleming Drive. This will provide access to lots in stage 1.</p> <p>Stages 2-6 will be accessed via Robertson Road which is a formed gravel public road that connects to Highland Lakes Road and terminates in a cul-de-sac. A partially formed track leads from Robertson Road to the site.</p> <p>Access to stages 2-6 of the proposed subdivision will require a new public access road.</p> <p>A Traffic Impact Assessment has been prepared for the subdivision. The TIA has been reviewed by the Department of State Growth, whom have no concerns with the proposal.</p> <p>The Performance Criteria is met.</p>
A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.	P2 For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to: (a) the nature and frequency of the traffic generated by the use; (b) the nature of the road; (c) the speed limit and traffic flow of the road;	<p>Proposed lots on Johnsons road will be accessed via an existing formed gravel public road and connects to Fleming Drive. This will provide access to lots in stage 1.</p> <p>Stages 2-6 will be accessed via Robertson Road which is a formed gravel public road that connects to Highland Lakes Road and terminates in a cul-de-sac. A partially formed</p>

	<p>(d) any alternative access to a road;</p> <p>(e) the need for the access or junction;</p> <p>(f) any traffic impact assessment; and</p> <p>(g) any written advice received from the road authority.</p>	<p>track leads from Robertson Road to the site.</p> <p>Access to stages 2-6 of the proposed subdivision will require a new public access road.</p> <p>A Traffic Impact Assessment has been prepared for the subdivision. The TIA has been reviewed by the Department of State Growth, whom have no concerns with the proposal.</p> <p>The Performance Criteria is met.</p>
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Representations

The proposal was advertised for the statutory 14 days period, plus additional days to take into consideration the Public Holidays during Christmas, from 15 February until 1 March 2022. A total of 8 representations have been received. A summary of the main objections from each representation is below, with Council's Planning Officer response. Please see attached document Representations received for a full copy of the representations.

Representation Received	Officer Comment
<p>Representation 1</p> <p>Our main concern about the development is the access road , 'Set apart for emergency access'. What is the intention under the current development application for this easement?</p> <p>In a previous subdivision part of the original proposal, but was knocked back on the basis that there was insufficient Land Application Area to allow construction on this lot and/or that there would be unacceptable drainage of waste water into our property. The boundaries of the lot may have changed some since the Ruby Lane subdivision was constructed, but the properties of proposed lot 915 have not; there is almost no suitable ground for drainage purposes – all of lot 915 is soil class 6 bedrock.</p> <p>In the schedule of easements that is attached to our property (SP111877) we note that we are not permitted to erect any building closer than 40 m to the Robertson Road boundary and it is our understanding that this was to allow space for the absorption trenches and septic system to infiltrate properly so as to ensure that there is no flow of effluent onto Robertson Road or our neighbours property. If a similar setback is required for lot 915 then there is clearly no suitable ground for infiltration – it is all bedrock.</p> <p>We note that the Natural Values Assessment to date has been a desk-top appraisal only. Given the likely occurrence of a number of threatened plant and animal species in the area, we assume that prior to approval of the subdivision or part thereof, that there will be a thorough ground-based Natural Values Assessment?</p> <p>We are interested to understand what is the planning process from here? Can affected neighbours such as ourselves expect to be kept updated? We note that the part of the development adjacent to our property is listed as Stage</p>	<p>DA2019/45 Boundary Adjustment was approved in 2019 to enable a through road for emergency access on Robertson Road, for this proposed subdivision. This infrastructure is critical to providing additional access for emergency services. It will be for emergency vehicle access only. The proposed carriage width is 4m, which is sufficient for the purpose and in line with the standards of the Bushfire Prone Area Code.</p> <p>A Preliminary onsite wastewater report has been prepared for the proposed subdivision with a soil category estimated to be 5 or 6. The report confirms that lots can sustain an onsite wastewater system for a 3 bedroom dwelling. In addition, once dwellings come forward for development, all dwellings will require a permit for an on-site waste disposal system in accordance with a Plumbing permit issued by the Permit</p>

<p>Is there any obligation on the developer to make public the expected timeframe for implementation should it be approved? Presumably the stages will proceed in order, 1 through 6 so that stage 6 may be some time away?</p>	<p>Authority in accordance with the Building Act 2016.</p> <p>A desk top Natural Values has been carried out. A further Ground based assessment will be required and conditioned as a part of any planning permit granted.</p> <p>The planning process from here on, if the subdivision is approved by Council, then the applicant has 2 years in which to 'substantially commence' the development.</p> <p>The submission of Final Plans for Sealing by Council will be the next step in the development process, this may take several months and will require any infrastructure to be approved by Council.</p> <p>After which, the development will progress in stages, as approved in the Planning Application documents. Of which there are no timescales.</p>
<p>Representation 2 increase dust that is already a nuisance. This problem could be overcome by sealing the roadway or resurfacing with a less dusty gravel or an alternative surface coating.</p> <p>The entry point of the new road on to Robertson's road is located in a position such that if an accident occurs person's residing at Numbers 37 and 39 would be in danger of having a vehicle (s) crash into their shacks.</p> <p>The current junction of Robertson's "road" on to the Highland Lakes road is also of a dubious standard and I am aware of several near misses including cars sliding down the road and onto the main road in icy conditions. Increased traffic will obviously increase the risk factor.</p> <p>You are no doubt aware that the "connector" part of Robertson's road is in fact built on what is actually a 1.8 metre walkway to the lake.</p>	<p>The area is characterised by rural, low density 'shack' development. Sealing the roads are not practical for Council. All roads existing or proposed will meet the Council's standards for Rural Roads and will be to the satisfaction of Council's manager of Works and Infrastructure.</p> <p>A Traffic impact Assessment prepared for the Development Application does not raise any road safety concerns and concludes that the proposed development will not create significant detrimental road safety impacts.</p>
<p>Representation 3 Covenants which states that blocks cannot be subdivided. Now we expect the council and the applicant to honour that and uphold that covenant in this case.</p>	<p>Covenants on certificates of titles can not prevent planning permits from being granted. However, Any covenant on a title will remain as an agreement between the owner and all parties, until the Certificate of Title is amended.</p>

	<p>The owner is bound by the covenant. To conclude, a Planning Permit maybe issued for the development, however the owner is bound by the covenant until it is removed, at the agreement of Council.</p>
<p>Representation 4 We are concerned about the stormwater runoff from the proposed blocks down to our block.</p>	<p>It is proposed that storm water run off will be collected in storage facilities. Lot sizes are generous and provide for adequate space for septic systems and storm water run off.</p>
<p>Representation 5 We wish to object to the proposed development on the grounds that it doesn't adequately address the problems of drainage, sewerage, electricity distribution, road width, gutters, footpaths and it does not allow for the adequate protection of native trees and shrubs.</p> <p>Miena is the largest town in the Central Highlands yet its infrastructure is poor, no town sewerage system, water, waste collection, no underground electricity supply, footpaths or proper gutters. It has no areas marked for public open spaces and parks. Surely all of this needs to be addressed before approving this development.</p> <p>The drainage for the proposed access road above our property must be sufficient to divert all runoff from entering our properties.</p> <p>We are very concerned that the development is not allowing for the protection of the native trees and shrubs that are just recovering from the 2019 fires.</p>	<p>The area is characterised by rural, low density 'shack' development. Reticulated water and sewage systems are not possible in the area.</p> <p>All roads existing or proposed will meet the Council's standards for Rural Roads and will be to the satisfaction of Council's manager of Works and Infrastructure.</p> <p>Public open space requirements do not necessitate parks, contribution towards open space is also acceptable. This contribution allows council to allocate funds to maintain existing facilities and open spaces in the area.</p> <p>Lot sizes are generous and provide for adequate space for septic systems and storm water runoff.</p> <p>A desk top Natural Values has been carried out. A further Ground based assessment will be required and conditioned as a part of any planning permit granted.</p>
<p>Representation 6 Concerned regarding the access to proposed properties, steepness of driveways and dangerous conditions in winter.</p> <p>Better solution would be to switch main access on Robertson Road with emergency access.</p>	<p>A Traffic impact Assessment prepared for the Development Application does not raise any road safety concerns and concludes that the proposed development will not create significant detrimental road safety impacts.</p>

<p>Representation 7 I am writing in support of this development application</p> <p>I support the development application for the following reasons:</p> <p>1) I have a concern for the social development of the Central Highlands community.</p> <p>2) By the end of this decade the climate in Hobart will mirror that of inland southern Victoria, and major parts of the mainland will become only marginally habitable. Climate change refugees will find living in the Highlands increasingly attractive.</p> <p>3) When the Epuron wind farm and Great Lake Adventure Trail become developed, there will be increased demand for housing for the staff in both ventures. The income from those enterprises will help balance the high reliance on Commonwealth benefits evident in the present permanent population.</p> <p>I do have a concern that I'm not sure Council can address. I suspect many residential blocks here are purchased by speculators, This development will put downward pressure on prices. I presume the land, when sold, will have a caveat that residential building will start in x years. In addition to those caveats, I urge Council to consider whatever measures are possible to stem demand by speculators.</p>	<p>Comments are noted.</p> <p>Planning Permits will remain for 2 years, within which the development must be substantially commenced. There are no other timeframes relating to the timings of development.</p>
<p>Representation 8 Easement 'Set apart for emergency access'. We assume that this access will be upgraded as part of the subdivision.</p> <p>Will this emergency access have a gate at one or both ends? If the track is upgraded to a navigable standard*, what is to stop residents of the new subdivision using it as a convenient route/shortcut between the new road for the subdivision and Robertson Road?</p> <p>We have significant concerns that development of Lot 915 in this proposed subdivision, would create unacceptable (and illegal) drainage of wastewater and stormwater onto our property.</p>	<p>The emergency access will be upgraded in line with the requirements of the Bushfire hazard Management Plan and the Bushfire Prone Area Code.</p> <p>Lot sizes are generous and provide for adequate space for septic systems and storm water runoff.</p>
<p>Representation 9 Department of State Growth recommends a traffic Impact Assessment be provided.</p>	<p>A traffic Impact Assessment has since been prepared and sent to DSG for comment. DSG have no concerns with the findings of the report or the proposed subdivision.</p>

Conclusion

The proposal DA2022/11: Subdivision 38 Lots: Johnsons Road (CT152719/622) and Robertson Road (CT134100/1,CT130056/1) Miena has been assessed to comply with the applicable standards of the Low Density Residential Zone and the relevant codes of the *Central Highlands interim Planning Scheme 2015* as outlined in the body of this report.

The proposal was advertised for public comment, 8 representations have been received.

It is recommended that the application be approved, subject to conditions.

Legislative Context

The purpose of the report is to enable the Planning Authority to determine the Development Application DA2022/11: Subdivision 38 Lots: Johnsons Road (CT152719/622) and Robertson Road (CT134100/1,CT130056/1) Miena in accordance with the requirements of the *Land Use Planning and Approvals Act 1993* (LUPAA). The provisions of LUPAA require a Planning Authority to take all reasonable steps to ensure compliance with the Planning Scheme.

This report details the reasons for the officers Recommendation. The Planning Authority must consider the report but is not bound to adopt the Recommendation. Broadly, the Planning Authority can either: (1) adopt the Recommendation, (2) vary the Recommendation by adding, modifying or removing recommended conditions or (3) replacing an approval with a refusal.

This determination has to be made no later than 24 June 2022, which has been extended beyond the usual 42 day statutory time frame with the consent of the application.

Any decision that is an alternative to the Recommendation requires a full statement of reasons to ensure compliance with the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2015*. Section 25 (2) of the *Local Government (Meeting Procedures) Regulations 2015* states:

25 (2): *The general manager is to ensure that the reasons for a decision by a council or council committee acting as a planning authority are recorded in the minutes of the meeting.*

Options

The Planning Authority must determine the Development Application DA2022/11: Subdivision 38 Lots: Johnsons Road (CT152719/622) and Robertson Road (CT134100/1,CT130056/1) Miena in accordance with one of the following options:

1. Approve in accordance with the Recommendation:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the DA2022/11: Subdivision 38 Lots: Johnsons Road (CT152719/622) and Robertson Road (CT134100/1,CT130056/1) Miena, subject to conditions in accordance with the Recommendation.

2. Approve with altered conditions:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2022/11: Subdivision 38 Lots: Johnsons Road (CT152719/622) and Robertson Road (CT134100/1,CT130056/1) Miena, subject to conditions as specified below.

Should Council opt to approve the Development Application subject to conditions that are different to the Recommendation the modifications should be recorded below, as required by Section 25(2) of the Local Government (Meeting Procedures) Regulations 2015:

Alteration to Conditions:-

3. Refuse to grant a permit:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Refuse** the Development Application DA2022/11: Subdivision 38 Lots: Johnsons Road (CT152719/622) and Robertson Road (CT134100/1,CT130056/1) Miena, for the reasons detailed below.

Should the Planning Authority opt to refuse to grant a permit contrary to the officers Recommendation, the reasons for the decision should be recorded below, as required by Section 25(2) of the Local Government (Meeting Procedures) Regulations 2015:

Reasons :-

RECOMMENDATION

Moved **Clr Cassidy**

Seconded **Clr Bailey**

THAT the Planning Officer and Manager Development & Environmental Services liaise with the Works Manager with regards to the future management of the Emergency Access Road; and

THAT the following recommendation be made to Council:

1. Approve in accordance with the Recommendation:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the DA2022/11: Subdivision 38 Lots: Johnsons Road (CT152719/622) and Robertson Road (CT134100/1,CT130056/1) Miena, subject to conditions in accordance with the Recommendation.

Recommended Conditions

CONDITIONS

General

1. The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
2. This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this permit unless, as the applicant and the only person with a right of appeal, you notify Council in writing that you propose to commence the use or development before this date, in accordance with Section 53 of the *Land Use Planning and Approvals Act 1993*.

Bushfire Hazard Management

3. The development and works must be carried out in accordance with:
Bushfire Hazard Assessment, Proposed Subdivision dated 04/12/2021, prepared by Gifford Bushfire Risk.
4. Prior to Council sealing the final plan of survey for any stage the developer must provide certification from a suitably qualified person that all works required by the approved Bushfire Hazard Management Plan has been complied with.

Agreements

5. Prior to the sealing of the Final Plan of Survey an agreement pursuant to Part 5 of the Land Use Planning and Approvals Act 1993 must be prepared by the applicant on a blank instrument form to the satisfaction of the Council and registered with the Recorder of Titles. The subdivider must meet all costs associated with the preparation and registration of the Part 5 Agreement.

Staged development

6. The subdivision must be carried out in the approved stages or in accordance with a staged development plan submitted to and approved by Council's General Manager.

Natural Values

7. Prior to any work being carried out the ground survey for natural values as recommended by the submitted Desktop Natural values Assessments prepared by North Barker Ecosystem Services 23/09/2020 must be completed. The results are to be submitted to and approved by the Council's Planning Officer prior to commencement of works and any recommendations must be complied with.

Public open space

8. In accordance with the provisions of Section 117 of the Local Government (Building and Miscellaneous Provisions) Act 1993, payment of a cash contribution for Public Open Space must be made to the Council prior to sealing the Final Plan of Survey. The cash contribution amount is to be equal to 5% of the value of the land being subdivided in the plan of subdivision at the date of lodgement of the Final Plan of Survey. The value is to be determined by a Land Valuer within the meaning of the Land Valuers Act 2001 at the developers' expense.
9. The cash-in-lieu of public open space must be in the form of a direct payment made before the sealing of the final plan of survey or, alternatively, in the form of a Bond or Bank guarantee to cover payment within ninety (90) days after demand, made after the final plan of survey has taken effect.

Transfer of reserves

10. Land shown as public open space on the final plan of survey must be transferred to the Central Highlands Council by Memorandum of Transfer submitted with the final plan of survey.
11. All roads or footways must be shown as "Road" or "Footway" on the final plan of survey and transferred to the Central Highlands Council by Memorandum of Transfer submitted with the final plan.

Easements

12. Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Council's Municipal Engineer. The cost of locating and creating the easements shall be at the subdivider's full cost.

Endorsements

13. The final plan of survey must be noted that Council cannot or will not provide a means of drainage to all lots shown on the plan of survey.

Covenants

14. Covenants or other similar restrictive controls that conflict with any provisions or seek to prohibit any use provided within the planning scheme must not be included or otherwise imposed on the titles to the lots created by this permit, either by transfer, inclusion of such covenants in a Schedule of Easements or registration of any instrument creating such covenants with the Recorder of Titles, unless such covenants or controls are expressly authorised by the terms of this permit or the consent in writing of the Council's Manager Environment and Development Services.

Final plan

15. A final approved plan of survey and schedule of easements as necessary, together with two (2) copies, must be submitted to Council for sealing for each stage. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
16. A fee of \$180.00, or as otherwise determined in accordance with Council's adopted fee schedule, must be paid to Council for the sealing of the final approved plan of survey for each stage.
17. Prior to Council sealing the final plan of survey for each stage, security for an amount clearly in excess of the value of all outstanding works and maintenance required by this permit must be lodged with the Central Highlands Council. The security must be in accordance with section 86(3) of the *Local Government (Building & Miscellaneous Provisions) Council 1993*. The amount of the security shall be determined by the Council's Municipal Engineer.
18. All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey for each stage. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.
19. The subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

Water quality

20. Where a development exceeds a total of 250 square metres of ground disturbance a soil and water management plan (SWMP) prepared in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South, must be approved by Council's Municipal Engineer before development of the land commences.
21. Temporary run-off, erosion and sediment controls must be installed in accordance with the approved SWMP and must be maintained at full operational capacity to the satisfaction of Council's Municipal Engineer until the land is effectively rehabilitated and stabilised after completion of the development.
22. The topsoil on any areas required to be disturbed must be stripped and stockpiled in an approved location shown on the detailed soil and water management plan for reuse in the rehabilitation of the site. Topsoil must not be removed from the site until the completion of all works unless approved otherwise by the Council's Municipal Engineer.

