

AGENDA ATTACHMENTS

PLANNING COMMITTEE MEETING

TUESDAY 9TH JANUARY 2024

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Central Highlands Council

MINUTES

PLANNING COMMITTEE MEETING – 5 DECEMBER 2023

Minutes of the **Planning Committee Meeting** (Special Committee of Central Highlands Council) held in the Bothwell Town Hall, **Bothwell** on **Tuesday 5th December 2023**, commencing at **9.00am**.

Mayor L Triffitt opened the meeting and welcomed everyone before handing over to the Chairperson.

Cr R Cassidy took the Chair.

1.0 PRESENT

Cr R Cassidy (Chairperson), Mayor L Triffitt, Deputy Mayor J Allwright and Cr J Hall.

IN ATTENDANCE

Cr A Bailey (Proxy), Cr J Honner, Cr Y Miller, Mrs K Hossack (General Manager), Mr G Rogers (Development & Environmental Services Manager), Mrs L Brown (Senior Planning Officer) and Mrs K Bradburn (Minutes Secretary).

2.0 APOLOGIES

Nil

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 PERCEIVED INTEREST DECLARATIONS

Under the **Model Code of Conduct** made by Order of the Minister responsible for Local Government the following will apply to a Councillor –

PART 2 – Conflict of Interest that are not Pecuniary

(6) A Councillor who has an actual, potential or perceived conflict of interest in a matter before the Council must –

- (a) Declare the conflict of interest and the nature of the interest before discussion on the matter begins; and

- (b) Act in good faith and exercise reasonable judgement to determine whether a reasonable person would consider that the conflict of interest requires the Councillor to remove himself or herself physically from any Council discussion and remain out of the room until the matter is decided by the Council.

Nil

5.0 CONFIRMATION OF DRAFT MINUTES OF THE PLANNING COMMITTEE MEETING HELD 10 OCTOBER 2023

RESOLUTION 01/12.2023/PC

Moved: Mayor L Triffitt

Seconded: Cr J Hall

THAT the Draft Minutes of the Planning Committee Meeting of Council held on Tuesday 10 October 2023 to be confirmed.

CARRIED

FOR the Motion

Cr R Cassidy, Mayor L Triffitt, Deputy Mayor J Allwright and Cr J Hall

6.0 PUBLIC QUESTION TIME

In accordance with Council's Policy No 2017-49 *Public Comment on Planning Agenda Items at Committee Meetings* a person may speak about an item on the agenda to be considered by the Planning Committee during public question time or at the beginning of the item, as determined by the Chairperson.

Speakers should follow the procedure below:

1. Only those people that have:
 - (a) Initiated the planning decision under the *Land Use Planning and Approvals Act 1993* (Act) ("Applicant"); or
 - (b) The owner of the land subject to the planning decision ("Owner"); or
 - (c) made a representation within the statutory notice period in relation to a planning decision ("Representor")

will be entitled to speak at a Planning Committee Meeting ("Meeting").
2. Prior to the commencement of the Meeting a person who wishes to address the Meeting must:
 - i. Notify the Council in writing by close of business on the Friday prior to the Planning Committee meeting of the person's intention to address the Meeting, including with the following detail:
 - (a) Identify whether the person is the Applicant or a Representor;
 - (b) If a Representor, the date the person made a representation in respect to the planning decision; and
 - (c) the relevant planning decision by the Council allocated number, or by reference to the land to which it relates (eg, by certificate of title, PID or address);
 - (d) the question or topic on which the person wishes to speak.
 - ii. Notify the Chairperson of his or her arrival prior to the commencement of the PCM and complete a register.
3. If a person has complied with the procedure in 2 above, the person will be entitled speak at the meeting.
4. The Chairperson will determine the order of speakers.
5. All people entitled to speak will be given equal opportunity to speak.

6. Each person will be limited to **5 minutes** unless otherwise allowed by the Chairperson.
7. A person may make a statement only or ask questions that are directed through the Chairperson.
8. A person may not direct questions to staff members unless directed through the Chairperson. The Chairperson may ask staff members to answer any question.
9. The Council is under no obligation to answer questions. Questions may be taken on notice by the Planning Committee. The Planning Committee may answer such questions at its discretion.
10. (a) Planning Committee members may ask questions of the person speaking.
(b) Councillors present who are not members of the Planning Committee may ask questions or seek clarification only at the discretion of the Chairperson.
11. The Applicant may be given notice of a person's intention to speak. The Applicant will be given an opportunity to speak in reply, limited to 5 minutes unless otherwise allowed by the Chairperson. If the Applicant is not present at the Meeting, the Planning Committee may provide the Applicant with an opportunity to respond.
12. No debate or argument is permitted at any time.
13. Members of the gallery must not interject while another party is speaking.

Council's Policy 2017-49 'Public Comment on Planning Agenda Items' will be available for the public to view at the meeting.

The Chairperson welcomed Mrs Onslow & Mrs Ferguson and asked if they would like to address the Planning Committee during Public Question Time

Mr N Tomlin – Item 7.1

Mr N Tomlin advised he owns land adjoining the proposed subdivision and that he had made a representation to the application within the timeframe but had mis-spelt the email address and had to re-send it outside the timeframe.

Mr Tomlin raised the following points:

- A laneway adjoining the property, which is owned by Council, is not shown on the proposal plan.
- No fencing plan for the subdivision.
- TasWater have requested he contribution toward the upgrade of TasWater Infrastructure as part of his development application. Would like Council to request TasWater to under hydraulic modelling prior to approval of this development.

Mrs L Brown, Senior Planning Officer, responded to Mr Tomlin's concerns as follows:

- There is no Rights of Way or easements, other than the Wastewater Treatment System Easement for the Town Hall, on the property.
- No fencing details have been provided and are not required at this stage. It is not unusual for a stipulation to be included on Titles stating the subdivider is not required to fence.
- The application was referred to TasWater who have provided their Submission to Planning Authority Notice.

7.0 PLANNING REPORTS

RESOLUTION 02/12.2023/PC

Moved: Deputy Mayor J Allwright

Seconded: Cr J Hall

THAT Council accept the late Representation from Mr Nigel Tomlin which was received on Wednesday 29th November 2023.