23. All disturbed surfaces on the land, except those set aside for roadways, footways and driveways, must be covered with top soil and, where appropriate, re-vegetated and stabilised to the satisfaction of the Council's Municipal Engineer.

Weed management

24. Prior to the carrying out of any works approved or required by this approval, the subdivider must provide a weed management plan detailing measures to be adopted to control any weeds on the site and limit the spread of weeds listed in the *Weed Management Act 1999* through imported soil or land disturbance by appropriate water management and machinery and vehicular hygiene to the satisfaction of Council's Municipal Engineer and of the Regional Weed Management Officer, Department of Primary Industries Water and Environment.

Property Services

25. Property services must be contained wholly within each lots served or an easement to the satisfaction of the Council's Municipal Engineer or responsible authority.

Existing services

26. The Subdivider must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.

Sizing of services

27. All services must be sized and located to service the ultimate potential development of the site to the satisfaction of Council's Municipal Engineer or the responsible authority.

Telecommunications, electrical and gas reticulation

28. Electrical and telecommunications services must be provided to each lot in accordance with the requirements of the responsible authority and the satisfaction of Council's Municipal Engineer.
29. Prior to the work being carried out a drawing of the electrical reticulation and telecommunications reticulation in accordance with the appropriate authority's requirements and relevant Australian Standards must be submitted to and endorsed by the Council's Municipal Engineer.
30. A Letter of Release from each authority confirming that all conditions of the Agreement between the Owner and authority have been complied with and that future lot owners will not be liable for network extension or upgrade costs, other than individual property connections at the time each lot is further developed, must be submitted to Council prior to the sealing of the final plan of survey.

Roadwork's

31. The corners of each road intersection must be splayed or rounded by chords of a circle with a radius of not less than 6.00 metres in accordance with Sections 85(d)(viii) and 108 of the *Local Government (Building & Miscellaneous Provisions) Act 1993* and the requirements of the Council's Municipal Engineer.
32. Roadworks and drainage must be constructed in accordance with the standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's Municipal Engineer.

Rural Access

33. A separate vehicle access must be provided from the road carriageway to each lot. Accesses must be sealed with a minimum width of 3 metres at the property boundary and located and constructed in accordance with the standards shown on standard drawings SD-1009 *Rural Roads - Typical Standard Access* and SD-1012 *Intersection and Domestic Access Sight Distance Requirements* prepared by the IPWE Aust. (Tasmania Division) (attached) and the satisfaction of Council's Municipal Engineer.
34. Road construction standards may be varied by Council's Municipal Engineer.

Engineering drawings

35. Engineering design drawings to the satisfaction of the Council's Municipal Engineer must be submitted to and approved by the Central Highlands Council before development of the land commences.

36. Engineering design drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by Council's Municipal Engineer, in accordance with Standards Australia (1992): *Australian Standard AS1100.101 Technical Drawing – General principles*, Homebush, and Standards Australia (1984): *Australian Standard AS1100.401 Technical Drawing – Engineering survey and engineering survey design drawing*, Homebush, and must show -
- All existing and proposed services required by this permit;
 - All existing and proposed roadwork required by this permit;
 - Measures to be taken to provide sight distance in accordance with the relevant standards of the planning scheme;
 - Measures to be taken to limit or control erosion and sedimentation;
 - Any other work required by this permit.
37. Two sets of preliminary engineering design drawings are to be initially submitted to Council for inspection and comment. Following this, four (4) sets of final engineering plans are to be submitted for final approval by Council. The approved engineering design drawings shall form part of this permit when approved.
- Council will keep two (2) sets of approved drawings and two (2) sets will be returned to the subdivider's engineer. One (1) set of the approved engineering design drawings must be kept on site at all times during construction.
38. Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.
39. All new public infrastructure and subdivision work must be designed and constructed to the satisfaction of Council's Municipal Engineer and in accordance with the following -
- *Local Government (Building & Miscellaneous Provisions) Act 1993*;
 - *Local Government (Highways) Act*;
 - *Drains Act 1954*;
 - *Waterworks Clauses Act*;
 - Australian Standards;
 - Building and Plumbing Regulations;
 - Relevant By-laws and Council Policy;
 - Current IPWEA (Tasmanian Division) and central Highlands Council Municipal Standard Drawings;
 - Current IPWEA and central Highlands Council Municipal Standard Specification.
- Construction amenity
40. The development must only be carried out between the following hours unless otherwise approved by the Council's Manager Environment and Development Services:
- | | |
|---|---------------------|
| • Monday to Friday | 7:00 AM to 6:00 PM |
| • Saturday | 8:00 AM to 6:00 PM |
| • Sunday and State-wide public holidays | 10:00 AM to 6:00 PM |
41. All subdivision works associated with the development of the land must be carried out in such a manner so as not to unreasonably cause injury to, or unreasonably prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of -
- Emission from activities or equipment related to the use or development, including noise and vibration, which can be detected by a person at the boundary with another property.
 - Transport of materials, goods or commodities to or from the land.
 - Appearance of any building, works or materials.
42. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Municipal Engineer.
43. Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the project during the construction period.

Construction

44. The subdivider must provide not less than 48 hours written notice to Council's Municipal Engineer before commencing construction works on site or within a council roadway. The written notice must be accompanied by evidence of payment of the Building and Construction Industry Training Levy where the cost of the works exceeds \$12,000.
45. The subdivider must provide not less than 48 hours written notice to Council's Municipal Engineer before reaching any stage of works requiring inspection by Council unless otherwise agreed by the Council's Manager Engineering Services.
46. A fee for supervision of any works to which Section 10 of the *Local Government (Highways) Council 1982* applies must be paid to the Central Highlands Council unless carried out under the direct supervision of an approved practising professional civil engineer engaged by the owner and approved by the Council's Municipal Engineer. The fee must equal not less than three percent (3%) of the cost of the works.

Survey pegs

47. Survey pegs to be stamped with lot numbers and marked for ease of identification.
48. Prior to the works being taken over by Council, evidence must be provided from a registered surveyor that the subdivision has been re-pegged following completion of substantial subdivision construction work. The cost of the re-peg survey must be included in the value of any security.

'As constructed' drawings

49. Prior to the works being placed on the maintenance period an "as constructed" drawing of all engineering works provided as part of this approval must be provided to Council to the satisfaction of the Council's Municipal Engineer. These drawings must be prepared by a qualified and experienced civil engineer or other person approved by the Municipal Engineer and provided in both digital and "hard copy" format.

Defects Liability Period

50. The subdivision must be placed onto a 6 month statutory defects liability period in accordance with section 86 of the *Local Government (Buildings and Miscellaneous Provisions) Act 1993*, Councils Specification and Policy following the completion of the works in accordance with the approved engineering plans and permit conditions.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT: -

- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.
- C. The issue of this permit does not ensure compliance with the provisions of the *Threatened Species Protection Act 1995* or the *Environmental Protection and Biodiversity Protection Act 1999* (Commonwealth). The applicant may be liable to complaints in relation to any non-compliance with these Acts and may be required to apply to the Threatened Species Unit of the Department of Tourism, Arts and the Environment or the Commonwealth Minister for a permit.
- D. The issue of this permit does not ensure compliance with the provisions of the *Aboriginal Relics Act 1975*. If any aboriginal sites or relics are discovered on the land, stop work and immediately contact the Tasmanian Aboriginal Land Council and Aboriginal Heritage Unit of the Department of Tourism, Arts and the Environment. Further work may not be permitted until a permit is issued in accordance with the *Aboriginal Relics Act 1975*.
- E. The SWMP must show the following:
 - (a) Allotment boundaries, north-point, contours, layout of roads, driveways, building envelopes and reticulated services (including power and telephone and any on-site drainage or water supply), impervious surfaces and types of all existing natural vegetation;
 - (b) Critical natural areas such as drainage lines, recharge area, wetlands, and unstable land;
 - (c) Estimated dates of the start and completion of the works;

- (d) Timing of the site rehabilitation or landscape program;
- (e) Details of land clearing and earthworks or trenching and location of soil stockpiles associated with roads, driveways, building sites, reticulated services and fire hazard protection.
- (f) Arrangements to be made for surface and subsurface drainage and vegetation management in order to prevent sheet and tunnel erosion.
- (g) Temporary erosion and sedimentation controls to be used on the site.
- (h) Recommendations for the treatment and disposal of wastewater in accordance with Standards Australia (2000), AS/NZS 1547: *On-site wastewater management*, Standards Australia, Sydney.

Appropriate temporary control measures include, but are not limited to, the following (refer to brochure attached):

- Minimise site disturbance and vegetation removal;
- Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (eg. temporarily connected to Council's storm water system, a watercourse or road drain);
- Sediment retention traps (e.g. sediment fences, straw bales, grass turf filter strips, etc.) at the down slope perimeter of the disturbed area to prevent unwanted sediment and other debris escaping from the land;
- Sediment retention traps (e.g. sediment fences, straw bales, etc.) around the inlets to the stormwater system to prevent unwanted sediment and other debris blocking the drains;
- Stormwater pits and inlets installed and connected to the approved stormwater system before the roadwork's are commenced; and
- Rehabilitation of all disturbed areas as soon as possible.

F. The owner is advised that an engineering plan assessment and inspection fee of 1% of the value of the approved engineering works, or a minimum of \$220.00, must be paid to Council in accordance with Council's fee schedule.

G. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval unless the development for which the approval was given has been substantially commenced or extension of time has been granted. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development may be treated as a new application.

Carried

For the Motion: Deputy Mayor Allwright, Cllr Bailey & Cllr Cassidy

Ms G Balon left the meeting at 9.35am

6.1 DA2022/05 : VISITOR ACCOMMODATION & OUTBUILDING: LOT 3 & 4 MEADOWBANK ROAD, MEADOWBANK

Report by

Louisa Brown (Planning Officer)

Applicant

M Overeem

Owner

M Wilson

Discretions

26.2 Use

26.3.2 Visitor Accommodation – P1

26.3.3 Discretionary Use – P1

F1.4 Use

F1.7.1 Tourism Operations and Visitor Accommodation – P1, P3

Proposal

An application for three (3) Visitor Accommodation Units and an Outbuilding at Lot 3 Meadowbank Road, Meadowbank was submitted to Council by the applicant M Overeem in February 2022. The proposal includes;

- Three (3) one bedroom transportable cabins for visitor accommodation;
- Each cabin has two separate car parking spaces;
- Outbuilding, with an area of 120m²;
- Construction of private access road within the property; and
- Proposed septic tank and trenches, with associated pump station.

It is noted that the supporting application documents, make reference to the construction of a Boat Ramp and Jetty. However, this is not included in the description of use or development in the application form and is not considered as a part of this Development Application.

Additional documents provided with the Development Application include;

- Aboriginal Heritage Assessment Report prepared by Cultural Heritage Australia 24.9.2021;
- Wastewater Assessment report prepared by GES Solutions October 2021; and
- Bushfire Hazard report prepared by GES Solutions December 2021.

The Visitor accommodation will have a maximum occupancy of six (6) guests at any time. The three cabins, are small, transportable units which will be constructed off site. The cabins will overlook Lake Meadowbank and are proposed to be situated 23m, 45m, and 40m from the rear property boundary. The location of which is within the 100m setback from the lake full supply area. Each cabin is approximate 49m² and includes an additional 28m² covered deck to the northern elevation overlooking Lake Meadowbank. The total height of the cabins are 4.09m. The northern elevations of the cabins will be clad in natural weather rough sawn timber, which will reduce the visual impact of the development when viewed from the lake. The natural timber finish will age and blend with the surroundings over time. The southern, eastern and western elevations will be clad in non reflective sheet cladding. A single bathroom window is proposed to the southern elevation of each cabin, with the majority of windows to the northern elevation, taking advantage of views. Limited window openings to the southern elevation, allows for privacy to adjacent properties.

An outbuilding of 12m by 11m is proposed for storage of equipment and is approximately 4.05m high. The outbuilding will be clad in non reflective sheet cladding and is located outside of the 100m setback from lake full supply level. A septic tank and trenches are proposed next to the outbuilding.

The proposed wastewater system has been designed by a suitably qualified agent. The system includes a dual purpose septic tank and absorption trench, which are proposed to be located outside of the 100m Lake Full Supply Line. A pump station with effluent grinder pump will be required on each cabin to deliver effluent to the septic via a rising main.

A new access road will be constructed on the property to serve the development. The road and passing areas will be required to be constructed to the standards within the Bushfire Hazard Report and the recommendations of which are included in the proposed planning permit conditions below.

Covenants exist on the property between the owner of the lot and Central Highlands Council within the certificate of title document SP163527. There are two relevant covenants to this DA which state the following;

1. Not to construct any building on such lot north east of the line marked 100 METRE SET BACK FROM MEADOWBANK LAKE FULL SUPPLY LINE on the plan
2. Not to construct or maintain any wastewater infrastructure on such lot north east of the line marked 100 METRE SET BACK FROM MEADOWBANK LAKE FULL SUPPLY LINE on the plan

Council has sort legal advice in relation to Covenants and this advice states that the determination of the Development Application is separate to the Covenants. Advice regarding the Covenants will be listed in any Planning Permit granted by Council.

The proposal is discretionary owing to being visitor accommodation and is assessed against the relevant standards for the Rural Resource Zone pursuant to section 26.0 and the Lake Meadowbank Specific Area Plan (SAP) of the Central Highlands Interim Planning Scheme 2015.

Subject site and Locality

The site is currently vacant and located 4.2km south of Hamilton, adjacent to the southern banks of Lake Meadowbank. It is rectangular in shape, with the shorter side adjoining the Lake. The site has moderate slopes with a northerly aspect, vegetation on the property is predominately grassland.

The property is accessed via a private Right Of Way (ROW) from Meadowbank Road, as described on the certificate of title documents. The ROW passes through Meadowbank Water Ski Club. In addition a 20m wide section of reserve road runs parallel to the lake, ranging some 90-150m from the property boundary. Crown consent for the lodging the application has been sought and forms a part of the application documents.

Adjacent land is classified as rural, with agriculture land use predominant in the surrounding area. Lake Meadowbank is used by various clubs and individuals for water sport recreation. Meadow Bank Water Ski Club is located 500m to the east of the site.

Adjacent lots 4 and 2 are currently vacant.

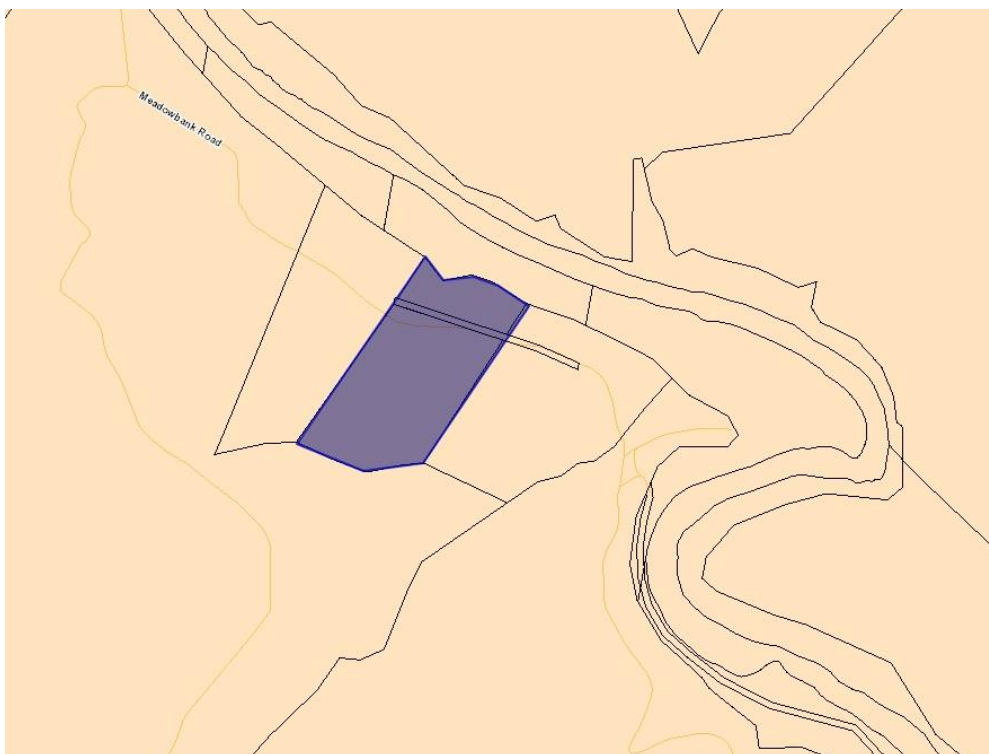


Fig 1. Location and zoning of Lot 3 Meadowbank Road indicating the Rural Resource zone (Cream).
(Source: LISTmap, accessed 08/06/2022).

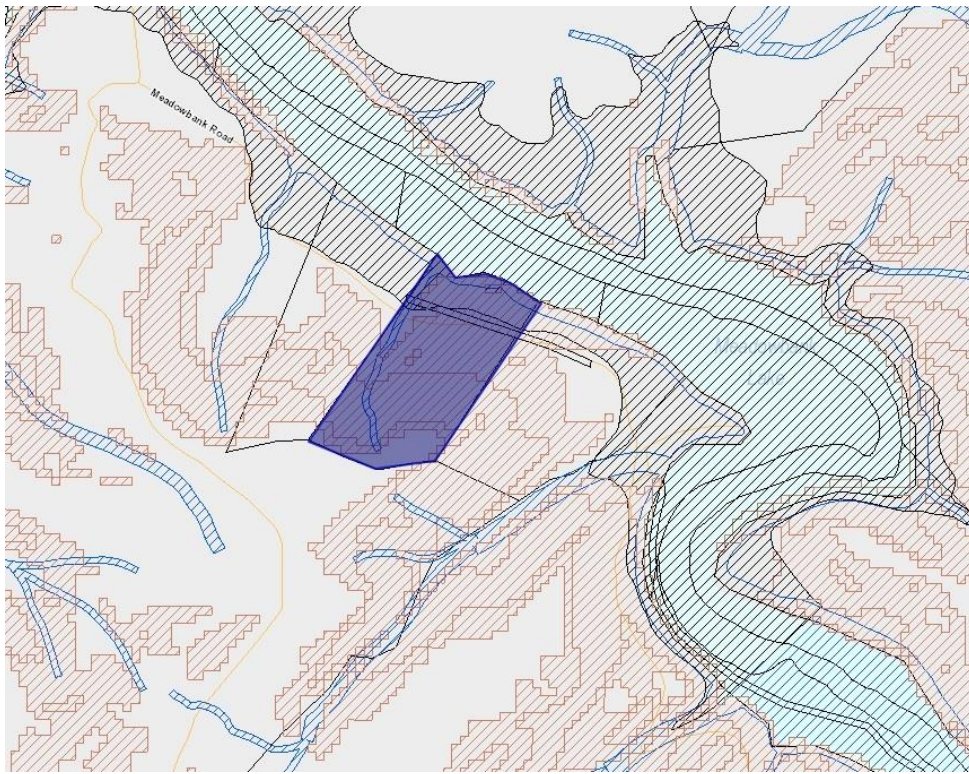


Fig 2. Meadow Bank SAP in black lines, Waterway and Coastal Protection Code Overlay in blue lines and Landslide Overlay Code in brown lines (Source: LISTmap, accessed 08/06/2022).).



Fig 3 Aerial photo of the subject land and surrounding area. Lake Meadowbank Water Ski Club is located to the east of the site (Source: LISTmap, accessed 08/06/2022).

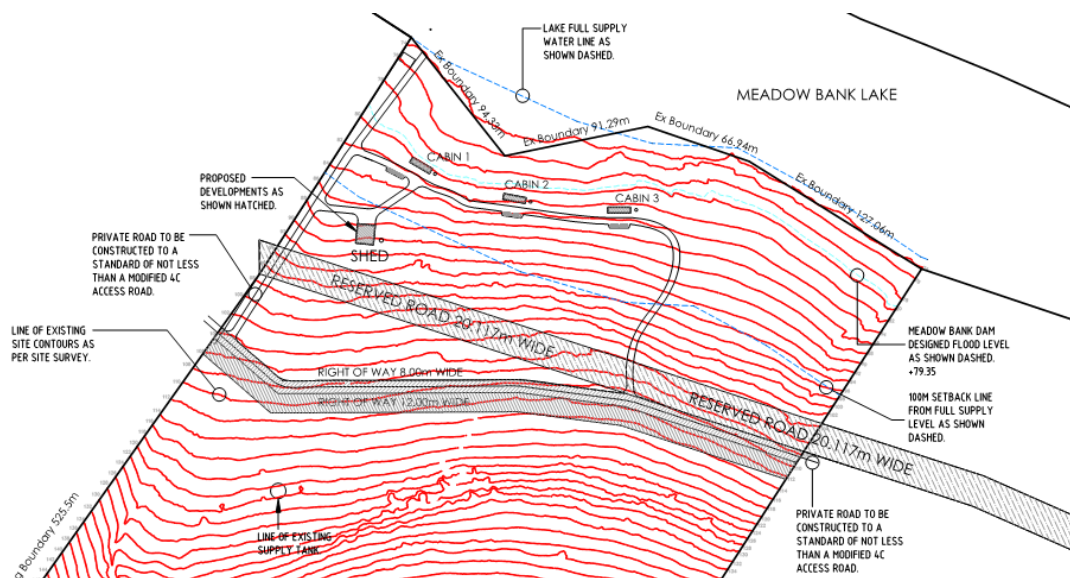


Fig 3. Plan of proposed development (Source: DA2022/05 StudioKo architecture design & drafting)

Exemptions

Nil

Special Provisions

Nil

Use standards

The subject land is located in the Rural Resource Zone of the Central Highland Interim Planning Scheme 2015. The proposal must satisfy the requirements of the following use and development standards, relevant to visitor accommodation:

26.3.2 Visitor Accommodation

To ensure visitor accommodation is of a scale that accords with the rural character and use of the area.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Visitor accommodation must comply with all of the following: (a) is accommodated in existing buildings; (b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; (c) has a floor area of no more than 160m ² .	P1 Visitor accommodation must satisfy all of the following: (a) not adversely impact residential amenity and privacy of adjoining properties; (b) provide for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; (c) be of an intensity that respects the character of use of the area;	The proposal does not comply with the Acceptable Solution and must be assessed against the Performance Criteria. (a) The closest residential dwelling is 1.5km to the western boundary. The proposal will not adversely impact the privacy or amenity of the dwelling. (b) The property is 23ha and contains adequate space for car parking to meet the requirements of the Parking and Access Code. A new access road within the property will assist manoeuvring to and from the visitor accommodation units and the outbuilding. (c) Given the size of the property, the proposed 3 cabins and an outbuilding are modest. The cabins themselves are single bedroomed and have an overall area of 49m ² each. The cabins are spaced out along the rear boundary overlooking the lake and setback a

	<p>(d) not adversely impact the safety and efficiency of the local road network or disadvantage owners and users of private rights of way;</p> <p>(e) be located on the property's poorer quality agricultural land or within the farm homestead buildings precinct;</p> <p>(f) not fetter the rural resource use of the property or adjoining land.</p>	<p>minimum of 23m from the boundary. The small scale development will respect the rural character of the area.</p> <p>(d) Lake Meadowbank Road is partly maintained by Council, however the majority of the access into the property is via a private Right of Way (ROW), which serves Lots 4, 3 and 2. An additional six vehicles into the property will not disadvantage other users of the ROW.</p> <p>(e) The property is currently vacant and not used for agricultural purposes. The proposed visitor accommodation is a small section of the property, a further 17ha of the property may be used for agriculture.</p> <p>(f) As mentioned above, 17ha of the property may be used for agricultural purposes. The proposed 3 visitor accommodation units are located adjacent to Lake Meadowbank, creating a large separation distance between the accommodation and surrounding properties. It is not considered given the size of the property that the fettering of adjoining rural land will occur.</p>
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26.3.3 Discretionary Use

To ensure that discretionary non-agricultural uses do not unreasonably confine or restrain the [agricultural use](#) of [agricultural land](#).

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 No acceptable solution.</p>	<p>P1 A discretionary non-agricultural use must not conflict with or fetter agricultural use on the site or adjoining land having regard to all of the following:</p> <p>(a) the characteristics of the proposed non-agricultural use;</p> <p>(b) the characteristics of the existing or likely agricultural use;</p>	<p>The proposal must be assessed against the Performance Criteria.</p> <p>(a) Conflicts with adjacent agricultural use is not considered a concern, as the property is 23ha in total, of which the proposed visitor accommodation will be located on a small area, providing a remaining 17ha to be used for agricultural purposes. The proposed development is adjacent to Lake Meadowbank, not on a part of the property which directly adjoins agricultural use or potential agricultural use.</p> <p>(b) It is likely that any potential agricultural use would be grazing as this is the predominant agricultural use of the area. A conflict between this and the proposed visitor accommodation is not anticipated.</p>

	<p>(c) setback to site boundaries and separation distance between the proposed non-agricultural use and existing or likely agricultural use;</p> <p>(d) any characteristics of the site and adjoining land that would buffer the proposed non-agricultural use from the adverse impacts on amenity from existing or likely agricultural use.</p>	<p>(c) The development is setback 41m from the western property boundary, 150m from the eastern boundary and 500m to the adjoining agricultural property to the southern site boundary.</p> <p>(d) The property contains a large area of 17ha, providing adequate separation distances, whilst acting as a buffer. Lake Meadowbank also acts a physical buffer to agricultural uses on the other side of the Lake.</p>
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F1.0 Lake Meadowbank Specific Area Plan

The development of the three cabins, associated road, car parking and outbuilding are within the Lake Meadowbank Specific Area Plan of the scheme and therefore must satisfy the requirements of the following use and development standards, relevant to the discretionary use visitor accommodation.

Application Requirements

An Aboriginal Heritage Assessment or statement from Aboriginal Heritage Tasmania is required for all discretionary applications. Aboriginal Heritage Assessment Report prepared by Cultural Heritage Australia 24.9.2021 has been prepared and is included in the application documents. The recommendations of the Aboriginal Heritage Assessment are within the proposed conditions of the Planning Permit below.

F1.7 Development Standards for Tourism Operations and Visitor Accommodation		
F1.7.1 Tourism Operations and Visitor Accommodation		
To provide the opportunity for small-scale tourism operations and visitor accommodation, whilst maintaining the characteristics and amenity of the rural landscape.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Development associated with tourist operation and visitor accommodation use classes must be in accordance with a development plan approved by Council that provides an overall site layout of buildings and infrastructure, and a total building footprint, and other relevant matters that are consistent with the provisions of this Specific Area Plan.	P1 No performance criteria.	The application for Visitor Accommodation identifies the location of buildings and development, the proposed location of a wastewater system and report, the amount of cut required, confirmation that no native vegetation will be removed, provides adequate car parking spaces and includes an Aboriginal Heritage Assessment. These are consistent with the SAP, if approved, the acceptable solution will be met.
A2 Building height must be no more than 5m.	P2 No performance criteria.	The acceptable solution is met, no structures are more than 5m in height.
A3 Buildings must be setback a minimum of 100m from all of the following: (a) fully supply level; (b) maximum flood level.	P3 Buildings setback must be sufficient to satisfy all of the following: (a) have a waste treatment system suitable for the site conditions;	The proposed visitor accommodation units, associated car parking and access road, are within 100m of the full supply level of Lake Meadowbank. The proposal must be assessed against the Performance Criteria. (a) The proposed wastewater system has been designed by a suitably

	(b) not compromise the visual amenity of the rural setting when viewed from adjoining lots, or from the lake.	<p>qualified agent and will form part of a Plumbing Permit, as conditioned with a Planning permit.</p> <p>(b) The cabins are modest in size, the materials chosen for the lake side elevation are natural, and will blend into the surrounding landscape visually over time. The buildings are spread out parallel to the rear boundary and set back at least 23m from the boundary.</p> <p>When viewed from the surrounding agricultural properties, the cabins will look similar to agricultural outbuildings, as the materials used to the elevations will be non reflective sheet cladding. A single bathroom window is proposed to the elevations adjacent to agricultural zoned land.</p> <p>The performance criteria is met.</p>
A4 Buildings must not be developed on land with a slope greater than 1:5 or 20%.	P4 No performance criteria.	An assessment provided with the application documents confirms that the acceptable solution is met.
A5 Buildings and outbuildings must have external finishes that are non-reflective (excluding photovoltaic panels, solar panels, solar water heaters, windows and door glazing).	P5 No performance criteria.	The proposed materials of natural sawn timber and non reflective sheet cladding meet the acceptable solution.

F1.7.2 Roads and Tracks

To ensure that safe and practicable vehicular access is provided to visitor accommodation or tourism operations. The design, construction and arrangement of roads must:

- (a) provide safe connections from existing road infrastructure to visitor accommodation or tourism operations for visitors, fire fighters and other emergency personal;
- (b) minimise the total number of new roads and tracks within the Lake Meadowbank Precinct; and
- (c) be appropriate to the setting, and not substantially detract from the rural character of the area.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Visitor accommodation is to be accessed from existing road infrastructure by one main road, from which individual driveways will originate, all of which must comply with E1.0 Bushfire-Prone Areas Code.	P1 No performance criteria.	<p>Lake Meadowbank road is partly maintained by Council. The remaining section of the road is a private right of way through Meadowbank Water Ski Club and onto lots 4, 3 and 2. This infrastructure is existing.</p> <p>A bushfire hazard assessment has been conducted and provided with the application. This document confirms that E1.0 of the Bushfire-Prone Areas Code can be met.</p>

		The Acceptable Solution is met.
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F1.7.4 Outbuildings

To ensure that outbuildings do not detract from the rural character of Lake Meadowbank and surrounds, do not visually dominate the [tourist operation](#) or visitor accommodation on the [site](#), or impact on the [amenity](#) of adjoining lots.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Outbuildings must not exceed a maximum gross floor area of 50m ² .	P1 No performance criteria.	There is no Performance Criteria, therefore the Acceptable Solution must be met. It is proposed that the Outbuilding be conditioned in the Planning Permit if granted, to not exceed the maximum gross floor area of 50m ² .

Codes

E3.0 Landslide Code

Some parts of the subject land are identified as Low Landslide Risk Areas. Visitor accommodation is considered a vulnerable use within the Code. The vulnerable use satisfies the Performance Criteria as no part of the development is in a High Landslide Hazard Area and the risk is considered acceptable.

E11.0 Waterway and Coastal Protection Code:

Parts of the site include minor creeks/drainage lines are covered by Waterway Protection Areas under the Waterway and Coastal Protection Code. The Code applies to all development, in this case the access road is within the WCPA. However this proposal meets the exemptions of the code owing to the works required for fire hazard management in accordance with the Bushfire Hazard report prepared by GES Solutions December 2021.

Representations

The proposal was advertised for the statutory 14 days period, 7 March 2022 until 22 March 2022 during which, two (2) representations were received. These are discussed below.

Representation Received	Officer Comment
<p>Representation 1</p> <p>Our main concern about the development is the access road, which consists of a single lane right away which is shared by six property owners including the applicant.</p> <p>The road itself is approximately 6 kilometres long and it is of gravel construction, for many years nowhave spent a considerable amount of money to bring the road up to a suitable standard so its members are able to transgress over the road in a safe manner. Other land owners have made monetary contributions to its up keep as well.</p> <p>The recent sale of land to the applicant and his two neighbours have seen considerable more traffic on the road ,particularly heavy vehicles which has seen the condition of the road deteriorate much faster than it normally has .</p> <p>We have had discussions with these new landowners about the road maintenance, but they are a bit reluctant to commit a reasonably amount of funds to its up keep</p>	<p>The access road into the property is a private right of way and not a Council maintained road. Therefore Council has no involvement between land owners and road users regarding the maintenance of the access road.</p> <p>Further information received from the applicant states that the applicant will continue to negotiate contributions towards the maintenance of the road, to find a fair way of splitting costs according to usage.</p>

<p>Our concerns are that during the construction stage and the on going traffic this development is likely to attract ,the road will deteriorate and it will make it unsafe for all ,particularly emergency service vehicle's that may need to use the road in the case of an emergency ,such as fire and ambulance ,and as this is the only vehicular access to all the properties ,it does raise considerable concern</p> <p>It appears that this development is a commercial enterprise, therefore we ask that the Central Highlands take on board our concerns and maybe have the applicant commit to a continuing road maintenance plan ,to the satisfaction of all parties involved.</p>	<p>With respect to the access requirements for Fire Fighting vehicles, a Bushfire Hazard Report has been prepared and the recommendations of which are included in the proposed planning permit conditions below.</p>
<p>Representation 2</p> <p>I object to this because – It goes against the covenant on the land. Buildings within 100m of the water.</p> <p>If you look at the photos on the application, there has already been a lot of work done without council approval ie (toilet, water tank on hill, large amounts of land excavated)</p> <p>working farm close by, I am concerned about guests at the accommodation (pets etc chasing sheep)</p>	<p>The covenant cannot affect the determination of the Development Application. Any covenant on a title will remain as an agreement between the owner and Central Highlands Council, until the Certificate of Title is amended. The owner is bound by the covenant. To conclude, a Planning Permit maybe issued for the development, however the owner is bound by the covenant until it is removed, at the agreement of Council.</p> <p>Comments regarding work undertaken on site have been noted by Council. Some works on rural properties maybe exempt from requiring a Planning Permit.</p> <p>The property is fully fenced, therefore adjacent properties cannot be accessed by people at the visitor accommodation.</p>

Conclusion

The proposal for three (3) Visitor Accommodation Units and an Outbuilding at Lot 3 Meadowbank Road, Meadowbank submitted by the applicant M Overeem has been assessed to comply with the applicable standards of the Rural Resource Zone, the Lake Meadowbank Specific Area Plan and the relevant codes of the *Central Highlands Interim Planning Scheme 2015* as outlined in the body of this report.

The proposal was advertised for public comment, two representations were received.

It is recommended that the application be approved, subject to conditions.

Legislative Context

The purpose of the report is to enable the Planning Authority to determine the Development Application DA2022/5 in accordance with the requirements of the *Land Use Planning and Approvals Act 1993* (LUPAA). The provisions of LUPAA require a Planning Authority to take all reasonable steps to ensure compliance with the Planning Scheme.

This report details the reasons for the officers Recommendation. The Planning Authority must consider the report but is not bound to adopt the Recommendation. Broadly, the Planning Authority can either: (1) adopt the Recommendation, (2) vary the Recommendation by adding, modifying or removing recommended conditions or (3) replacing an approval with a refusal.

This determination has to be made no later than 24 June 2022, which has been extended beyond the usual 42 day statutory time frame with the consent of the application.

Any decision that is an alternative to the Recommendation requires a full statement of reasons to ensure compliance with the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2015*. Section 25 (2) of the *Local Government (Meeting Procedures) Regulations 2015* states:

25 (2): *The general manager is to ensure that the reasons for a decision by a council or council committee acting as a planning authority are recorded in the minutes of the meeting.*

Options

The Planning Authority must determine the Development Application DA2022/05 VISITOR ACCOMODATION & OUTBUILDING at Lot 3 Meadowbank Road, Meadowbank in accordance with one of the following options:

1. Approve in accordance with the Recommendation:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2022/05 VISITOR ACCOMODATION & OUTBUILDING at Lot 3 Meadowbank Road, Meadowbank, subject to conditions in accordance with the Recommendation.

2. Approve with altered conditions:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2022/05 VISITOR ACCOMODATION & OUTBUILDING at Lot 3 Meadowbank Road, Meadowbank, subject to conditions as specified below.