CARRIED

FOR the Motion

Cr R Cassidy, Mayor L Triffitt, Deputy Mayor J Allwright and Cr J Hall.

7.1 DEVELOPMENT APPLICATION (DA2023/50) FOR SUBDIVISION (8 LOTS & BALANCE LOT) AT 937 ELLENDALE ROAD, ELLENDALE OWNED BY J & A DALLEY

PROPOSAL

The owners J & A Dalley, have applied to the Central Highlands Council for a Permit under the *Land Use Planning and Approvals Act 1993* ("the Act") to subdivide the land at 937 Ellendale Road, Ellendale.

The existing property is made up of one title (CT: 170358/1) with a total area of 2.010ha and includes a dwelling and outbuildings. Vehicular access is from Ellendale Road.

The application seeks to subdivide the site to create a total of eight lots in the following arrangement:

Lot 1 – 1742.13m², existing shed to be removed, 27m of frontage, new vehicular access from The Avenue;

Lot 2 – 1364.5m², vacant, 24m of frontage, new vehicular access from The Avenue;

Lot 3 – 1414.83m², vacant, 24m of frontage, new vehicular access from The Avenue;

Lot 4 – 1440.00 m², vacant, 24m of frontage, new vehicular access from The Avenue;

Lot 5 – 5035.78m², vacant, 7m of frontage, new vehicular access from The Avenue;

Lot 6 – 4007.90m², vacant, 6.5m of frontage, new vehicular access from Ellendale Road;

Lot 7 – 1611m², vacant, 14m of frontage, new vehicular access from Ellendale Road, easement for existing wastewater for Town Hall;

Lot 8 – 2003.94m², vacant, 29.32m of frontage, new vehicular access from Ellendale Road; and

Balance Lot – 1494.06m², includes existing dwelling, outbuilding, and vehicular access from Ellendale Road.

The proposal is to stage the development as follows:

- Stage 1. Balance lot to be divided.
- Stage 2. Divide lots 1 to 4 and 7
- Stage 3. Divide lots 5,6 and 8

The land is currently used for residential purposes. There is a dwelling, outbuildings, fencing, gardens and associated infrastructure on the land.

The application has been lodged under the *Tasmanian Planning Scheme – Central Highlands* (“the Planning Scheme”) and the property is zoned Village within the Planning Scheme.

Under the Planning Scheme subdivision is defined as development. The proposal is to be assessed against the development standards of the zone and the development standards of the applicable Codes. These matters are described and assessed in this report.

This is a discretionary application under the Planning Scheme. The Council gave notice of the application for public comment as required by the Act. During the notification period no representations were received.

This report will assess the proposal against the relevant provisions of the Act and the Scheme. It is recommended that Council grant a permit for the subdivision subject to conditions.

RESOLUTION 03/12.2023/PC

Moved: Deputy Mayor J Allwright

Seconded: Cr J Hall

THAT the Planning Committee make the following recommendation to Council acting as the Planning Authority:

THAT, in accordance with the provisions of the *Tasmanian Planning Scheme – Central Highlands* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council **APPROVE** the Development Subdivision (8 Lots & Balance Lot) at 937 Ellendale Road, Ellendale owned by J & A Dalley subject to conditions detailed below.

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. The development and works must be carried out in accordance with:
Bushfire Hazard Report, Proposed Subdivision 8 Lots & Balance, 937 Ellendale Road, Ellendale (Mark Van den Berg, GES) J9025v2 dated October 2023.
3. 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

4. Agreements made 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.

Easements

5. Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Council’s Development & Environmental Services Manager. The cost of locating and creating the easements shall be at the subdivider’s full cost.

Public Open Space

6. 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 (excluding the balance lot) 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.

7. 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.

Covenants

8. 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 Development & Environmental Services Manager.

Final plan

9. 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.
10. A fee of \$45.00 per lot (minimum fee \$225.00), 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.
11. 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.
12. The subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

Services

13. Property services must be contained wholly within each lots served or an easement to the satisfaction of the Council's Development & Environmental Services Manager or responsible authority.
14. 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.
Advice: Any redundant services under the subject land are to be removed.

Access

15. A separate vehicle access must be provided from the road carriageway to the 8 proposed Lots. Accesses must be located and constructed in accordance with the standards shown on standard drawings Standard Drawings TSD-R09-v2 Urban Roads Driveways, or as otherwise agreed by Council's Works & Services Manager.

Water

16. Each lot must be connected to a reticulated potable water supply.

TasWater

17. The development must meet all required Conditions of approval specified by TasWater Submission to Planning Authority Notice, TWDA 2023/01317-CHL, dated 26/09/2023.

Telecommunications and Electrical Reticulation

18. Electrical and telecommunications services must be provided to each lot in accordance with the requirements of the responsible authority and to the satisfaction of Council's General Manager.

Construction

19. The subdivider must provide not less than forty-eight (48) hours written notice to Council's Works & Services Manager before commencing construction works on-site or within a council roadway.
20. The subdivider must provide not less than forty-eight (48) hours written notice to Council's Manager Infrastructure and Works before reaching any stage of works requiring inspection by Council unless otherwise agreed by the Council's Works & Services Manager.

Construction Amenity

21. The development must only be carried out between the following hours unless otherwise approved by the Council's General Manager –
- | | |
|---|---------------------|
| • 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 |
22. All 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; and/or
 - transport of materials, goods or commodities to or from the land; and/or
 - appearance of any building, works or materials.
23. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the land in an approved manner. No burning of such materials on-site will be permitted unless approved in writing by the Council's General Manager.
24. 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 subdivision during the construction period.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT: -

- This permit does not imply that any other approval required under any other legislation has been granted.
- This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.
- 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.