Should Council opt to approve the Development Application subject to conditions that are different to the Recommendation the modifications should be recorded below, as required by Section 25(2) of the Local Government (Meeting Procedures) Regulations 2015:

Alteration to Conditions:-

3. Refuse to grant a permit:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Refuse** the Development Application Development Application DA2022/05 VISITOR ACCOMODATION & OUTBUILDING at Lot 3 Meadowbank Road, Meadowbank, for the reasons detailed below.

Should the Planning Authority opt to refuse to grant a permit contrary to the officers Recommendation, the reasons for the decision should be recorded below, as required by Section 25(2) of the Local Government (Meeting Procedures) Regulations 2015:

Reasons :-

RECOMMENDATION

Moved **Clr Cassidy**

Seconded **Clr Bailey**

THAT the following recommendation be made to Council:

1. Approve in accordance with the Recommendation:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2022/05 VISITOR ACCOMODATION & OUTBUILDING at Lot 3 Meadowbank Road, Meadowbank, subject to conditions in accordance with the Recommendation.

Recommended Conditions

CONDITIONS

General

- 1) The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
- 2) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, whichever is later, in accordance with section 53 of the Land Use Planning And Approvals Act 1993.

Approved Use

- 3) The development is approved for use as *Visitor Accommodation* only and must not be used for any other purpose unless in accordance with a permit issued by Council or as otherwise permitted by Council's planning scheme.

Outbuilding

- 4) The outbuilding must not exceed a maximum [gross floor area](#) of 50m² and must be used for the purposes detailed within the approved plan only, that is; a storage shed. It must not be used for habitable, industrial, commercial or other purposes without the prior written consent of Council.
- 5) The outbuilding is approved as *ancillary to the Visitor Accommodation* use only and must not be used for any other purpose unless in accordance with a permit issued by Council or as otherwise permitted by Council's planning scheme.

Bushfire

- 6) The development must be in accordance with the endorsed Bushfire Hazard Report prepared by GES Solutions December 2021 or as otherwise required by this permit, whichever standard is greater.

Aboriginal Heritage

- 7) The recommendations made within the Aboriginal Heritage Assessment Report must be implemented in accordance with the report prepared by Cultural Heritage Australia 24.9.2021.

Amenity

- 8) The proposed colours and materials for the walls and roof as shown on the approved drawings are accepted. Any variation in the colours and materials must be submitted to and approved by Council's General Manager.
- 9) All external metal building surfaces must be clad in non-reflective pre-coated metal sheeting or painted to the satisfaction of the Council's General Manager.
- 10) External lighting must be designed and baffled to ensure no light spill to surrounding properties to the satisfaction of the Council's General Manager.

Parking & Access

- 11) At least three (3) parking spaces must be provided on the land at all times for the use of the occupiers in accordance with Standards Australia (2004): Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney.
- 12) The internal driveway and areas set-aside for parking and associated access and turning must be provided in accordance with Standards Australia (2004): Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney and Tasmanian Municipal Standard Specifications and Drawings to the satisfaction of Council's General Manager, and must include all of the following;
 - a. Constructed with a durable all weather gravel pavement;
 - b. Appropriately drained, avoiding concentrated flows to the road; and
 - c. Be in accordance with an approved bushfire management plan.

- 13) All areas set-aside for parking and associated turning, and access must be completed before the use commences and must continue to be maintained to the satisfaction of the Council's General Manager.

Services

- 14) The developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the development. Any work required is to be specified or undertaken by the authority concerned.

Stormwater

- 15) Drainage from the proposed development must be retained on site or drain to a legal discharge point to the satisfaction of Council's General Manager and in accordance with any requirements of the Building Act 2016.

Wastewater

- 16) Wastewater from the development must discharge to an on-site waste disposal system in accordance with a Plumbing permit issued by the Permit Authority in accordance with the Building Act 2016.

Weed management

- 17) Prior to or in conjunction with lodgment of a building application, a weed management plan prepared by a suitably qualified person (or as otherwise approved) must be submitted to the satisfaction of Council's General Manager.
- 18) The approved weed management plan will form part of this permit and is to be implemented during and after construction to the satisfaction of Council's General Manager.

Soil and Water Management

- 19) Before any work commences a soil and water management plan (SWMP) prepared in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South, must be approved by Council's General Manager before development of the land commences. The SWMP shall form part of this permit when approved.
- 20) Before any work commences install temporary run-off, erosion and sediment controls in accordance with the recommendations of the approved SWMP and maintain these controls at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South and to the satisfaction of Council's General Manager.

Construction Amenity

- 21) The development must only be carried out between the following hours unless otherwise approved by the Council's Manager of Development and Environmental Services:
Monday to Friday 7:00 a.m. to 6:00 p.m.
Saturday 8:00 a.m. to 6:00 p.m.
Sunday and State-wide public holidays 10:00 a.m. to 6:00 p.m.
- 22) All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:
 - a. Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
- 23) The transportation of materials, goods and commodities to and from the land.
 - a. Obstruction of any public roadway or highway.
 - b. Appearance of any building, works or materials.
 - c. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Manager of Development and Environmental Services.
- 24) The developer must make good and/or clean any road surface or other element damaged or soiled by the development to the satisfaction of the Council's Manager of Works and Technical Services.

The following advice applies to this permit:

- A. This Planning Permit does not imply that any other approval required under any other legislation has been granted.
- B. This Planning Permit is in addition to the requirements of the Building Act 2016. Approval in accordance with the Building Act 2016 may be required prior to works commencing. A copy of the Directors Determination – categories of Building Work and Demolition Work is available via the Customer Building and Occupational Services (CBOS) website.
- C. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application.
- D. A covenant on the title restricts development, stating not to construct any building or construct or maintain any wastewater infrastructure on such lot north east of the line marked 100 METRE SET BACK FROM MEADOWBANK LAKE FULL SUPPLY LINE on the plan. The development approved by this permit may not be able to proceed without further written approval of the covenanters and Central Highlands Council.
- E. The issue of this permit does not ensure compliance with the provisions of the *Threatened Species Protection Act 1995* or the *Commonwealth Environmental Protection and Biodiversity Protection Act 1999*. The applicant may be liable to complaints in relation to any non-compliance with these Acts and may be required to apply to the Threatened Species Unit of the Department of Primary Industry, Parks, Water & Environment or the Commonwealth Minister for a permit.
- F. The prevention of spread of any declared weeds from your site is legal requirement under the Weed Management Act 1999. Follow the guidelines of the *Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania* to ensure you are meeting this requirement. This can be found at www.dpipwe.tas.gov.au.
- G. A separate permit is required for any signs unless otherwise exempt under Council's planning scheme.

For the Motion: Deputy Mayor Allwright, Clr Bailey & Clr Cassidy

Mr M Overeem & Mr M Wilson left the meeting at 9.45am

6.2 SCOPING THE STATE PLANNING PROVISIONS REVIEW

Council is in receipt of a letter from Michael Ferguson MP Deputy Premier Minister for Planning advising as follows:

The Tasmanian Government is currently seeking your input to help scope the 5-yearly review of the State Planning Provisions (SPPs).

The SPPs are the statewide set of consistent planning rules in the Tasmanian Planning Scheme, which are used for the assessment of applications for planning permits. The SPPs contain the planning rules for the 23 zones and 16 codes in the Tasmanian Planning Scheme, along with the administrative, general, and exemption provisions.

Regular review of the SPPs is best practice ensuring we implement constant improvement and keep pace with emerging planning issues and pressures.

While the SPPs are not yet in effect across all areas of the State, a suitable period has now passed since the SPPs were drafted to initiate a review. The full suite of SPPs have been in effect in some local government areas for nearly 2 years, and some parts of the SPPs are also already in effect in the remaining interim planning schemes. This provides enough information and experience for conducting

the review. The SPPs will also require review for consistency with the Tasmanian Planning Policies (TPPs) once they are made.

The SPPs Review Scoping Paper has been prepared to assist you with providing feedback. The Scoping Paper and a range of other information can be viewed through the Have Your Say on the Planning in Tasmania website : www.planningreform.tas.gov.au.

The feedback you provide will assist in identifying the key themes or parts of the SPPs that require detailed review. This will be conducted through separate projects and will conclude in amendments to the SPPs.

The SPPs review will occur in two stages. Some matters may be addressed in the short-term through amendments to the SPPs, while others may require the finalisation of the TPPs before progressing.

Written submissions in response to the SPPs Review Scoping Paper can be made until close of business on Friday 29 July 2022.

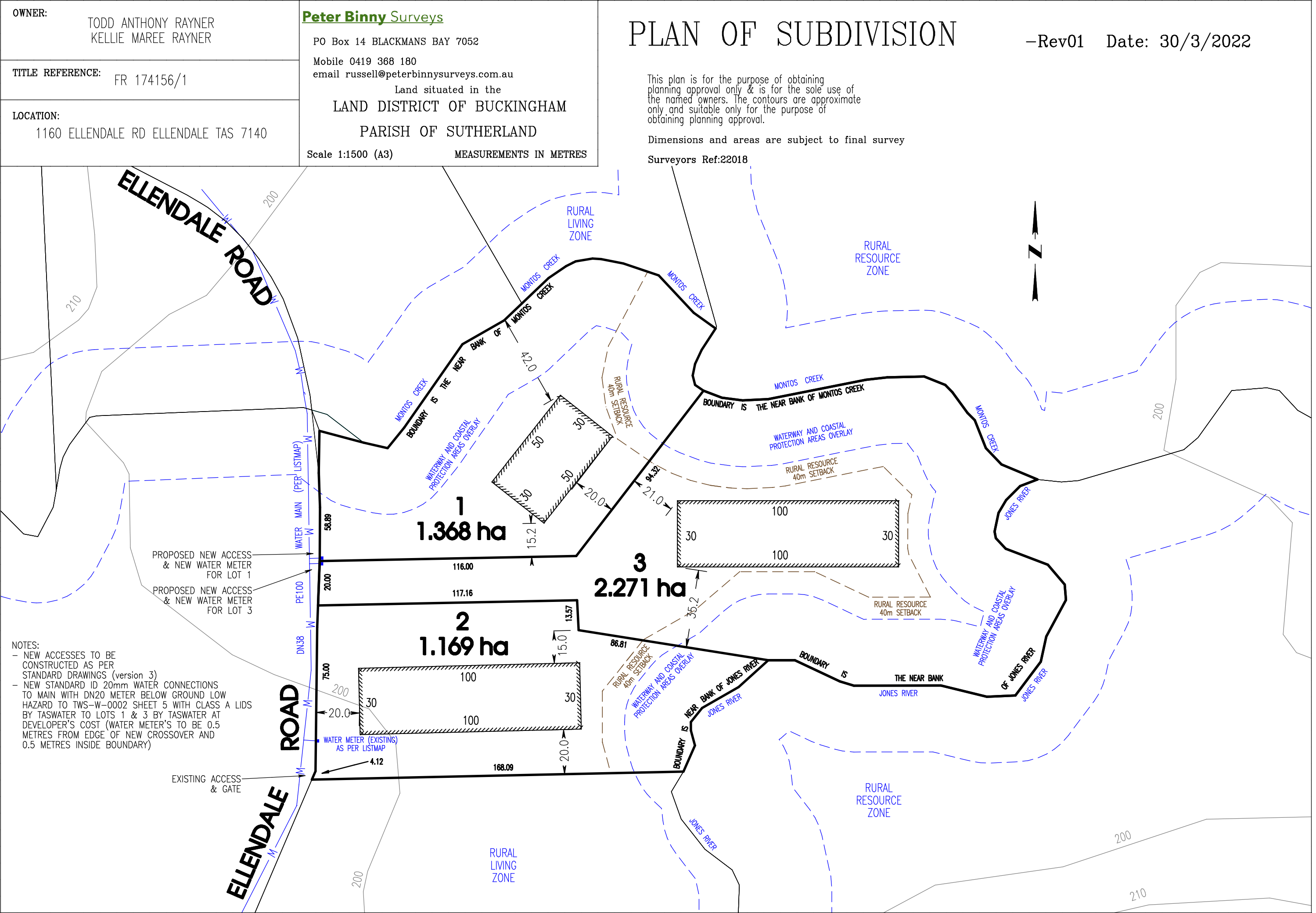
NOTED

7.0 OTHER BUSINESS

Nil

8.0 CLOSURE

There being no further business the Chairperson thanked everyone for attending and closed the meeting at 9.47am.





BUSHFIRE HAZARD ASSESSMENT REPORT

PROPOSED 3 LOT SUBDIVISION
1160 ELLENDALE ROAD,
ELLENDALE

Dated April 2022

Report by Samuel Walters BFP-130

Report Code: M22-2

**Bushfire
Tasmania**

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APPENDICES

Appendix A – Site Photographs
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Appendix C – Bushfire Hazard Management Plan

1. Report Summary

The purpose of this report is to provide a Bushfire Hazard Management Plan (BHMP) and Bushfire Attack Level (BAL) assessment in compliance with Planning Directive No. 5.1 Bushfire Prone Areas Code 2017 and Australian Standard 3959 2018 (incorporating Amendments 1 & 2) in relation to a 3 lot subdivision at 1160 Ellendale Road, Ellendale (C.T 174156/1).

Our findings conclude that the potential bushfire hazard risk for the proposal is tolerable providing the recommendations and findings of this report are followed and implemented in accordance with Planning Directive No. 5.1 Bushfire Prone Areas Code 2017 and Australian Standard 3959 2018 (incorporating Amendments 1 & 2).

E1.6.1 A1(b) in Planning Directive No. 5.1 2017 states that the deemed to satisfy solution is to achieve a minimum BAL-19 outcome for building areas on lots.

Bushfire-prone vegetation that poses the greatest threat is G. Grassland on all aspects.

New buildings constructed within proposed the building areas (BA's) on all lots will comply with requirements for a BAL-12.5 compliant building solution and will be approved at the time of subdivision. A HMA is required with separation distances from BA of:

- Lot 1 - 14m on the north western, south western and south eastern aspects as well as 16m on the north eastern aspect.
- Lot 2 - 14m on the western and southern aspects as well as 16m on the northern and eastern aspects.
- Lot 3 - 14m on all aspects.

Site access requirements are as follow:

- Lot 1 must comply with E1.6.2 A1(b) Table E2(B) of Planning Directive No. 5.1 2017 as driveway will >30m and <200m in length and will provide access to a static firefighting water supply.
- Lot 2 will comply with E1.6.2 A1(b) Table E2(A) of Planning Directive No. 5.1 2017 if driveway is <30m and/or <30m to a static firefighting water supply, and the water supply is within 90m of the furthest part of a dwelling as a hose lay. However, if driveway is >30m and <200m in length and will provide access to a static firefighting water supply, it must comply with E1.6.2 A1(b) Table E2(B) of Planning Directive No. 5.1 2017.
- Lot 3 must comply with E1.6.2 A1(b) Table E2(B) of Planning Directive No. 5.1 2017 if driveway is >30m and <200m in length and provides access to a static firefighting water supply.
If driveway is >200m in length and provides access to a static firefighting water supply, it must comply with E1.6.2 A1(b) Table E2(C) of Planning Directive No. 5.1 2017.

Proposed habitable dwellings on lots will require a static water supply in accordance with E1.6.3 A2(b) Table E5 of Planning Directive No. 5.1 2017.

If mains fire hydrants are installed, they must be in line with E1.6.3 A1(b) Table E4(B).

2. Introduction

2.1. The Proposal

The proposal involves a 3 lot subdivision at 1160 Ellendale Road, Ellendale (C.T 174156/1). Lot 1 will be 1.368 hectares in size, lot 2 1.169 hectares and Lot 3 2.271 hectares.

2.2. Scope of Report

Bushfire Tasmania was engaged by Alastair Macleod to undertake a Bushfire Hazard Management Plan (BHMP) and BAL assessment for planning approval for a 3 lot subdivision to determine vegetation management requirements, firefighting water supply requirements, site access requirements and construction requirements to comply with Planning Directive No. 5.1 Bushfire Prone Areas Code, September 1 2017 and Australian Standard 3959 – Construction of Buildings in Bushfire Prone Areas 2018 (incorporating Amendments 1 & 2).

The proposal is assessed in accordance with E1.6 of Planning Directive No. 5.1 Bushfire Prone Areas Code 2017, specifically E1.6.1 A1(b), E1.6.2 A1(b), E1.6.3 A1(b) and E1.6.3 A2(b) as well as Australian Standard 3959 – Construction of Buildings in Bushfire Prone Areas 2018 (incorporating Amendments 1 & 2). The site is assessed to a Fire Danger Index (FDI) of 50.

2.3. Property Information

Address: 1160 Ellendale Road, Ellendale

Zoning: Rural Living

Municipality: Central Highlands

Planning Scheme: Central Highlands Interim Planning Scheme 2015

2.4. Planning Overlays

Based on the Central Highlands Interim Planning Scheme 2015:

- Waterway and Coastal Protection Areas

3. Site Conditions and Observations

3.1. Site Description

The subject property is located on the across-/down-slope eastern side of Ellendale Road. The property has been used for grazing and hay production. There are no existing structures on the site.

It is flanked by Montos Creek and Jones River on the northern and eastern boundaries.

The topography is gently sloped to undulating in the range of 1-5° with an overall north easterly to easterly aspect.

The property has a history of agricultural activities and is currently uncut native and improved pastures, weeds and previous short rotation crops.



Figure 1: contoured listmap. www.thelist.tas.gov.au Subject property and proposed lot structure outlined in blue with proposed BA's in orange.



Figure 2: contoured listmap. www.thelist.tas.gov.au Subject property and proposed lot structure outlined in blue with proposed BA's in orange. Shows site situated in Rural Living zoning.

3.2. Surrounding Area

The subject site is located in a rural living zoned area, which borders rural resource to the east and west. Both zonings make up the larger area surrounding for several kms on all aspects. Typically, the higher elevation land is rural resource and the lower lying plains are rural living.

Properties within rural resource are very large and tend to have more large remnant vegetation with some dwellings and out buildings constructed. Dwellings tend to be surrounded by gardens in a managed state. Forestry operations make up a considerable proportion of this zoning to the west.

Rural living land is generally cleared of large vegetation and mostly made up of grazing land and pasture on smaller allotments that have a higher density of dwellings and other buildings. Dwellings are surrounded by managed garden settings.

Figure 3 below gives the TasVeg4.0 listmap of the area.

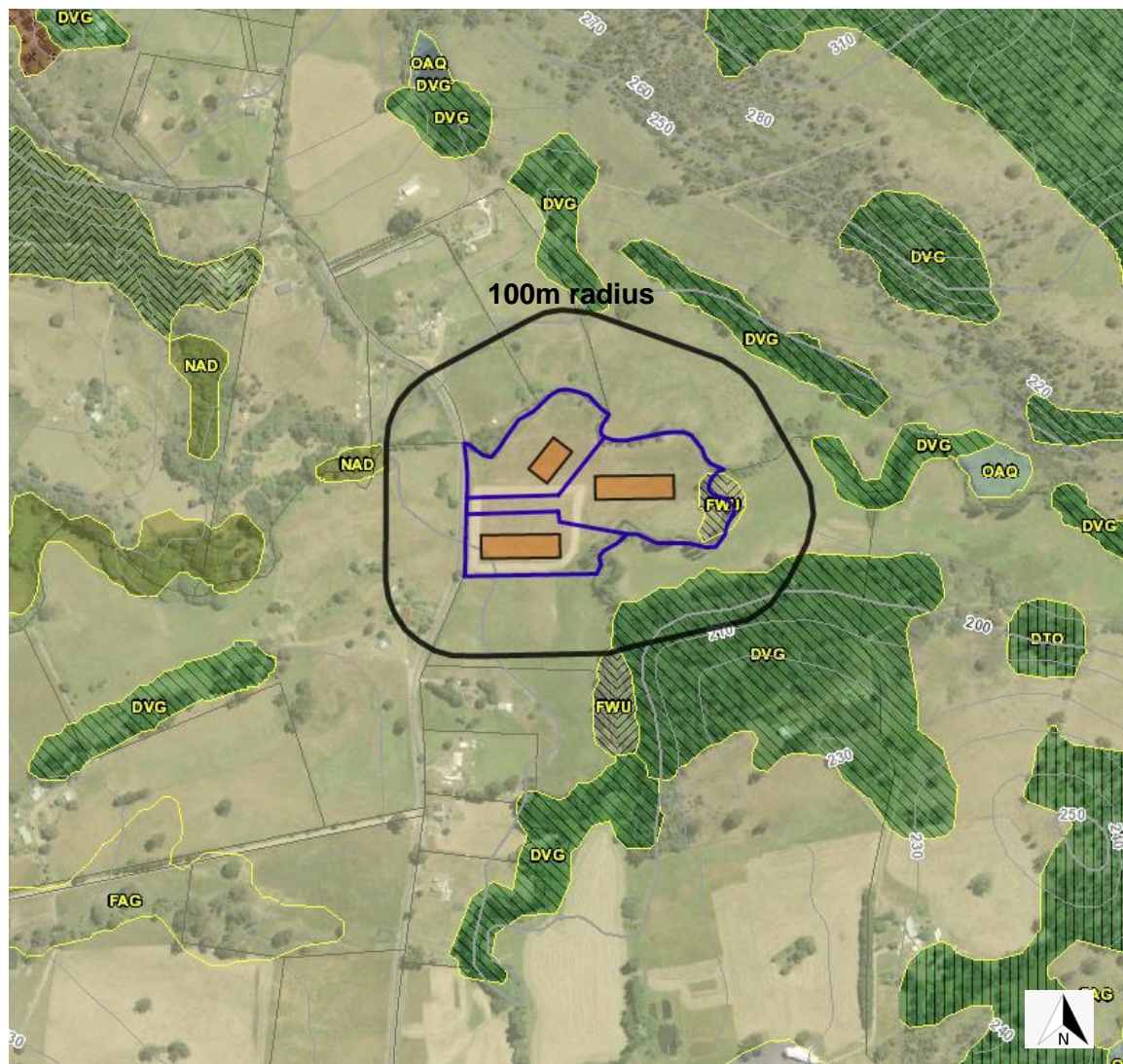


Figure 3: contoured TasVeg4.0 listmap. www.thelist.tas.gov.au Subject property and proposed lot structure outlined in blue with proposed BA's in orange.

3.3. Additional Information

Boundary adjustment/subdivision not expected to be staged.

Performance criteria satisfied under the Central Highlands Interim Planning Scheme 2015 E11.8.1 P1(b)(ii) relating to waterway and coastal protection area and the ability for this development to accommodate this code. The waterway zone on each lot is currently cleared and encroachment of HMA's within this zone is minor (1-2m at most on lots 2 and 3) with the majority of HMA's not impacting the waterway zone. Implementation of HMA's will not alter the current site and vegetation conditions, thus not impacting natural values or the watercourse.

There has been bushfire activity surrounding the site. The latest fire to impact the proposal and surrounds occurred in 2012-2013 and was the result of an accident. This burned several km's of land in a north west/south east pattern, all located to the west and north of the site.

See Figure 4 below for these events on a listmap.



Figure 4: Fire History listmap. www.thelist.tas.gov.au Subject property outline in blue, fire events denoted by hashed areas with dates inserted.

4. Bushfire Attack Level Assessment

4.1. Vegetation

According to TasVeg4.0, the entire proposal is situated within vegetation classified as (FAG) agricultural land. This includes properties on all aspects. Majority of this land consists of grazing grassland or hay production. Some sparse remnant larger Eucalyptus remain. Poplars and other assorted small to medium sized trees line Montos Creek and Jones River riparian strips. Widths of these strips ranges from approximately 6-30m, with the majority in the range of 6-12m.

Interspersed between (FAG) agricultural land are small to large parcels of (DVG) Eucalyptus *viminialis* grassy forest and woodland as well as some (DOB) Eucalyptus *obliqua* dry forest. These stands are scattered surrounding the proposal are >100m from building areas and extend into elevated areas and hills surrounding. These hills are dry and have typical dry land shrubby undergrowth.

Fire behaviour suggests that threats to building areas on lots would stem from potentially fast-moving grass fires, fanned by northerly, north westerly, westerly and south westerly winds burning up-, down- and across-slope. This may result in BA's being subjected to flanking and/or head fires.

All lots would likely experience ember attack and possible spot fires. Spot fires may be unpredictable/erratic depending on wind conditions.

The following table gives the predominant vegetation types for ground cover, middle growth and canopy for the surrounding area within 150m of building areas:

Table 1: Predominant grassland vegetation on all aspects.

Vegetation Height	Species
Canopy	N/A
Middle Growth	N/A
Ground Cover	Assorted native and introduced pasture species Assorted weed species Assorted native and introduced shrubs

Vegetation on all aspects is assessed as G. Grassland.

See photographs in appendix A for an indication of the surrounding vegetation.

4.2. Slope

Majority of land below grassland bushfire prone vegetation ranges between approximately 1-5° with a range of aspects but predominantly a north easterly to easterly aspect.

4.3. Separation Distances

Refer to Tables 2, 3 and 4 indicating the minimum defendable space distances required from shrubland bushfire prone vegetation in order to achieve BAL-19 and BAL-12.5.

Table 2: Defendable Space Table for building area on lot 1

	North West	North East	South East	South West
Vegetation Type	G. Grassland	G. Grassland	G. Grassland	G. Grassland
Surrounding land relative to site	Up-slope / Across/flat	Down-slope 0-5°	Up-slope / Across/flat	Up-slope / Across/flat
Minimum Defendable Space Required to achieve BAL-12.5	≥14m	≥16m	≥14m	≥14m

Table 3: Defendable Space Table for building area on lot 2

	North	East	South	West
Vegetation Type	G. Grassland	G. Grassland	G. Grassland	G. Grassland
Surrounding land relative to site	Down-slope 0-5°	Down-slope 0-5°	Up-slope / Across/flat	Up-slope / Across/flat
Minimum Defendable Space Required to achieve BAL-12.5	≥16m	≥16m	≥14m	≥14m

Table 4: Defendable Space Table for building area on lot 3

	North	East	South	West
Vegetation Type	G. Grassland	G. Grassland	G. Grassland	G. Grassland
Surrounding land relative to site	Up-slope / Across/flat	Up-slope / Across/flat	Up-slope / Across/flat	Up-slope / Across/flat
Minimum Defendable Space Required to achieve BAL-12.5	≥14m	≥14m	≥14m	≥14m

All separation distances are in accordance with Table 2.6 in AS3959 2018 and apply as part the HMA's set out in the BHMP.

Implementation and ongoing maintenance of these separation distances and subsequent HMA would allow a BAL-12.5 compliant building solution on all aspects for any building within BA's on all lots.

4.4. BAL

For BA'S on all lots, BAL ratings can be seen in Table 5. These are in accordance with Table 2.6 of AS3959 2018. Table 3.1 of AS3959, 2018 (incorporating Amendments 1 & 2) describes BAL-12.5:

Table 5: Building Area BAL ratings for all lots

Bushfire Attack Level (BAL)	Heat flux exposure thresholds for classified vegetation within 100m of site	Predicted bushfire attack and levels of exposure	Construction Sections
ALL LOTS BAL – 12.5 All Aspects	≤12.5 kW/m ²	Ember attack	3 & 5

5. Bushfire Hazard Management Objectives

5.1. Hazard Management Areas

The purpose of hazard management areas (HMA) is to provide a vegetation buffer in order to reduce fuel loads to a manageable level and aid in preservation of life and property. HMA's can be vegetated but in a manner that does not facilitate fire spread and helps occupants and/or firefighters to control fire activity (where possible) within the HMA.

However, HMA's are not intended as fail safe, they are highly dependent on the prevailing weather and fire conditions on the day as well as to what degree they are maintained (measured against clause 2.2.3.2 of AS3959 2018).

On all lots, setbacks have been imposed to allow a BAL-12.5 rating for the entire building area in line with E1.6.1 A1(b) of Planning Directive No. 5.1 Bushfire Prone Areas Code 2017.

For HMA's on all lots, compliance can be achieved by the mowing and ongoing maintenance of grassland. Grass should be mowed to a nominal height of 100mm or less as per Clause 2.2.3.2 (f) of AS3959 2018.

Future plantings/landscaping within HMA's on all lots:

New vegetation may be planted within the HMA but must satisfy low threat conditions. New shrubs up to 2m in height can be planted either individually or in single rows but must be spaced with a minimum 4m between foliage and should not be within 4m of any dwelling (or class 10a building within 6m of a habitable residence).

New vegetation <1m in height may be planted not closer than 3m from buildings.

Large plants 4m or more in height can be planted but low and mid-level growth up to 2m in height to be trimmed and maintained over time with a minimum spacing between crowns of 15m.

New vegetation 2m or more in height should not be planted within 6m of any proposed dwelling or class 10a building within 6m of a habitable residence.

All new vegetation 1-4m in height should be spaced from large vegetation (>4m) at least 8m from tree trunk.

Firewood should be appropriately contained away from dwellings and plant debris should be removed.

Future plantings must take into account the requirement to maintain the HMA's as low threat and in line with this report and Clause 2.2.3.2 (d)(e)(f) AS3959 2018.

Future plantings/landscaping should be planned with this in mind and be appropriately managed. We recommend plants of low flammability, such as – but not limited to – those in the Tasmania Fire Service booklet *Fire Resisting Garden Plants for the urban fringe and rural areas*, 2017.

5.2. Private Access

Private site access is important for firefighting services in order to enter and exit the property under all circumstances, especially threatening and potentially dangerous conditions. There are certain design parameters that must be met to allow safe vehicle and foot access by firefighters and emergency services.

Proposed BA's have varying setbacks from road boundary. As such:

- Lot 1 must comply with E1.6.2 A1(b) Table E2(B) of Planning Directive No. 5.1 2017 as driveway will >30m and <200m in length and will provide access to a static firefighting water supply.
- Lot 2 will comply with E1.6.2 A1(b) Table E2(A) of Planning Directive No. 5.1 2017 if driveway is <30m and/or <30m to a static firefighting water supply, and the water supply is within 90m of the furthest part of a dwelling as a hose lay. However, if driveway is >30m and <200m in length and will provide access to a static firefighting water supply, it must comply with E1.6.2 A1(b) Table E2(B) of Planning Directive No. 5.1 2017.
- Lot 3 must comply with E1.6.2 A1(b) Table E2(B) of Planning Directive No. 5.1 2017 if driveway is >30m and <200m in length and provides access to a static firefighting water supply. If driveway is >200m in length and provides access to a static firefighting water supply, it must comply with E1.6.2 A1(b) Table E2(C) of Planning Directive No. 5.1 2017.

See Table E2 below:

Table E2 Standards for property access

Element		Requirement
A.	Property access length is less than 30m; or access is not required for a fire appliance to access a fire fighting water point.	There are no specified design and construction requirements.
B.	Property access length is 30m or greater; or access is required for a fire appliance to access a fire fighting water point.	The following design and construction requirements apply to property access: <ul style="list-style-type: none"> (a) all-weather construction; (b) load capacity of at least 20t, including for bridges and culverts; (c) minimum carriageway width of 4m; (d) minimum vertical clearance of 4m; (e) minimum horizontal clearance of 0.5m from the edge of the carriageway; (f) cross falls of less than 3 degrees (1:20 or 5%); (g) dips less than 7 degrees (1:8 or 12.5%) entry and exit angle; (h) curves with a minimum inner radius of 10m; (i) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads; and (j) terminate with a turning area for fire appliances provided by one of the following: <ul style="list-style-type: none"> (i) a turning circle with a minimum outer radius of 10m; or (ii) a property access encircling the building; or (iii) a hammerhead "T" or "Y" turning head 4m wide and 8m long.
C.	Property access length is 200m or greater.	The following design and construction requirements apply to property access: <ul style="list-style-type: none"> (a) the requirements for B above; and (b) passing bays of 2m additional carriageway width and 20m length provided every 200m.
D.	Property access length is greater than 30m, and access is provided to 3 or more properties.	The following design and construction requirements apply to property access: <ul style="list-style-type: none"> (a) complies with requirements for B above; and (b) passing bays of 2m additional carriageway width and 20m length must be provided every 100m.

5.3. Water Supply for Firefighting

The ability for firefighters and occupants alike to have easy and safe access to a firefighting water supply point is paramount. Water supply points and fire hydrants (whether on the subject property or along public streets and roads) must be visible and positioned to allow easy/safe approach. Static (unreticulated) water supply points must be clearly labelled with water signage.

All lots must install a static water supply point. This is to be in accordance with E1.6.3 A2(b) Table E5 of Planning Directive No. 5.1 Bushfire Prone Areas Code 2017. See Table E5 below:

Table E5 Static water supply for fire fighting

Element		Requirement
A.	Distance between building area to be protected and water supply.	The following requirements apply: <ul style="list-style-type: none"> (a) the building area to be protected must be located within 90m of the fire fighting water point of a static water supply; and (b) the distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.
B.	Static Water Supplies	A static water supply: <ul style="list-style-type: none"> (a) may have a remotely located offtake connected to the static water supply; (b) may be a supply for combined use (fire fighting and other uses) but the specified minimum quantity of fire fighting water must be available at all times; (c) must be a minimum of 10,000l per building area to be protected. This volume of water must not be used for any other purpose including fire fighting sprinkler or spray systems; (d) must be metal, concrete or lagged by non-combustible materials if above ground; and (e) if a tank can be located so it is shielded in all directions in compliance with section 3.5 of <i>Australian Standard AS 3959-2009 Construction of buildings in bushfire-prone areas</i>, the tank may be constructed of any material provided that the lowest 400mm of the tank exterior is protected by: <ul style="list-style-type: none"> (i) metal; (ii) non-combustible material; or (iii) fibre-cement a minimum of 6mm thickness.
C.	Fittings, pipework and accessories (including stands and tank supports)	Fittings and pipework associated with a fire fighting water point for a static water supply must: <ul style="list-style-type: none"> (a) have a minimum nominal internal diameter of 50mm; (b) be fitted with a valve with a minimum nominal internal diameter of 50mm; (c) be metal or lagged by non-combustible materials if above ground; (d) if buried, have a minimum depth of 300mm²; (e) provide a DIN or NEN standard forged Storz 65mm coupling fitted with a suction washer for connection to fire fighting equipment; (f) ensure the coupling is accessible and available for connection at all times; (g) ensure the coupling is fitted with a blank cap and securing chain (minimum 220mm length); (h) ensure underground tanks have either an opening at the top of not less than 250mm diameter or a coupling compliant with this Table; and (i) if a remote offtake is installed, ensure the offtake is in a position that is: <ul style="list-style-type: none"> (i) visible; (ii) accessible to allow connection by fire fighting equipment; (iii) at a working height of 450 – 600mm above ground level; and (iv) protected from possible damage, including damage by vehicles.
D.	Signage for static water connections.	The fire fighting water point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must: <ul style="list-style-type: none"> (a) comply with water tank signage requirements within <i>Australian Standard AS 2304-2011 Water storage tanks for fire protection systems</i>; or (b) comply with the Tasmania Fire Service Water Supply Guideline published by the Tasmania Fire Service.
E.	Hardstand	A hardstand area for fire appliances must be: <ul style="list-style-type: none"> (a) no more than 3m from the fire fighting water point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like); (b) no closer than 6m from the building area to be protected; (c) a minimum width of 3m constructed to the same standard as the carriageway; and (d) connected to the property access by a carriageway equivalent to the standard of the property access.

As a mains water supply is available at the road frontage, there is the possibility that fire hydrants could be installed to provide the firefighting water supply points. If mains fire hydrants are installed, they must be in line with E1.6.3 A1(b) Table E4(B).