Submission to Planning Authority Notice

Council Planning Permit No.	DA 2023/50	Council notice date	20/09/2023
TasWater details			
TasWater Reference No.	TWDA 2023/01317-CHL	Date of response	26/09/2023
TasWater Contact	Phil Papps	Phone No.	0474 931 272
Response issued to			
Council name	CENTRAL HIGHLANDS COUNCIL		
Contact details	kbradburn@centralhighlands.tas.gov.au		
Development details			
Address	937 ELLENDALE RD, ELLENDALE	Property ID (PID)	3122492
Description of development	Subdivision (8 Lots+ Balance) - 3 Stages		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of issue
Unknown	Plan of Subdivision / 21031-C01	C	28/07/2023
GES	Staging Plan / A01	--	22/08/2023
Conditions			
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:			
CONNECTIONS, METERING & BACKFLOW			
<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 use of the development, any water connection utilised for the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater. 			
DEVELOPER CHARGES			
<ol style="list-style-type: none"> 4. Prior to TasWater issuing a Consent to Register a Legal Document, the applicant or landowner as the case may be, must pay a developer charge totalling \$14,056.00 to TasWater for water infrastructure for 8.0 additional Equivalent Tenements, indexed by the Consumer Price Index All groups (Hobart) from the date of this Submission to Planning Authority Notice until the date it is paid to TasWater. 5. In the event Council approves a staging plan, prior to TasWater issuing a Consent to Register a Legal Document for each stage, the developer must pay the developer charges commensurate with the number of Equivalent Tenements in each stage, as approved by Council. 			
DEVELOPMENT ASSESSMENT FEES			
<ol style="list-style-type: none"> 6. The applicant or landowner as the case may be, must pay a development assessment fee of \$389.86 and a Consent to Register a Legal Document fee of \$248.30 to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date paid to TasWater. 			



<p>The payment is required within 30 days of the issue of an invoice by TasWater.</p> <p>7. In the event Council approves a staging plan, a Consent to Register a Legal Document fee for each stage, must be paid commensurate with the number of Equivalent Tenements in each stage, as approved by Council.</p>			
Advice			
General			
<p>For information on TasWater development standards, please visit https://www.taswater.com.au/building-and-development/technical-standards</p> <p>For application forms please visit https://www.taswater.com.au/building-and-development/development-application-form</p>			
Developer Charges			
<p>For information on Developer Charges please visit the following webpage - https://www.taswater.com.au/building-and-development/developer-charges</p>			
Service Locations			
<p>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.</p> <p>(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.</p> <p>(b) TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit https://www.taswater.com.au/building-and-development/service-locations for a list of companies.</p>			
Declaration			
<p>The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.</p>			
TasWater Contact Details			
Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

CARRIED

FOR the Motion

Cr R Cassidy, Mayor L Triffitt, Deputy Mayor J Allwright and Cr J Hall.

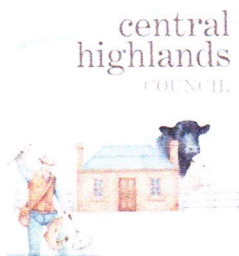
8.0 OTHER BUSINESS

Deputy Mayor Allwright asked if Council could write to TasWater asking for hydraulic modelling on the water supply considering the number of residential developments in the Ellendale area.

It was agreed that Deputy Mayor Allwright prepare a Notice of Motion for the December Council Meeting.

9.0 CLOSURE

The Chairperson thanked everyone for their contribution and declared the meeting closed at **9.37am**.



Development & Environmental Services
19 Alexander Street
BOTHWELL TAS 7030

Phone: (03) 6259 5503
Fax: (03) 6259 5722

www.centralhighlands.tas.gov.au

OFFICE USE ONLY

Application No.: _____

Property ID No.: _____

Date Received: _____

Application for Planning Approval Use and Development

Use this form to apply for planning approval in accordance with section 57 and 58 of the *Land Use Planning and Approvals Act 1993*

Applicant / Owner Details:

Applicant Name

PDA Surveyors, Engineers, and Planners on behalf of Sarah Gatenby-Clark

Postal Address

127 Bathurst Street, Hobart, TAS 7000

Phone No: 03 6234 3217

Fax No:

Email address

Gabrielle.Priest@pda.com.au (please cc in: Planning@pda.com.au)

Owner/s Name

Sarah Gatenby-Clark

(if not Applicant)

Postal Address

Phone No:

Fax No:

Email address:

Description of proposed use and/or development:

Address of new use and development:

Lot 2 Ellendale Road, Westerway

Certificate of Title No:

Volume No

177709/2

Lot No:

1

Description of proposed use or development:

2 Lot and Balance subdivision

A new shared access and new water connections for lots 1 and 2 respectively.

ie: New Dwelling / Additions / Demolition / Shed / Farm Building / Carport / Swimming Pool or detail other etc.

Current use of land and buildings:

There are no current buildings on the subject site.

Eg. Are there any existing buildings on this title?
If yes, what is the main building used as?

Proposed Material

What are the proposed external wall colours

What is the proposed roof colour

What is the proposed new floor area m².

What is the estimated value of all the new work proposed:

\$

Not applicable - only for subdivision

Is proposed development to be staged:

Yes ☐

No ☒

Tick ✓

Is the proposed development located on land previously used as a tip site?

Yes ☐

No ☒

Is the place on the Tasmanian Heritage Register?

Yes ☐

No ☒

Have you sought advice from Heritage Tasmania?

Yes ☐

No ☒

Has a Certificate of Exemption been sought for these works?

Yes ☐

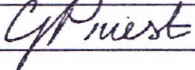
No ☒

Signed Declaration

I/we hereby apply for a planning approval to carry out the use or development described in this application and in the accompanying plans and documents, accordingly I declare that:

1. The information given is a true and accurate representation of the proposed development. I understand that the information and materials provided with this development application may be made available to the public. I understand that the Council may make such copies of the information and materials as, in its opinion, are necessary to facilitate a thorough consideration of the Development Application. I have obtained the relevant permission of the copyright owner for the communication and reproduction of the plans accompanying the development application, for the purposes of assessment of that application. I indemnify the Central Highlands Council for any claim or action taken against it in respect of breach of copyright in respect of any of the information or material provided.
2. In relation to this application, I/we agree to allow Council employees or consultants to enter the site in order to assess the application.
3. I am the applicant for the planning permit and I have notified the owner/s of the land in writing of the intention to make this application in accordance with Section 52(1) of the *Land Use Planning Approvals Act 1993* (or the land owner has signed this form in the box below in "Land Owner(s) signature");
Applies where the applicant is not the Owner and the land is not Crown land or owned by a council, and is not land administered by the Crown or a council.