See Table E4 below:

Table E4 Reticulated water supply for fire fighting

Element		Requirement
A.	Distance between building area to be protected and water supply.	The following requirements apply: (a) the building area to be protected must be located within 120m of a fire hydrant; and (b) the distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.
B.	Design criteria for fire hydrants	The following requirements apply: (a) fire hydrant system must be designed and constructed in accordance with <i>TasWater Supplement to Water Supply Code of Australia WSA 03 – 2011-3.1 MRWA 2nd Edition</i> ; and (b) fire hydrants are not installed in parking areas.
C.	Hardstand	A hardstand area for fire appliances must be: (a) no more than 3m from the hydrant, measured as a hose lay; (b) no closer than 6m from the building area to be protected; (c) a minimum width of 3m constructed to the same standard as the carriageway; and (d) connected to the property access by a carriageway equivalent to the standard of the property access.

6. Subdivision Plan

6.1. Proposed Layout

The intended subdivision layout is such that all lots will have road frontage with lot 3 opening up more as an internal lot.

6.2. Preferred Layout

This can be used as a guide to achieve optimal bushfire management outcomes, or best practice. The aim is to provide solutions that are comparable to the existing layout but incorporate practical bushfire safety measures whilst at the same time not reduce the commercial appeal of the development.

Given the relatively simple nature of the development, there is no comment on any preferred layout.

7. Additional Planning Requirements

7.1. Vegetation Management

There are no specific planning scheme requirements in terms of vegetation management. In addition, there are no threatened species of flora or fauna.

7.2. Environmental Values

As a general rule it is important that proposed works do not lead to excessive vegetation removal (beyond what is required in this report) and measures should be taken to control and stabilize soil where vegetation has been removed in order to prevent erosion. This subdivision is unlikely to significantly alter existing site conditions.

A waterway and coastal protection area borders the proposal on the northern and eastern aspects. The HMA's imposed for BA's on lots 1 and 3 will slightly encroach into parts of this protection area.

Performance criteria satisfied under the Central Highlands Interim Planning Scheme 2015 E11.8.1 P1(b)(ii) relating to waterway and coastal protection area and the ability for this development to accommodate this code. The waterway zone on each lot is currently cleared and encroachment of HMA's within this zone is minor (1-2m at most on lots 2 and 3) with the majority of HMA's not impacting the waterway zone.

Implementation of HMA's will not alter the current site and vegetation conditions, thus not impacting natural values or the watercourse.

8. Regulations

Regulations governing construction in bushfire prone areas encompass all documents relating to planning, design and implementation. These documents include:

- Tasmania Building Act 2016
- Tasmania Building Regulations 2014
- Tasmania Building Regulations 2016
- Director's Determination - Requirements for Building in Bushfire-Prone Areas (transitional) Version 2.2 March 16, 2020
- Director's Determination - Application of Requirements for Building in Bushfire-Prone Areas (transitional) Version 1.3 March 16, 2020
- Planning Directive No.5.1 Bushfire-Prone Areas Code - September 1 2017
- BCA (as part of the National Construction Code) - 2019
- AS3959 (2018) (incorporating Amendments 1 & 2) - Construction of buildings in bushfire prone areas
- The ABCB Performance Standard for Private Bushfire Shelters Part 1

9. Report Limitations and General Information

This report aims to provide sound advice, best practice strategies and measures in accordance with AS3959 2018 (incorporating Amendments 1 & 2), Planning Directive No 5.1 Bushfire-Prone Areas Code – September 1 2017, the Director's Determination Requirements for Building in Bushfire-Prone Areas (transitional) Version 2.2 2020, and Director's Determination – Application of Requirements for Building in Bushfire-Prone Areas (transitional) Version 1.3 March 16, 2020 relevant to the site assessed.

We rely on information provided to us by clients and agents on behalf of clients. The assessment provided in this report relates only to the subject proposal/land/property, which has been identified in this report.

It is outside the scope of our accreditation to provide performance solutions. Bushfire Tasmania can provide performance solutions only with the advice and approval of the Tasmania Fire Service.

The purpose of recommendations contained in this report are to deliver clarity of circumstances relating to potential bushfire hazard(s). In addition, they are designed to assist in developing mitigation measures and on-going management of the site and surrounding area to provide a tolerable level of risk in accordance with all relevant standards. Any proposed future building(s) or changes in vegetation that may impact this site from a bushfire hazard perspective have not been considered in this report. No responsibility is taken for any loss as a result of actions taken which may be contrary to AS3959 2018 or the Directors Determinations. All findings and conclusions in this report are based on these.

Of particular note and importance from AS3959:

This standard is primarily concerned with improving the ability of buildings in designated bushfire-prone areas to better withstand attack from bushfire thus giving a measure or protection to the building occupants (until the fire front passes) as well to the building itself.

Improving the design and construction of buildings to minimize damage from the effects of bushfire is but one of several measures available to property owners and occupiers to address damage during bushfire. Property owners should be aware that this Standard is part of a process that aims to lessen the risk of damage to buildings occurring in the event of the onslaught of bushfire. Other measures of mitigating damage from bushfire fall within the areas of planning, subdivision, siting, building design, landscaping and maintenance.

Furthermore, compliance with AS3959 does not guarantee that no loss will occur to life or property as a result of bushfire, as stated in AS3959:

It should be borne in mind that the measures contained in this Standard cannot guarantee that a building will survive a bushfire event on every occasion. This is substantially due to the degree of vegetation management, the unpredictable nature and behaviour of fire, and extreme weather conditions.

The survivability of buildings is also dependent on a combination of measures such as landscaping, water supplies, access, building design and maintenance. Care should also be exercised when siting and designing for these measures when constructing a building under this Standard.

Monitoring current TFS advice is imperative and landowners should be aware in Catastrophic Fire Danger Rating conditions, even very well-prepared buildings may not be safe. Residents in bushland areas should not plan to defend any building, regardless of any preparations they have made.

It is the intention that based on the implementation of sound bushfire prevention measures in conjunction with on-going maintenance and keeping informed of possible fire threats that loss of property and/or life may be reduced.

If your property is within a bushfire prone area or if likely to be impacted by bushfire in some way, it is highly recommended that property owners/managers develop and implement a bushfire survival plan. This should address all aspects of bushfire safety and bushfire prevention measures applicable to the property. In addition, an evacuation plan should be developed and rehearsed to ensure occupants can realistically enforce it should the need arise. Please refer to the TFS Bushfire Emergency Planning Guidelines V2.0 2017 as a reference to better plan evacuation procedures as part of any bushfire survival plan and listen to ABC local radio for updates in the event of a fire in your area.

10. Recommendations

Hazard Management Areas

There is a requirement for the proposed BA's on all lots to achieve the minimum BAL-19 rating in line with E1.6.1 A1(b) of Planning Directive No. 5.1 Bushfire Prone Areas Code 2017.

- New buildings constructed within proposed the BA's on all lots will comply with requirements for a BAL-12.5 compliant building solution and will be approved at the time of subdivision. HMA's are required with separation distances from BA's of:
 - Lot 1 - 14m on the north western, south western and south eastern aspects as well as 16m on the north eastern aspect.
 - Lot 2 - 14m on the western and southern aspects as well as 16m on the northern and eastern aspects.
 - Lot 3 - 14m on all aspects.
- For HMA's on all lots, compliance can be achieved by the mowing and ongoing maintenance of grassland on the subject property. Grass should be mowed to a nominal height of 100mm or less as per Clause 2.2.3.2 (f) of AS3959 2018.

Future plantings/landscaping within HMA's on all lots:

New vegetation may be planted within the HMA but must satisfy low threat conditions.

New shrubs up to 2m in height can be planted either individually or in single rows but must be spaced with a minimum 4m between foliage and should not be within 4m of any dwelling (or class 10a building within 6m of a habitable residence).

New vegetation <1m in height may be planted not closer than 3m from buildings.

Large plants 4m or more in height can be planted but low and mid-level growth up to 2m in height to be trimmed and maintained over time with a minimum spacing between crowns of 15m.

New vegetation 2m or more in height should not be planted within 6m of any proposed dwelling or class 10a building within 6m of a habitable residence.

All new vegetation 1-4m in height should be spaced from large vegetation (>4m) at least 8m from tree trunk.

Firewood should be appropriately contained away from dwellings and plant debris should be removed.

Future plantings must take into account the requirement to maintain the HMA's as low threat and in line with this report and Clause 2.2.3.2 (d)(e)(f) AS3959 2018.

- HMA's and site access to BA's on all lots should be installed and compliant prior to the sealing of titles.

Site Access

Proposed BA's have varying setbacks from road boundary. As such:

- Lot 1 must comply with E1.6.2 A1(b) Table E2(B) of Planning Directive No. 5.1 2017 as driveway will >30m and <200m in length and will provide access to a static firefighting water supply.
- Lot 2 will comply with E1.6.2 A1(b) Table E2(A) of Planning Directive No. 5.1 2017 if driveway is <30m and/or <30m to a static firefighting water supply, and the water supply is within 90m of the furthest part of a dwelling as a hose lay. However, if driveway is >30m and <200m in length and will provide access to a static firefighting water supply, it must comply with E1.6.2 A1(b) Table E2(B) of Planning Directive No. 5.1 2017.
- Lot 3 must comply with E1.6.2 A1(b) Table E2(B) of Planning Directive No. 5.1 2017 if driveway is >30m and <200m in length and provides access to a static firefighting water supply.
If driveway is >200m in length and provides access to a static firefighting water supply, it must comply with E1.6.2 A1(b) Table E2(C) of Planning Directive No. 5.1 2017.

Firefighting Water Supply

- All lots must install a static water supply point. This is to be in accordance with E1.6.3 A2(b) Table E5 of Planning Directive No. 5.1 Bushfire Prone Areas Code 2017.
- As a mains water supply is available at the road frontage, there is the possibility that fire hydrants could be installed to provide the firefighting water supply points. If mains fire hydrants are installed, they must be in line with E1.6.3 A1(b) Table E4(B).

General

- We recommend future owner(s) of any lot be issued with a copy of the bushfire hazard management plan and this report for future planning and reference.

11. Conclusion

The proposal is for a 3 lot subdivision at 1160 Ellendale Road, Ellendale (C.T 174156/1). Lot 1 will be 1.368 hectares in size, lot 2 1.169 hectares and Lot 3 2.271 hectares. The bushfire prone vegetation of greatest threat is G. Grassland on all aspects.

It is the conclusion of this bushfire hazard assessment report that if all findings and recommendations contained within this report and BHMP are implemented and maintained, the proposal will comply with all DtS requirements as well as Central Highlands Interim Planning Scheme 2015 E11.8.1 P1(b)(ii).

Building areas on all lots are approved at the time of subdivision and will comply with BAL-12.5 requirements in accordance with E1.6.1 A1(b) of Planning Directive No. 5.1 Bushfire Prone Areas Code 2017.

The site has been assessed in accordance with Planning Directive No. 5.1 Bushfire Prone Areas Code September 1 2017 and Australian Standard 3959 – *Construction of Buildings in Bushfire Prone Areas 2018* (incorporating Amendments 1 & 2).



Samuel Walters B.Agr Sc.; BFP-130 (1, 2, 3A, 3B)
Bushfire Tasmania

12. References

- AS3959-2018 Construction of buildings in bushfire prone areas, Standards Australia, Sydney (incorporating Amendments 1 & 2).
- Wiltshire,R and Jordan,G. *Treeflip*, School of Plant Science, University of Tasmania, 2009.
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- Planning Directive No.5.1 Bushfire-Prone Areas Code – September 1 2017.
- Tasmania Building Act 2016.
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- From Forest to Fjaeldmark, *Descriptions of Tasmania's Vegetation*. Department of Primary Industries, Water and Environment, 2005.
- Central Highlands Interim Planning Scheme 2015.
- www.thelist.tas.gov.au
- Chladil, M and Sheridan, J. *Fire Resisting Garden Plants for the urban fringe and rural areas*. Tasmania Fire Service, 2017.
- TasVeg3.0 Tasmanian Vegetation Monitoring and Mapping Program, Biodiversity Conservation Branch, DPIPWE, 2013.
- Bushfire Planning Group, *Guidelines for Development in Bushfire Prone Areas of Tasmania*, Tasmania Fire Service, Hobart, 2005.
- www.fire.tas.gov.au
- TFS *Bushfire Emergency Planning Guidelines* Version 2.0, November 2017. Tasmania Fire Service.
- TFS *Building for Bushfire booklet*, Tasmania Fire Service, June 2020.
- TFS *Water Supply Signage Guideline* Version 1.0, Tasmania Fire Service, February 2017.
- TFS *Firefighting Water Supplies booklet*, Tasmania Fire Service.

Appendix A – Site Photographs

Photograph 1 – Looking south from southern boundary of lot 2, approximately 40m in from Ellendale Road. Buildings are on 1144 Ellendale Road.



Photograph 2 – Looking east from same location as photo 1 along southern fence of lot 2.



Photograph 3 – Looking north east over proposal from south western corner of lot 2 (near existing gate and gravel entrance).



Photograph 4 – Looking north over proposal from same location as photo 3. Ellendale Road can be seen on the left.



Photograph 5 – Looking north up Ellendale Road from outside existing gate and entrance to the site.



Photograph 6 – Looking north west from same location as photo 5.



Photograph 7 – Looking south west from same location as photo 6. Dwelling is on 1145 Ellendale Road.



Photograph 8 – Looking south from same location as photo 7. 1145 Ellendale Road on the right and 1140/1150 Ellendale Road on the left.



Photograph 9 – Looking east toward existing site entrance from Ellendale Road.



**Photograph 10 – Looking north west from northern boundary of lot 1 along Montos Creek.
Adjoining property is 1188 Ellendale Road.**



Photograph 11 – Looking north east from same location as photo 10.



Photograph 12 – Looking north from northern boundary of lot 1. House in middle is 1204 Ellendale Road.



Photograph 13 – Looking east from eastern most boundary of lot 1. Adjoining property over Montos Creek is C.T 244823/1.



Photograph 14 – Looking east along northern boundary of lot 3. Montos Creek riparian strip over fence. Lot 3 on right hand side.



Photograph 15 – Looking south east from same location as photo 14 across lot 3.



Photograph 16 – Looking south from northern boundary of lot 3. Buildings on right are 1144 Ellendale Road.



Photograph 17 – Looking east from building area on lot 3.



Photograph 18 – Looking east from eastern most point of lot 3. Beyond riparian strip of Jones River is paddock grassland.



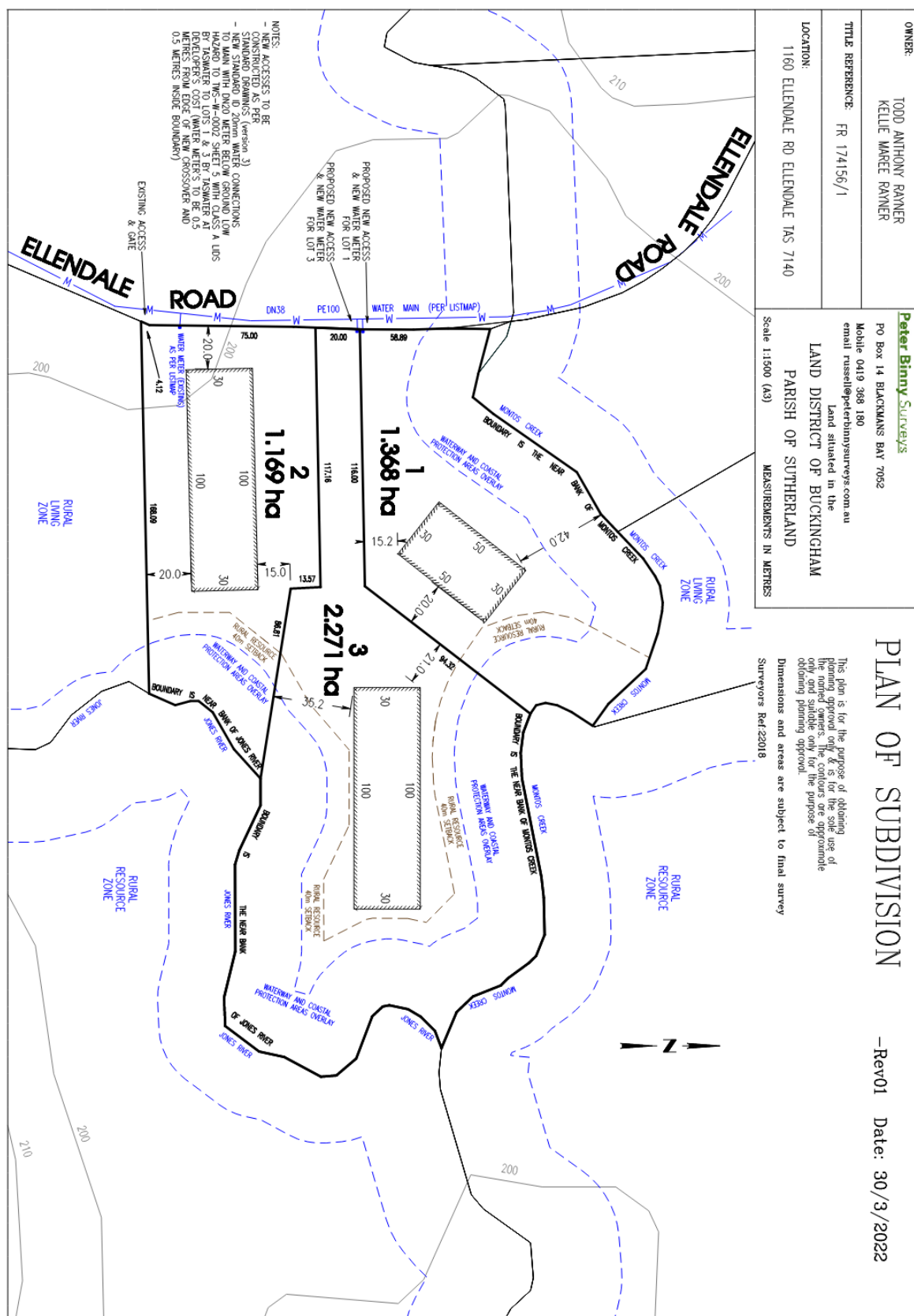
Photograph 19 – Looking south from southern boundary of lot 3 over grassland on 1084 Ellendale Road. Forest beyond, >100m from the proposal.