Applicant Signature



(if not the Owner)


Applicant Name (Please print)

Gabrielle Priest

Date

7 November 2023

Land Owner(s) Signature



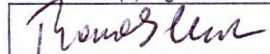
Land Owners Name (please print)

Sarah Gatenby-Clark

Date

14/11/2023

Land Owner(s) Signature



Land Owners Name (please print)

THOMAS CLARK

Date

14/11/23

Information & Checklist sheet



1. A completed Application for Planning Approval – Use and Development form. <i>Please ensure that the information provides an accurate description of the proposal, has the correct address and contact details and is signed and dated by the applicant.</i>	<input checked="" type="checkbox"/>
2. A current copy of the Certificate of Title for all lots involved in the proposal. <i>The title details must include, where available, a copy of the search page, title plan, sealed plan or diagram and any schedule of easements (if any), or other restrictions, including covenants, Council notification or conditions of transfer.</i>	<input checked="" type="checkbox"/>
3. Two (2) copies of the following information -	
a) An analysis of the site and surrounding area setting out accurate descriptions of the following -	<input checked="" type="checkbox"/>
(i) topography and major site features including an indication of the type and extent of native vegetation present, natural drainage lines, water courses and wetlands, trees greater than 5 metres in height in areas of skyline or landscape importance and identification of any natural hazards including flood prone areas, high fire risk areas and land subject to instability;	
(ii) soil conditions (depth, description of type, land capability etc);	
(iii) the location and capacity of any existing services or easements on the site or connected to the site;	
(iv) existing pedestrian and vehicle access to the site;	
(v) any existing buildings on the site;	
(vi) adjoining properties and their uses; and	
(vii) soil and water management plans.	
b) A site plan for the proposed use or development drawn, unless otherwise approved, at a scale of not less than 1:200 or 1:1000 for sites in excess of 1 hectare, showing -	<input checked="" type="checkbox"/>
(i) a north point;	
(ii) the boundaries and dimensions of the site;	
(iii) Australian Height Datum (AHD) levels;	
(iv) natural drainage lines, watercourses and wetlands;	
(v) soil depth and type;	
(vi) the location and capacity of any existing services or easements on the site or connected to the site;	
(vii) the location of any existing buildings on the site, indicating those to be retained or demolished, and their relationship to buildings on adjacent sites, streets and access ways;	
(viii) the use of adjoining properties;	
(ix) shadow diagrams of the proposed buildings where development has the potential to cause overshadowing;	
(x) the dimensions, layout and surfacing materials of all access roads, turning areas, parking areas and footpaths within and at the site entrance;	
(xi) any proposed private or public open space or communal space or facilities;	
(xii) proposed landscaping, indicating vegetation to be removed or retained and species and mature heights of plantings; and	
(xiii) methods of minimizing erosion and run-off during and after construction and preventing contamination of storm water discharged from the site.	
c) Plans and elevations of proposed and existing buildings, drawn at a scale of not less than 1:100, showing internal layout and materials to be used on external walls and roofs and the relationship of the elevations to natural ground level, including any proposed cut or fill.	<input checked="" type="checkbox"/>
4. A written submission supporting the application that demonstrates compliance with the relevant parts of the Act, State Policies and the Central Highlands Interim Planning Scheme 2015, including for industrial and commercial uses, the hours of operation, number of employees, details of any point source discharges or emissions, traffic volumes generated by the use and a Traffic Impact Statement where the development is likely to create more than 100 vehicle movements per day.	<input checked="" type="checkbox"/>
5. Prescribed fees payable to Council. An invoice for the fees payable will be issued once application has been received.	

<p>Information</p> <p>If you provide an email address in this form then the Central Highlands Council ("the Council") will treat the provision of the email address as consent to the Council, pursuant to Section 6 of the Electronic Transactions Act 2000, to using that email address for the purposes of assessing the Application under the Land Use Planning and Approvals Act 1993 ("the Act").</p> <p>If you provide an email address, the Council will not provide hard copy documentation unless specifically requested.</p> <p>It is your responsibility to provide the Council with the correct email address and to check your email for communications from the Council.</p> <p>If you do not wish for the Council to use your email address as the method of contact and for the giving of information, please tick ✓ the box</p>	<input checked="checked" type="checkbox"/>
<p>Heritage Tasmania</p> <p>If the Property is listed on the Tasmanian Heritage Register then the Application will be referred to Heritage Tasmania unless an Exemption Certificate has been provided with this Application. (Phone 1300 850 332 or email enquires@heritage.tas.gov.au)</p>	
<p>TasWater</p> <p>Depending on the works proposed Council may be required to refer the Application to TasWater for assessment (Phone 136992)</p>	
<p>Submission of Application</p> <p>Applications can be submitted in a number of ways as follows:</p> <ul style="list-style-type: none"> • Electronically: Email to development@centralhighlands.tas.gov.au • Post: 19 Alexander Street, BOTHWELL 7030 • In Person: Development & Environmental Services Office, 19 Alexander Street, Bothwell 7030 	



PDA

SURVEYORS, ENGINEERS & PLANNERS



Planning Compliance Report

Lot 2 Ellendale Road, Westerway

2 Lot and Balance Subdivision

49834CT | 7 November 2023

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Revision History

Revision	Description	Date
0	First Issue	7/11/2023

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Development Details:

Property Address	Lot 2 Ellendale Road, Westerway TAS 7140
Proposal	2 Lot and Balance Subdivision
Land Area	50.59ha±
Land Owner/s	Thomas Robert Harvey Clark Sarah Jane Gatenby-Clark
Client	Thomas Robert Harvey Clark

PID / CT	9170139	177709/2
Planning Ordinance	Tasmanian Planning Scheme (TPS) – State Planning Provisions (SPP's)	
Land Zoning	Rural Living Zone A	
Specific Areas Plans	None	
Code Overlays	Bushfire Prone Areas Code. Landslip Hazard Code (low). Natural Assets Code ('Priority vegetation' and 'Waterways and Coastal Protection' areas).	