Photograph 20 – Looking west along southern boundary of lot 3. 1084 Ellendale Road on left, lot 3 on right and riparian strip of Jones River in middle.

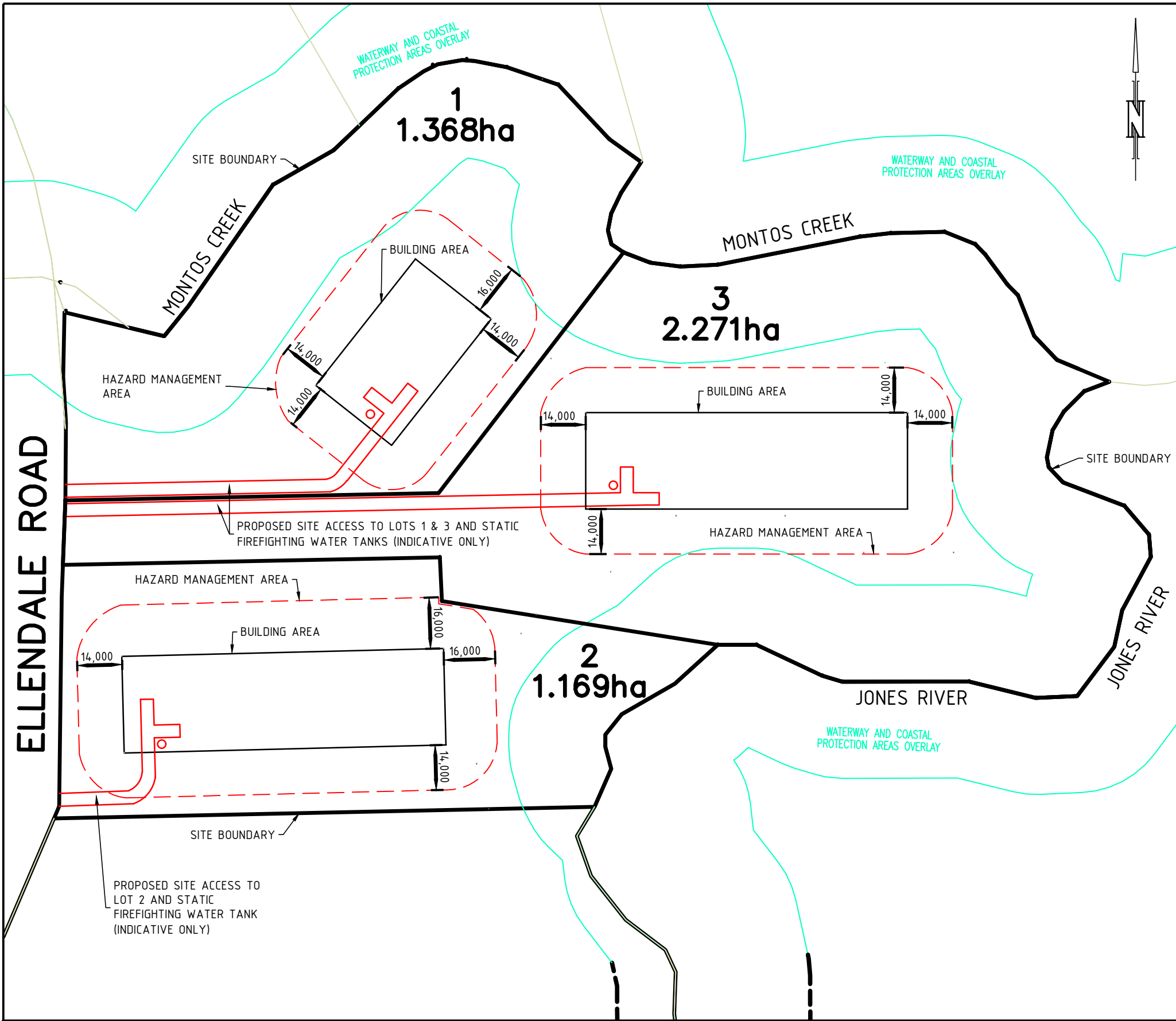


Appendix B – Subdivision Plans



Appendix C – Bushfire Hazard Management Plan

See attached



VEGETATION MANAGEMENT:
IN ACCORDANCE WITH TABLE 2.6 IN AS3959, 2018 AND E1.6.1 A1(B) OF PLANNING DIRECTIVE 5.1 BUSHFIRE-PRONE AREAS CODE 2017.

- LOT 1 - FROM PROPOSED BUILDING AREA, SEPARATION DISTANCES ARE 14m ON THE NW, SW AND SE ASPECTS AND 16m ON THE NE ASPECT. PROVIDES BAL-12.5 COMPLIANCE FOR THE BUILDING AREA.
- LOT 2 - FROM PROPOSED BUILDING AREA, SEPARATION DISTANCES ARE 14m ON THE W AND S ASPECTS AND 16m ON THE N AND E ASPECTS. PROVIDES BAL-12.5 COMPLIANCE FOR THE BUILDING AREA.
- LOT 3 - FROM PROPOSED BUILDING AREA, SEPARATION DISTANCES ARE 14m ON ALL ASPECTS. PROVIDES BAL-12.5 COMPLIANCE FOR THE BUILDING AREA.

ALL LOTS:
TO SATISFY HMA VEGETATION REQUIREMENTS, GRASS MUST BE REGULARLY MOWN TO A NOMINAL 100mm OR LESS HEIGHT AS PER AS3959 2018 CLAUSE 2.2.3.2(F).

GENERAL VEGETATION MANAGEMENT INFORMATION:
NEW VEGETATION MAY BE PLANTED WITHIN THE HMA BUT MUST SATISFY LOW THREAT CONDITIONS IN ACCORDANCE WITH AS3959 2018 CLAUSE 2.2.3.2(D)(E)(F).
NEW SHRUBS UP TO 2m IN HEIGHT CAN BE PLANTED EITHER INDIVIDUALLY OR IN SINGLE ROWS BUT MUST BE SPACED WITH A MINIMUM 4m BETWEEN FOLIAGE AND SHOULD NOT BE WITHIN 4m OF ANY DWELLING.
NEW VEGETATION <1m IN HEIGHT MAY BE PLANTED NOT CLOSER THAN 3m FROM BUILDINGS.
LARGE PLANTS 4m OR MORE IN HEIGHT CAN BE PLANTED BUT LOW AND MID-LEVEL GROWTH UP TO 2m IN HEIGHT TO BE TRIMMED AND MAINTAINED OVER TIME WITH A MINIMUM SPACING BETWEEN CROWNS OF 15m. NEW VEGETATION 2m OR MORE IN HEIGHT SHOULD NOT BE PLANTED WITHIN 6m OF ANY DWELLING OR ANY CLASS 10A SHED WITHIN 6m OF A HABITABLE DWELLING.
ALL NEW VEGETATION 1-4m IN HEIGHT SHOULD BE SPACED FROM LARGE VEGETATION (>4m) AT LEAST 8m FROM TREE TRUNK.

SITE ACCESS:
LOT 1 PROPOSED DRIVEWAY:

- ANY DRIVEWAY WILL BE >30m & <200m AND WILL PROVIDE ACCESS TO A STATIC FIREFIGHTING WATER SUPPLY. IT MUST COMPLY WITH E1.6.2 A1(B) TABLE E2(B) OF PLANNING DIRECTIVE NO. 5.1 2017.

LOT 2 PROPOSED DRIVEWAY:

- IF DRIVEWAY IS <30m AND/OR <30m TO A STATIC FIREFIGHTING WATER SUPPLY, AND THE WATER SUPPLY IS WITHIN 90m OF THE FURTHEST PART OF A DWELLING AS A HOSE LAY, IT WILL BE DEEMED TO COMPLY WITH E1.6.2 A1(B) TABLE E2(A) OF PLANNING DIRECTIVE NO. 5.1 2017.
- IF DRIVEWAY IS >30m & <200m AND PROVIDES ACCESS TO STATIC FIREFIGHTING WATER SUPPLY, IT MUST COMPLY WITH E1.6.2 A1(B) TABLE E2(B) OF PLANNING DIRECTIVE NO. 5.1 2017.

LOT 3 PROPOSED DRIVEWAY:


- IF DRIVEWAY IS >30m & <200m AND PROVIDES ACCESS TO STATIC FIREFIGHTING WATER SUPPLY, IT MUST COMPLY WITH E1.6.2 A1(B) TABLE E2(B) OF PLANNING DIRECTIVE NO. 5.1 2017.
- IF DRIVEWAY IS >200m AND PROVIDES ACCESS TO STATIC FIREFIGHTING WATER SUPPLY, IT MUST COMPLY WITH E1.6.2 A1(B) TABLE E2(C) OF PLANNING DIRECTIVE NO. 5.1 2017.

WATER SUPPLY:
ALL LOTS:
ANY FUTURE HABITABLE BUILDING MUST INSTALL A STATIC WATER SUPPLY POINT IN ACCORDANCE WITH E1.6.3 A2(B) TABLE E5 OF PLANNING DIRECTIVE NO. 5.1 2017.
THIS INVOLVES A MINIMUM 10,000L WATER TANK PER HABITABLE BUILDING, LOCATED WITHIN 3m OF A HARDSTAND. THE HARDSTAND MUST BE AT LEAST 3m WIDE, MADE OF THE SAME MATERIAL AND CONSTRUCTION AS THE DRIVEWAY AND BE AT LEAST 6m FROM THE DWELLING(S). THE TANK SHOULD BE NON-COMBUSTIBLE BUT IF IT CAN BE SHOWN THAT THE TANK IS SHIELDED FROM BUSHFIRE PRONE VEGETATION IN ACCORDANCE WITH SECTION 3.5 OF AS3959 2018, IT MAY BE POLY WITH THE BOTTOM 400mm ABOVE GROUND NON-COMBUSTIBLE.
IF THE INTENTION IS TO UTILISE THE MAINS WATER CONNECTION AND INSTALL A FIRE HYDRANT, IT MUST BE IN ACCORDANCE WITH E1.6.3 A1(B) TABLE E4(B) OF PLANNING DIRECTIVE NO. 5.1 2017

RECOMMENDATIONS:
MINIMUM SEPARATION DISTANCES ON ALL LOTS ARE TO BE MAINTAINED AS LOW THREAT AND IN ACCORDANCE WITH CLAUSES 2.2.3.2(d)(e)(f) OF AS3959 2018 AND BUSHFIRE HAZARD ASSESSMENT REPORT.
THE HMA AND SITE ACCESS TO THE BUILDING AREA ON ALL LOTS SHOULD BE IN PLACE PRIOR TO SEALING OF TITLES.
CURRENT AND FUTURE OWNERS OF EITHER LOT SHOULD RECEIVE A COPY OF THIS BHMP.
WE RECOMMEND USE OF LOW FLAMMABILITY PLANTS. EXAMPLES IN THE TASMANIA FIRE SERVICE BOOKLET FIRE RESISTING GARDEN PLANTS FOR THE URBAN FRINGE AND RURAL AREAS, 2017.
CONSTRUCTIONS REQUIREMENTS FOR ANY PROPOSED CLASS 1A DWELLING OR CLASS 10A SHED WITHIN 6m OF A HABITABLE BUILDING WITHIN THE BUILDING AREA ON ALL LOTS MUST COMPLY WITH CONSTRUCTION STANDARDS AS DETAILED BY AS3959, 2018 SECTIONS 3 AND 5 SPECIFICALLY CLAUSES 5.2 TO 5.8 FOR BAL-12.5.

BUSHFIRE HAZARD MANAGEMENT PLAN

SCALE 1:1500

		 <div>21 Dysart Street Clifton Beach 0438 559 371 sam@bushfiretasmania.com.au</div>	CLIENT: MACLEOD	SHEET: BUSHFIRE HAZARD MANAGEMENT PLAN	DRAWN: SW		APPROVED: SW BFP-130		
			ADDRESS: 1160 ELLENDALE ROAD ELLENDALE	PROJECT: PROPOSED 3 LOT SUBDIVISION	SCALE: 1:1500	SIZE: A3	DATE: 19/04/2022		
				ISSUE: PLANNING APPROVAL	PROJECT No. M22-2		SHEET No.	REV No.	
A	PLANNING APPROVAL		19/04/2022						A
REV.	DESCRIPTION		DATE						

BUSHFIRE-PRONE AREAS CODE

CERTIFICATE¹ UNDER S51(2)(d) *LAND USE PLANNING AND APPROVALS ACT 1993*

1. Land to which certificate applies

The subject site includes property that is proposed for use and development and includes all properties upon which works are proposed for bushfire protection purposes.

Street address:

1160 Ellendale Road, Ellendale

Certificate of Title / PID:

C.T. 174156/1

2. Proposed Use or Development

Description of proposed Use and Development:

3 Lot Subdivision

Applicable Planning Scheme:

Central Highlands Interim Planning Scheme 2015

3. Documents relied upon

This certificate relates to the following documents:

Title	Author	Date	Version
Bushfire Hazard Assessment Report for 3 Lot subdivision at 1160 Ellendale Road, Ellendale, report code M22-2	Samuel Walters Bushfire Tasmania BFP-130	April 2022	1.0
Bushfire Hazard Management Plan for 1160 Ellendale Road, Ellendale dated 19/04/2022, code M22-2	Samuel Walters Bushfire Tasmania BFP-130	19/04/2022	Rev A
Plan of Subdivision for 1160 Ellendale Road, Ellendale	Peter Binny Surveys	30/03/2022	Rev 01

¹ This document is the approved form of certification for this purpose and must not be altered from its original form.

4. Nature of Certificate

The following requirements are applicable to the proposed use and development:

<input type="checkbox"/>	E1.4 / C13.4 – Use or development exempt from this Code	
	Compliance test	Compliance Requirement
<input type="checkbox"/>	E1.4(a) / C13.4.1(a)	Insufficient increase in risk

<input type="checkbox"/>	E1.5.1 / C13.5.1 – Vulnerable Uses	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.5.1 P1 / C13.5.1 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.5.1 A2 / C13.5.1 A2	Emergency management strategy
<input type="checkbox"/>	E1.5.1 A3 / C13.5.1 A2	Bushfire hazard management plan

<input type="checkbox"/>	E1.5.2 / C13.5.2 – Hazardous Uses	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.5.2 P1 / C13.5.2 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.5.2 A2 / C13.5.2 A2	Emergency management strategy
<input type="checkbox"/>	E1.5.2 A3 / C13.5.2 A3	Bushfire hazard management plan

<input checked="" type="checkbox"/>	E1.6.1 / C13.6.1 Subdivision: Provision of hazard management areas	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.6.1 P1 / C13.6.1 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.6.1 A1 (a) / C13.6.1 A1(a)	Insufficient increase in risk
<input checked="" type="checkbox"/>	E1.6.1 A1 (b) / C13.6.1 A1(b)	Provides BAL-19 for all lots (including any lot designated as 'balance')
<input type="checkbox"/>	E1.6.1 A1(c) / C13.6.1 A1(c)	Consent for Part 5 Agreement

<input checked="" type="checkbox"/>	E1.6.2 / C13.6.2 Subdivision: Public and fire fighting access	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.6.2 P1 / C13.6.2 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.6.2 A1 (a) / C13.6.2 A1 (a)	Insufficient increase in risk
<input checked="" type="checkbox"/>	<u>E1.6.2 A1 (b)</u> / C13.6.2 A1 (b)	Access complies with relevant Tables

<input checked="" type="checkbox"/>	E1.6.3 / C13.1.6.3 Subdivision: Provision of water supply for fire fighting purposes	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.6.3 A1 (a) / C13.6.3 A1 (a)	Insufficient increase in risk
<input type="checkbox"/>	E1.6.3 A1 (b) / C13.6.3 A1 (b)	Reticulated water supply complies with relevant Table
<input type="checkbox"/>	E1.6.3 A1 (c) / C13.6.3 A1 (c)	Water supply consistent with the objective
<input type="checkbox"/>	E1.6.3 A2 (a) / C13.6.3 A2 (a)	Insufficient increase in risk
<input checked="" type="checkbox"/>	<u>E1.6.3 A2 (b)</u> / C13.6.3 A2 (b)	Static water supply complies with relevant Table
<input type="checkbox"/>	E1.6.3 A2 (c) / C13.6.3 A2 (c)	Static water supply consistent with the objective

5. Bushfire Hazard Practitioner

Name: Samuel Walters

Phone No: 0438 559 371

Postal Address: 21 Dysart Street
Clifton Beach
TAS 7020

Email Address: sam@bushfiretasmania.com.au

Accreditation No: BFP – 130

Scope: 3B

6. Certification

I certify that in accordance with the authority given under Part 4A of the *Fire Service Act 1979* that the proposed use and development:

- ☐ Is exempt from the requirement Bushfire-Prone Areas Code because, having regard to the objective of all applicable standards in the Code, there is considered to be an insufficient increase in risk to the use or development from bushfire to warrant any specific bushfire protection measures, or
- ☒ The Bushfire Hazard Management Plan/s identified in Section 3 of this certificate is/are in accordance with the Chief Officer's requirements and compliant with the relevant **Acceptable Solutions** identified in Section 4 of this Certificate.

Signed:
certifier



Name: Samuel Walters

Date: 19/04/2022

Certificate
Number: M22-2 001

(for Practitioner Use only)

Submission to Planning Authority Notice

Council Planning Permit No.	DA 2022/32	Council notice date	21/04/2022
TasWater details			
TasWater Reference No.	TWDA 2022/00575-CHL	Date of response	09/06/2022
TasWater Contact	Ahmad Khateib	Phone No.	0476 184 094
Response issued to			
Council name	CENTRAL HIGHLANDS COUNCIL		
Contact details	kbradburn@centralhighlands.tas.gov.au		
Development details			
Address	1160 ELLENDALE RD, ELLENDALE	Property ID (PID)	3550286
Description of development	Subdivision - 3 Lot		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Peter Binny Surveys	Plan of Subdivision	Rev01	30/03/2022
JMG Engineers	Hydraulic Model	--	08/06/2022
Conditions			
<p>SUBMISSION TO PLANNING AUTHORITY NOTICE OF PLANNING APPLICATION REFERRAL</p> <p>Pursuant to the <i>Water and Sewerage Industry Act 2008</i> (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p>CONNECTIONS, METERING & BACKFLOW</p> <ol style="list-style-type: none"> 1. A suitably sized water supply with metered connections to each lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. 2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. 3. Prior to commencing construction of the subdivision/use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater. <p>FINAL PLANS</p> <ol style="list-style-type: none"> 4. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater as evidence of compliance with these conditions when application for sealing is made. <i>Advice: Council will refer the Final Plan of Survey to TasWater requesting Consent to Register a Legal Document be issued directly to them on behalf of the applicant.</i> 			

DEVELOPMENT ASSESSMENT FEES

5. The applicant or landowner as the case may be, must pay a development assessment fee of \$363.57 and a Consent to Register a Legal Document fee of \$154.42 to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date paid to TasWater.

The payment is required within 30 days of the issue of an invoice by TasWater.

Advice

General

For information on TasWater development standards, please visit <https://www.taswater.com.au/building-and-development/technical-standards>

For application forms please visit <https://www.taswater.com.au/building-and-development/development-application-form>

Service Locations

Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure.

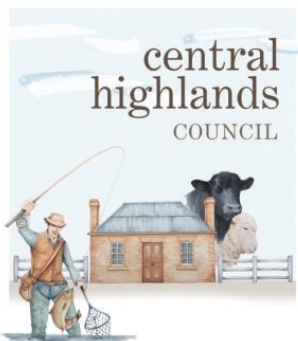
- (a) A permit is required to work within TasWater's easements or in the vicinity of its infrastructure.
Further information can be obtained from TasWater
- (b) TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit www.taswater.com.au/Development/Service-location for a list of companies
- (c) TasWater will locate residential water stop taps free of charge
- (d) Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.

Declaration

The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.

TasWater Contact Details

Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au



DRAFT PROJECT BRIEF

CENTRAL HIGHLANDS TOWNSHIP STRUCTURE PLANS

BOTHWELL

HOUSE

HAMILTON

GRETNNA

MIENA

Prepared by Damian Mackey

Draft 4 – 6 July 2022

1. INTRODUCTION:

The Central Highlands Council intends to undertake a single coordinated project over two financial years to develop structure plans for the townships of Bothwell, Ouse, Hamilton, Gretna, and Miena.

The work will involve an initial collective analysis of all relevant background information, including developing a municipal-wide residential demand & supply analysis. This will inform revised growth management strategies for the individual settlements, within the context of the expected revision of relevant components of the Southern Tasmania Regional Land Use Strategy, (STRLUS).

This, along with an initial public consultation phase involving the individual communities to identify issue and opportunities, will constitute Part 1 of the project and is expected to be completed in the first financial year.

Part 2 of the project, to be undertaken and completed in the second financial year, will involve the drafting of the structure plans, public consultation, and finalisation.

The individual structure plans will take into account the characteristics and issues of the particular townships, with full community and stakeholder consultation.

The plans will take the form of written documents that will include detailed maps and design plans with measures to be actioned and implemented as demand increases and funding is available.

The recommendations are to constitute a coherent set of coordinated actions and strategies for Central Highlands Council and other stakeholders to pursue. All recommendations are to be realistic, implementable, and achievable and meet the needs of key stakeholders and the community.

Recommendations of particular interest to Council will include desirable planning scheme amendments (with articulated supporting material), town improvement priorities and community goals.

The project will be managed by a Project Manager under general guidance and direction from a Project Steering Committee comprised of Council Officers and Elected Members. Key decision points will be referred to full Council by the Steering Committee.

2. BACKGROUND:

2.1 Catalyst for the Project

Feedback received during the recent public notification of the Central Highlands Draft Local Provisions Schedule brought into focus a need to undertake strategic land use planning exercises for the townships of the municipality, with several of the representations raising potential rezoning issues.

In considering Bothwell and Ouse representations, Council noted the following:

Council intends to pursue a structure plan for Bothwell once the LPS work is completed, potentially with financial support from the State Government. This should follow completion of the Local Provisions Schedule development process and is to set out the preferred future development of the town and any subsequent zoning changes that ought to be made.

and

A structure plan for the township of Ouse, with input from the local community should be developed. This should follow completion of the Local Provisions Schedule development process and is to set out the preferred future development of the town and any subsequent zoning changes that ought to be made.

The public exhibition of the Draft Local Provisions Schedule included planning scheme zone maps. However, the zoning of the municipality's townships had been directed by the State to simply be a direct transition from the current planning scheme zones. In other words, no fundamental zone changes were able to be considered. Nevertheless, members of the community lodged representations requesting such changes.

In addition to the matters raised in the representations, Council has been aware of a number of other zoning issues in and around the towns for some time. It has been decades since whole-of-town future-looking strategic planning exercises have been undertaken for the towns in the municipality.

It is now standard practice for the Tasmanian Planning Commission to require that proposed planning scheme amendments within towns are supported by wholistic strategic planning: 'structure plans'.

Finally, whilst no representations were received regarding zone changes in Hamilton, Miena and Gretna, Council believes that those towns would also benefit from a strategic planning process.

2.2 Existing Documents

- *Southern Tasmania Regional Land Use Strategy 2010-2035*. This major statutory instrument is now significantly out-of-date, having been largely based on the 2006 census data and prepared prior to the housing boom and subsequent shortage of the land three years. Key aspects are about to be reviewed, including those components relevant to outlying township such as those in Central Highlands.
- *Joint Land Use Planning Initiative- Settlement and Open Space Strategy*, July 2010. This sub-regional strategic work spanned four municipal areas; Central Highlands, Southern Midlands, Derwent Valley and Brighton.
- *Central Highlands Strategic Plan*.
- *Central Highlands Interim Planning Scheme 2015*.
- *Central Highlands Draft Local Provisions Schedule* and the State Planning Provisions.
- ...
- ...

3. OBJECTIVES & ISSUES

3.1 Project Outputs

- The final structure plans will set out an agreed vision for each town. Desirable zone changes will be highlighted and the strategic planning rationale underpinning these changes explained.
- The process of developing the structure plans is to fully involve the local communities, ensuring that the recommendations reflect agreed visions for each town and instilling a sense of shared community purpose and action.
- Recommendations will also relate to community infrastructure and/or facilities that may be missing or inadequate and where there is a demonstrated need. Where such facilities are within Council's purview, these recommendations can inform Council's future works program and budgeting and/or support grant applications to State or Federal Government. Where such facilities are State-level responsibilities, then the structure plan can be used to form the basis of Council's lobbying efforts.

3.2 Project Objectives

- Growth of population through greater retention of existing population and encouragement of new residents.
- Support for local business and service providers through improved town amenity, greater visitor numbers, residential and business growth.
- Greater visitor numbers stopping in the towns and staying for longer.
- Maximise the use of space and linkages between key areas, including safe and efficient traffic management for major roads passing through the towns.
- Alignment of future growth with current state and regional strategies where necessary.
- Attraction of further investment and funding for infrastructure, including for water, sewer, power and roads.
- Identification and recommendations for the reinforcement of each town's unique points of difference.

It is expected that other relevant issues will be raised through the community and stakeholder consultation process.

3.3 Issues to be Addressed – Bothwell potentially include but are not limited to:

- Capacity of the town's water and sewer services.
- Potential reinstatement of Village Zone area along northern boundary of town (removed in the 2015 scheme) for which a live subdivision approval exists.
- Increasing town capacity through potential rezoning of existing serviced Low Density Residential land to Village.
- Increasing town capacity through potential rezoning of existing Rural Living land to smaller lot size and/or Low Density Residential.
- Increasing town capacity through potential rezoning of existing rural living use lots, that effectively form part of the town, from Rural/Agriculture to Rural Living Zone.
- Strengthening the town's visitor potential as the gateway to the Highlands Lakes' fishing, bushwalking and hunting areas, and the birthplace of golf in Australia.
- Improving pedestrian/cycle linkages within the town between the town's facilities, attractions and open space areas.
- Improving linkages to key adjacent visitor attractions such as Ratho and Nant.

- Improving safety at the main junction in the town (Highlands Lakes Road / William Street, Market Place / Queen Street).
- ...
- ...

3.4 Issues to be Addressed – Ouse potentially include but are not limited to:

- Capacity of the town’s water and sewer services.
- Potential rezoning of former Education Department land next to school from Rural/Agriculture to Village.
- The apparent lack of vacant lots in the town and potential town expansion areas (i.e. potential extension of the Village Zone).
- Strengthening the town’s visitor potential as the gateway to the ‘western wilds’ fishing and bushwalking areas.
- Improving pedestrian/cycle linkages between the town’s facilities, attractions and open space areas, including the Hamilton Showgrounds 1 km west of the town.
- Pedestrian safety across the Lyell Highway.
- ...

3.5 Issues to be Addressed – Hamilton potentially include but are not limited to:

- Capacity of the town’s water and sewer services.
- Potential relocation of the town’s sewerage treatment facility, which is currently too close to the town.
- Appropriate zoning of the existing small lots south and east of the town currently zoned Rural.
- Improving pedestrian/cycle linkages between the town’s facilities, attractions and open space areas, including Department of Health and Human Services facilities.
- Strengthening the town’s visitor potential as a beautifully preserved Georgian sandstone village.
- Pedestrian safety across the Lyell Highway.
- ...
- ...

3.6 Issues to be Addressed – Gretna potentially include but are not limited to:

- Capacity of the town's water services.
- Potential expansion of the Rural Living Zone, taking advantage of exiting patterns of development and relative proximity to Greater Hobart.
- Future road layout plan
- Appropriate zoning of the existing small rural living use lots west of the town currently zoned Rural.
- Pedestrian safety across the Lyell Highway.
- Improving pedestrian/cycle linkages between the town's facilities and open space areas, including the war memorial.
- ...
- ...

3.7 Issues to be Addressed – Miena potentially include but are not limited to:

- The appropriate spatial allocation and zoning of the heart of the town, currently Local Business. Alternatives include Village Zone and/or the Community Purpose and Recreation Zones.
- Strengthening the town's visitor potential as the heart of the Highlands Lakes' fishing and bushwalking areas.
- Examining the relationship with, and linkages to, the business hub to the north at the junction of Highland Lakes Road and Marlborough Road.
- Assessing the supply of Low Density Residential land in the vicinity.
- Improving pedestrian/cycle linkages between the town's facilities, attractions and open space areas, including to/from the mooted Great Lake circuit.
- ...
- ...

4. PROJECT BRIEF

4.1 General

The focus of the project is for the Consultant to prepare and finalise the initial collective analysis, including the municipal-wide residential demand analysis and revised growth management strategies for the individual settlements, and then to progress with the individual structure plans over the course of two financial years.

The structure plans will take the form of a written document that will include detailed maps and design plans to be adopted and implemented as demand increase and funding is available.

The Consultant will work under the broad direction of the Steering Committee and in regular consultation with the Project Manager.

Initiatives identified and recommended in the structure plans have a far greater chance of succeeding where they are supported by the community and form a part of a bigger strategic viewpoint.

4.2 Response to Project Brief

In their response to the Project Brief, potential consultants are to provide a costed and itemised project plan. Council is flexible in terms of how the project may unfold and is willing to consider alternative suggestions. The following outline is provided as a guide:

PART 1

To be completed in the first year of the project.

Stage 1 Background and data gathering/understanding scope/needs

- Provide a draft snapshot of Central Highlands generally and the five townships in particular. This would include population data, business data, trends and strategic direction (from the Strategic Plan, Planning Scheme, Southern Tasmanian Regional Land Use Strategy, Joint Land Use Planning Initiative, etc):
 - Gather further background information to gain a full understanding of the issues and context, as agreed with the Steering Committee.
 - Undertake a needs analysis and scrutiny of the project objectives and issues.

Stage 2 Residential demand and supply analysis across the municipality and revised draft growth management strategies for the individual settlements.

- In concert with the expected revision of relevant components of the Southern Tasmania Regional Land Use Strategy.
- This will form the first major deliverable of the project.
- The development of each of the five structure plans will follow their own pathway following this point.

Stage 3 First Round of Public Consultation (Repeated for each town)

- Undertake Public and Stakeholder Consultation
 - Develop an agreed methodology for the initial consultation. It is envisaged this will include a community township workshop, involving SWOT analysis, vision-forming, etc.
 - Provide timeframes for consultation
 - Provide objectives for consultation
 - Identify/confirm the drivers for change (i.e. the catalysts for the Project).
 - Compile and consider the feedback and direction of the Structure Plan with the Steering Committee.

Stage 4 Part 1 Report

- Compile the outcomes of the above into a Part 1 Report.
- In addition to the learnings and from the first three stages, the report will include specific recommendations regarding the structure planning work for the five townships.
- Part 2, the structure planning process, will be informed by this work, including whether any settlements need a full structure plan or if something less would suffice.
- The consultants will liaise with the Steering Committee in drafting the report, and the Steering Committee will refer it to full Council for endorsement before Part 2 of the project commences.

PART 2

To be completed in the second year of the project.

Stage 5 Draft Structure Plan Document (For each town)

- Prepare draft Structure Plan for review by the Steering Committee.

Stage 6 Second Round of Public Consultation: Exhibition of Draft Structure Plans (For each town)

- Commence second round of public and stakeholder consultation on the draft Structure Plan- and:
 - Compile and consider the feedback
 - Input into the draft Structure Plan or amend otherwise
 - Report back to the Steering Committee with changes.

Stage 7 Finalise the Structure Plan for Endorsement (For each town)

- Finalise the Plan with the Steering Committee to prepare for Council endorsement.

4.3 Communications and Governance

The Steering Committee will guide the project as well provide a sounding board and tool for the Consultant. The Consultant's primary point of contact will be the Project Manager. The Consultant will, at times, be required to discuss the development of the plans with the Steering Committee and possibly full Council.

Communications with media will be undertaken by the Mayor per Council's existing *Communications Policy*.

Day-to-day communications from the community or stakeholders will be filtered by the Project Manager and/or Administration staff. Some communications will be directed to the Consultant where required.

Communications between Council representatives and the Consultant will be largely email and telephone with face to face as required and for key development meetings.

Communications through the community and stakeholder consultation will be agreed between the Steering Committee and the Consultant.

4.4 Timeframes & Reporting Requirements

Part 1

Stage 1 (estimate: 8 weeks)

The Consultant is to first meet with the Project Manager and Steering Committee to map out the way forward and any modifications to the proposed project plan. Then to prepare the first output and beginnings of the Structure Plan i.e. background analysis and snapshot of the municipality and the townships.

Stage 2 (estimate 4 weeks)

The Consultant to undertake the residential demand analysis across the municipality and produce revised draft growth management strategies for the individual settlements.

Stage 3 (estimate 4 weeks for each town, occurring consecutively)

First round of public consultation envisaged as including a township community planning workshop. Compile outcomes and feedback.

Stage 4 (estimate 4 weeks)

Development of the Stage 1 Report and submission to the Steering Committee, (which will then forward it to full Council for endorsement).

Part 2

Stage 5 (estimate 12 weeks for all five structure plans)

Prepare the first draft of the five Structure Plans and report to Steering Committee for agreement to proceed to community consultation.

Stage 6 (estimate 4 weeks for each town: 20 weeks)

Conduct community consultation of each Structure Plan and compile. Report to Steering Committee to debrief and seek agreement on amendments and to proceed to completion of the Plan.

Stage 7 (estimate 2 weeks for each town: 10 weeks)

Complete the draft Structure Plan and report to Steering Committee to commence endorsement process from Council.

Variation to above

As indicated above, Council is open to consider alternative proposals that achieve the same ends, if put forward by prospective Consultants.

5. EVALUATION CRITERIA & BUDGET

The successful Consultant will be selected on the basis of the following criterion:

- Ability to meet desired consultancy tasks and deliver desired project outcomes and outputs;
- Experience in public consultation including face-to-face meetings with the public including public meetings or group sessions;
- Suitability of the Consultant's proposed public consultation and engagement program – including:
 - Modern day best practice;
 - Lessons learned from previous engagement processes;
 - Is open and includes meetings and face to face;
 - Is respectful of the values and uniqueness of a rural community;
- Suitability of the Consultant's proposed project methodology. The Consultant is to provide methodology and a project plan that takes into account the stages of the project as outlined above for undertaking the services;
- Relevant skills, qualifications & experience, including of any sub-consultants proposed to be engaged by the Consultant;
- The Consultant's understanding and experience in strategic land use planning, economic development, development of public open spaces and community engagement;
- The ability for the Consultant to travel and meet face-to-face and costs associated with travel;
- Any further initiative taken by the Consultant to identify alternative methodology or expansion of objectives and outputs;
- The Consultant's ability to deliver project outputs on time in accordance with the above timeline requirements including of any sub-consultants proposed to be engaged by the Consultant;
- Value for money.

6. PROJECT BUDGET

The proposed Project Budget (excluding GST) shall not exceed:

Part 1, (Stages 1 -4):	\$120,000
Part 2 (Stages 5 to 7):	\$120,000
Total:	\$240,000

It is anticipated that Parts 1 and 2 will each span a financial year.

7. PROJECT STEERING COMMITTEE

Council has appointed a Project Steering Committee to provide high-level management and direction. The Steering Committee will liaise with full Council at key decision points.

Chair:	Councillor ...?
Deputy Chair:	Councillor?
Member:	Councillor ...?
Member:	Councillor ...?
Member:	Councillor ...?
Council Officer:	?
Council Officer:	?
Project Manager	Damian Mackey

Directions from the Steering committee will be implemented by the Project Manager, who will liaise with the Project Consultants on a day-to-day level.

8. CONTACT DETAILS

Further information regarding the consultancy can be obtained from:

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Email: dmackey@southernmidlands.tas.gov.au