Use Status	The proposed development is for subdivision. There is no use class (C2.6.2 of C6.2 <i>Categorising Use or Development</i>).
Application Status	Discretionary

1. Introduction/Context

Council approval is sought for a 2 Lot and Balance subdivision at Lot 2 Ellendale Road, Westerway (CT 177709/2). Works associated with the subdivision proposal comprise a new shared access and new water connections for lots 1 and 2 respectively. In support of the proposal, the following documents have been provided in conjunction with this planning assessment:

- The Title Plan and Folio: 177709/2 (Appendix 1).
- Proposed Plan of Subdivision: 49834CT (Appendix 2).
- Bushfire Hazard Report and Management Plan (Appendix 3).

1.1. The Land



Figure 1: Existing aerial image of the subject site (List Map, 2023).

The subject site is an irregular shaped title of modified land (Figure 1). It comprises 50.59ha of predominantly agricultural (pastural) land with evidence of remnants of a fernland community in the central western portion of the site. The subject site's topography slopes downward from its highest point in the south western portion of the site at the intersection with 177 Ellendale Road to the west.

There is a 'way leave easement' that runs south south west from Ellendale Road on the front western portion of the site, partially crossing the lot to the west. This connects to the 'pipeline and services easement' that runs from the highest point of the site (as described above) which adjoins Tas Water infrastructure on the adjoining site and runs diagonally across the rear portion of the site.

1.2. Existing Development

The subject land is primarily pastoral land and has limited cropping capabilities with moderate limitations to pastoral use (*List Map 'Land Capability' layer, class 4 and class 5 land*). There are existing dams/ponds, an existing gated access and unsealed track on the north east corner of the site, and a nearby historic cattle yard. Existing fencing runs along the frontage with Ellendale Road and further south, presumably enclosing former cattle and grazing areas.

Within the existing wayleave easement, there are overhead electricity wires supported by telegraph poles. *List Map* does not recognise these with an 'electricity infrastructure' protection overlay and Tas Networks have confirmed that *C4.0 Electricity Transmission Infrastructure Protection Code* of the SPP's does not apply to electricity infrastructure within the wayleave easement on the subject site.

1.3. Natural Values

Trees form a shelter belt along north and west facing boundaries of the site, comprising a range of species (including eucalyptus, native cherry and wattle). A range of trees and other vegetation are dotted across the subject site's landscape, including a concentrated area of trees around 2.5ha along a portion of the subject site's south south east boundary. There are also five small ponds or dams across the site with natural seasonal watercourses flowing between a number dams as a result of natural channels created by contours within the landscape. The TPS recognises a small portion of these values as natural values. The shelter belt along the subject site's west facing boundary is recognised as priority vegetation. One of the natural seasonal watercourses is recognised as a waterway and coastal protection area. Both of these are shown below in Figure 2.



Figure 2: 'Priority Vegetation Area' and 'Waterway and Coastal Protection Areas' (*List Map 2023*).

Soils on the subject site are podzol and podzolic soils on dolerite and sandstone bedrock. These are shown below in Figure 3.



Figure 3: Soil types on the subject site (*List Map 2023*).

2. The Proposal

A Planning Permit for a 2-lot subdivision and balance is sought, in accordance with s. 57 of the *Land Use Planning and Approvals Act 1993* (LUPAA) and the SPP's (6.8 Discretionary Use or Development, Clause 6.8.1 (b)).

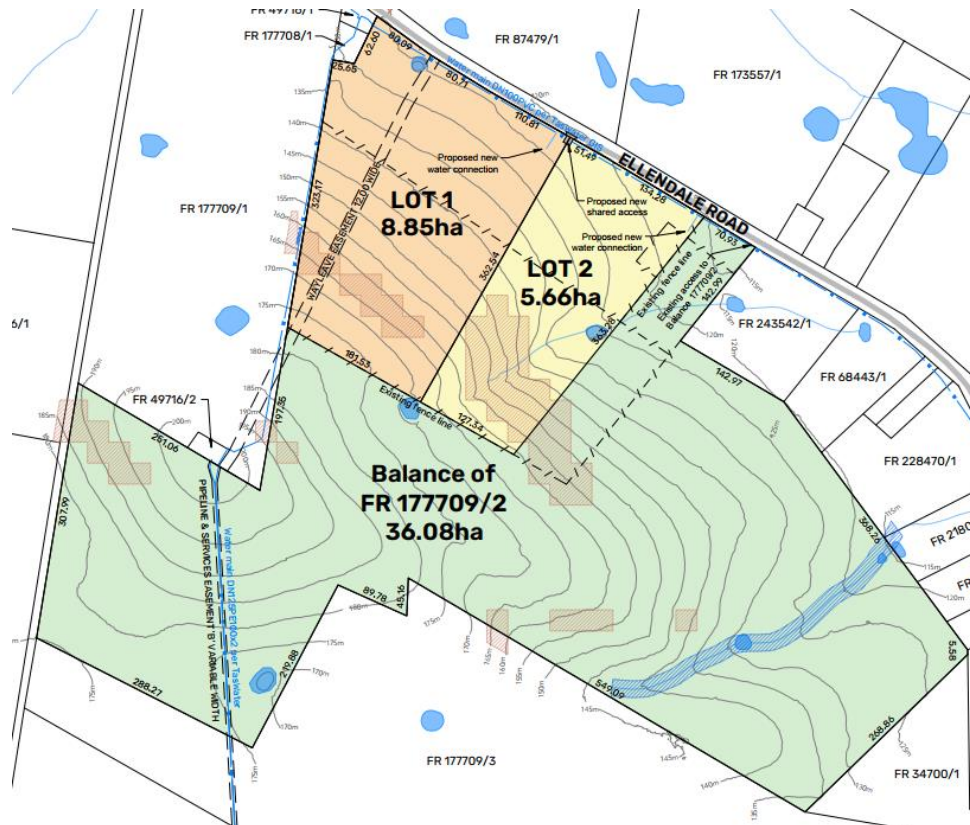


Figure 4: Proposed Plan of Subdivision

The subject site (CT 177709/2) is to be subdivided to create two additional lots (shown above in Figure 4). The proposed new boundaries are situated primarily in alignment with existing fencing. The balance lot is proposed to have an area of 36.08ha± and retain the existing access to Ellendale Road. Lots 1 and 2 are proposed to have areas of 8.85ha and 5.66ha respectively. A shared access is proposed along the centre boundary of lots 1 and 2, providing access from the boundary of the lots to Ellendale Road. New water connections are proposed to the available water supply for lots 1 and 2 as shown on the plan of subdivision (Appendix 2).

3. Planning Assessment

An assessment of the proposed subdivision has been undertaken against relevant provisions of the SPP's. No relevant provisions of the *Central Highlands Local Provisions Schedule* apply.

3.1. Use Class

As the proposed use is for subdivision, it is not required to be categorised into one of the Use Classes in accordance with 6.2.6 under 6.2 *Categorising Use or Development*.

3.2 Zoning

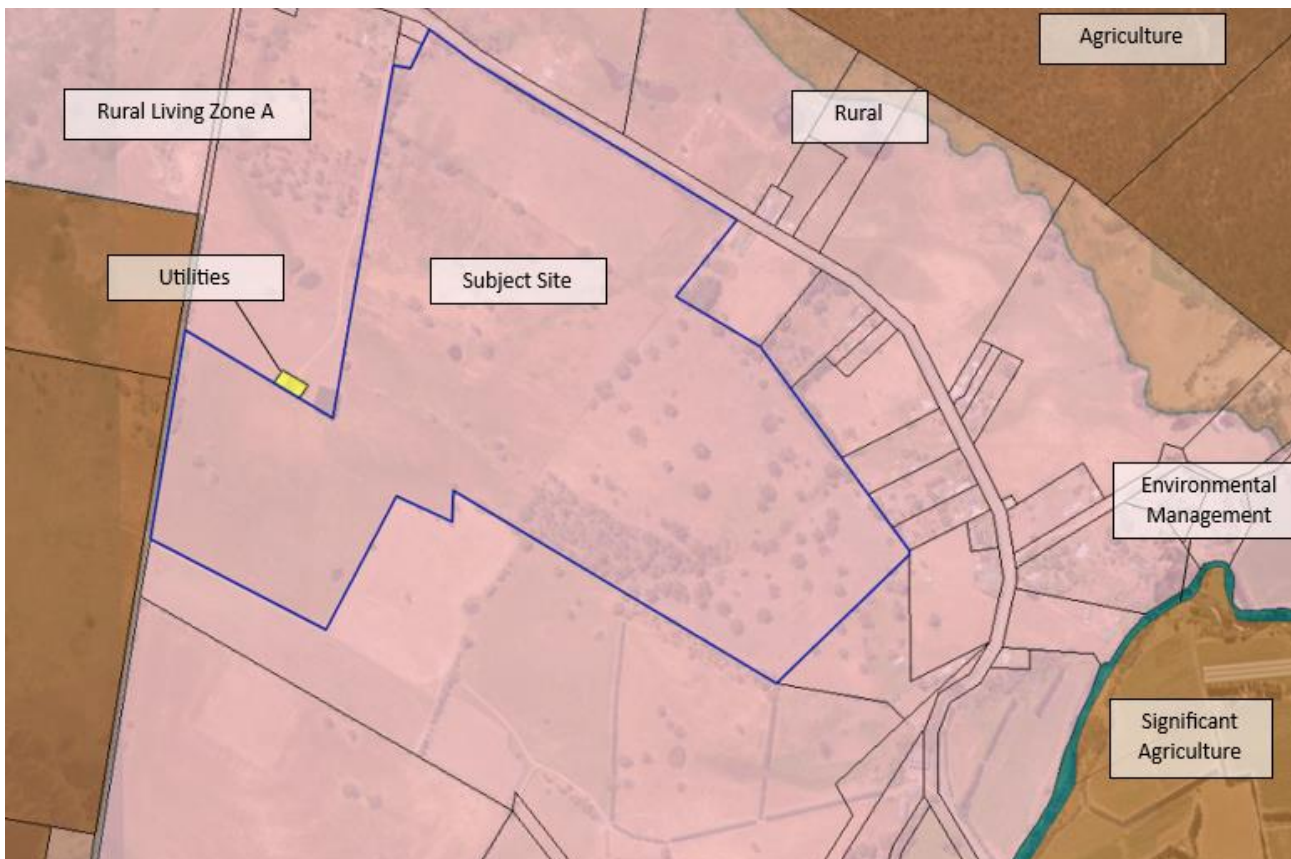


Figure 5: Zoning identification of the subject land and surrounds (*List Map 2023*).

The subject site is located within *Rural Living Zone A*. Surrounding zones comprise *Agriculture*, *Rural*, *Environmental Management*, *Significant Agriculture* and *Utilities*. These zones are shown above in Figure 5.

3.3 Zone Standards

11.0 Rural Living Zone

As the proposal is only for subdivision, *11.3 Use Standards* and *11.4 Development Standards for Buildings and Works* are not applicable to the assessment and have therefore been excluded. An assessment follows against *11.5 Development Standards for Subdivision*.

11.5 Development Standards for Subdivision

11.5.1 Lot design

Objective:	
That each lot: <ul style="list-style-type: none"> (a) has an area and dimensions appropriate for use and development in the zone; (b) is provided with appropriate access to a road; and (c) contains areas which are suitable for residential development. 	
Acceptable Solutions	Performance Criteria
A1 Each lot, or a lot proposed in a plan of subdivision, must: <ul style="list-style-type: none"> (a) have an area not less than specified in Table 11.1 and: <ul style="list-style-type: none"> (i) be able to contain a minimum area of 15m x 20m clear of: <ul style="list-style-type: none"> a. all setbacks required by clause 11.4.2 A2 and A3; and b. easements or other title restrictions that limit or restrict development; and (ii) existing buildings are consistent with the setback required by clause 11.4.2 A2 and A3; (b) be required for public use by the Crown, a council or a State authority; (c) be required for the provision of Utilities; or (d) be for the consolidation of a lot with another lot provided each lot is within the same zone. 	P1 Not applicable to this proposal.
Comment: A1 (a) is met: Table 11.1 specifies a minimum lot size of 1ha for <i>Rural Living Zone A</i> . All lot sizes of the proposed development exceed this minimum by between 4ha and 35ha (with areas of 8.85, 5.66 and 36.08ha for lots 1, 2 and the balance respectively). This can easily	

accommodate a frontage setback for buildings of not less than 20m and side and rear setbacks of not less than 10m, consistent with required setbacks of *Clause 11.4.2 A2* and *A3*. There are no existing buildings on the site so (a) (ii) is not applicable.

A2

Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 40m.

P2

Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:

- (a) the width of frontage proposed, if any;
- (b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;
- (c) the topography of the site;
- (d) the functionality and useability of the frontage;

Comment:

A2 is met: Each lot is provided with a frontage that is no less than 40m: lots 1, 2 and the balance have frontages of 272m±, 186m±, and 71m± respectively.

A3

Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.

P3

Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building are on the lot, if any, having regard to:

- (a) the topography of the site;
- (b) the length of the access;
- (c) the distance between the lot or building area and the carriageway;
- (d) the nature of the road and the traffic;
- (e) the anticipated nature of the vehicles likely to access the site; and
- (f) the ability for emergency services to access the site.

Comment:

A3 is met: A new access is proposed as a shared access between lots 1 and 2, whilst the balance lot is to retain the existing access from Ellendale Road. Ellendale Road is a sub-arterial, Council owned road. The new shared access will therefore be designed in accordance with TSD-RO3 of the *Tasmanian Standard Drawings v3* (December 2020). Central Highlands Council have confirmed that there are no other road authority requirements.

11.5.2 Roads

Objective:	
That the arrangement of new roads with a subdivision provides:	
(a) safe, convenient and efficient connections to assist accessibility and mobility of the community; (b) adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and (c) the efficient ultimate subdivision of the entirety of the land and of surrounding land.	
Acceptable Solutions	Performance Criteria
A1 The subdivision includes no new roads.	P1 No Performance Criterion.
Comment: A1 is met: The subdivision includes no new roads.	

11.5.3 Services

Objective:	
That the subdivision of land provides services for the future use and development of the land.	
Acceptable Solutions	Performance Criteria
A1 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must: <ul style="list-style-type: none"> (a) be connected to a full water supply service if the frontage of the lot is within 30m of a full water supply service; or (b) be connected to a limited water supply service if the frontage of the lot is within 30m of a limited water supply service, unless a regulated entity advises that the lot is unable to be connected to the relevant water supply service.	P1 No Performance Criterion.
Comment: A1 (a) is met: The frontage of the lot is within 30m of a full water supply service (<i>Water Serviced Land, List Map 2023</i>). The plan of subdivision (Appendix 2) shows proposed new water connections to this infrastructure.	
A2 Each lot, or a lot proposed in a plan of subdivision, excluding within Rural Living Zone C or Rural Living Zone D or for public	P2 Each lot, or a lot proposed in a plan of subdivision, excluding within Rural Living Zone C or Rural Living Zone D or for public open space, a riparian or littoral reserve or Utilities,

open space, a riparian or littoral reserve or Utilities, must:

- (a) be connected to a reticulated sewerage system; or
- (b) be connected to a reticulated sewerage system if the frontage of each lot is within 30m of a reticulated sewerage system and can be connected by gravity feed.

must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.

Comment:

P2 is met: A2 cannot be met as the subject site is not in proximity to a reticulated sewerage system (*Sewer Serviced Land, List Map 2023*). However, each lot is considered capable of accommodating an on-site wastewater treatment system for the intended future purposes of the land, being residential. Although the proposed development does not assign a use, a key purpose of the *Rural Living Zone* is to provide for residential use or development in a rural setting. Previously designed wastewater treatment systems for subdivisions comprising residential development in rural areas have had a typical application area of 60m². The nature of the wastewater treatment system is subject to detailed design and micro-characteristics of the subject site. These include consideration of podzol and podzolic soils on dolerite and sandstone bedrocks respectively, which are imperfectly drained texture contrast soils (see Figure 3). However, each lot is still considered to be of an adequate configuration and dimensions to accommodate such a system for future residential use and development, subject to micro siting. On this basis, and dimensions shown in technical specifications provided by *Consumer, Building and Occupational Services*¹, the proposed subdivision can accommodate future suitable wastewater treatment systems.

¹ Tasmanian Government: Consumer, Building and Occupational Services 2023. *Accredited Secondary Treatment Systems*. Tasmanian Government: Consumer, Building and Occupational Services, viewed 25 September 2023, < <https://www.cbos.tas.gov.au/topics/technical-regulation/plumbing-standards/wastewater/aerated-wastewater-treatment-systems>>.

3.4 Codes

In accordance with relevant overlays across the subject site and the nature of the proposed development, a systematic consideration has been undertaken against each of the relevant codes. Codes applicable to the proposed development are summarised below in Table 1 with irrelevant codes excluded.

Table 1: Tasmanian Planning Scheme codes applicable to the proposal.

Code	Comment
C2.0 Parking and Sustainable Transport Code	This code applies to all use and development (C2.2.1)
C3.0 Road and Railway Assets Code	This code applies as the proposed development requires a new vehicle crossing (C3.2.1).
C7.0 Natural Assets Code	Lesser areas of the subject site to be subdivided are subject to a 'waterway and coastal protection area' or a 'priority vegetation area' (see Figure 2). The application has therefore been considered against this code (C7.2.1).
C13.0 Bushfire-prone Areas Code	As the entirety of the subject site is within a bushfire-prone area (Figure 6), the application has been considered against this code (C13.2.1). A Bushfire Hazard Report and Management Plan (BHRMP) is provided in Appendix 3.
C15.0 Landslip Hazard Code	In accordance with <i>C15.4 Use or Development Exempt from this Code (C15.4.1 (e))</i> , the development for subdivision is exempt from this code as the land is within the low landslip hazard band (Figure 7) and no significant works are located within the landslip hazard area.

3.5 Code Standards

C2.0 Parking and Sustainable Transport Code

An assessment of the subdivision proposal against relevant provisions of the *Parking and Sustainable Transport Code (C2.0)* follows. Notwithstanding this, a number of clauses are not applicable and have therefore been excluded, namely:

- *C2.5 Use Standards*, as there is no proposed use class. This in accordance with 6.2 *Categorising Use or Development (C6.2.6)* as the proposal is for subdivision and therefore not required to be categorised into a use class.
- Within *C2.6 Development Standards for Buildings and Works*, *C2.6.1*, *C2.6.2*, *C2.6.4*, *C2.6.5*, *C2.6.6*, *C2.6.7*, *C2.6.8*, and *C2.7.1* due to either the zone or the nature of development.

C2.6.3 Number of accesses for vehicles

Objective:	
That: <ul style="list-style-type: none"> (a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses; (b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and (c) the number of accesses minimise impacts on the streetscape. 	
Acceptable Solutions	Performance Criteria
A1 The number of accesses provided for each frontage must: <ul style="list-style-type: none"> (a) be no more than 1; or (b) no more than the existing number of accesses, whichever is the greater.	P1 Not applicable.
Comment: A1 is met: The existing access in the north east corner of the site is to be retained, providing access to the balance lot. The newly created lots 1 and 2 have a proposed new shared access along the central cadastral boundary. This results in 3 accesses for frontages of the respective lots to Ellendale Road. These are shown in the plan of subdivision (Appendix 2).	

C7.0 Natural Assets Code

An assessment of the subdivision proposal against relevant provisions of the *Natural Assets Code* (C7.0) follows (see Figure 2 under 1.3 *Natural Values*). Notwithstanding this, the assessment excludes consideration against C7.6 *Development Standards for Buildings and Works*. No components of the proposed development impact upon waterway and coastal protection areas in the south eastern portion of the subject site, nor is there any clearance within the priority vegetation area within the vicinity of the subject site's western boundary.

C7.7 Development Standards for Subdivision

C7.7.1 Subdivision within a waterway and coastal protection area or a future coastal refugia area

Objective:	
That:	
(a) works associated with subdivision within a waterway and coastal protection area or a future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets; and (b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on natural assets.	
Acceptable Solutions	Performance Criteria
A1 Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must: <ul style="list-style-type: none"> (a) be for the creation of separate lots for existing buildings; (b) be required for public use by the Crown, a council, or a State authority; (c) be required for the provision of Utilities; (d) be for the consolidation of a lot; or (e) not include any works (excluding boundary fencing), building area, services, bushfire hazard management area or vehicular access within a waterway and coastal protection area or future coastal refugia area. 	P1 Not applicable to this proposal.
Comment:	
A1(e) is met: As shown in Figure 2, the only waterway and coastal protection area on the subject site is contained in the balance lot. No components of the proposed development are located within this waterway and coastal protection area, with the extent of the proposed development shown on the Bushfire Hazard Management Plan (BHMP) in Appendix C of the	

BHR (Appendix 2). This includes the indicative building area and associated bushfire hazard management area.

C7.7.2 Subdivision within a priority vegetation area

Objective:

That:

- (a) works associated with subdivision will not have an unnecessary or unacceptable impact on priority vegetation; and
- (b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on priority vegetation.

Acceptable Solutions

A1

Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must:

- (a) be for the purposes of creating separate lots for existing buildings;
- (b) be required for public use by the Crown, a council, or a State authority;
- (c) be required for the provision of Utilities;
- (d) be for the consolidation of a lot; or
- (e) not include any works (excluding boundary fencing), building area, bushfire hazard management area, services or vehicular access within a priority vegetation area.

Performance Criteria

P1

Not applicable to this proposal.

Comment:

A1 (e) is met: As shown in Figure 2, the only priority vegetation area on the subject site is along the subject site's western boundary. No components of the proposed development are located within this area.

C13.0 Bushfire-prone Areas Code



Figure 6: The entirety of the subject site is bushfire prone (*List Map 2023*).

The entirety of the subject site is bushfire prone, as shown above in Figure 6. An assessment therefore follows against *C13.0 Bushfire-prone Areas Code*. Notwithstanding this, the assessment excludes consideration against *C13.5 Use Standards* as the proposed development is not associated with a use (*C2.6 Categorising Use or Development*). The BHRMP prepared to address this code can be found in Appendix 3. The BHRMP confirms compliance of the proposed development against *C13.6 Development Standards for Subdivision* and this is supported by a Certificate of Compliance in accordance with s51(2)(d) of the LUPAA. A summary of how the proposed development complies with the Code is provided below.

C13.6 Development Standards for Subdivision

C13.6.1 Provision of hazard management areas

Objective:	
<p>That subdivision provides for hazard management areas that:</p> <ul style="list-style-type: none"> (a) facilitate an integrated approach between subdivision and subsequent building on a lot; (b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and (c) provide protection for lots at any stage of a staged subdivision. 	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or</p> <p>(b) The proposed plan of subdivision:</p> <ul style="list-style-type: none"> (i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision; (ii) shows the building area for each lot; (iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.6 of <i>Australian Standard AS3959:2018 Construction of buildings in bushfire-prone areas</i>; and (iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than the separation distances required for BAL 19 in Table 	<p>P1</p> <p>Not applicable to this proposal.</p>

2.6 of Australian Standard AS3959:2018 Construction of buildings in bushfire-prone Areas; and

(c) if hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.

Comment:

A1 (b) is met: The proposed plan of subdivision has been scaled up with dimensions of lots 1 and 2 transposed onto the BHMP contained within the BHRMP. Thus, the BHMP constitutes the proposed plan of subdivision for the purposes of addressing this clause and satisfies sub-clauses of A1 (b) as follows:

- All lots are within a bushfire-prone area and are shown in their entirety with indicative building areas shown (i, ii).
- Hazard management area (HMA's) widths are specified for each respective lot in accordance with an assessment to achieve a Bushfire Attack Level (BAL) rating of BAL-12.5. These do not exceed BAL-19 (iii).
- The BHMP, being the proposed plan of subdivision, addresses all individual lots and is certified by a Bushfire Hazard Practitioner (BFP-108) (iv).

No HMA's are located on land external to the proposed subdivision, therefore A1(c) is not applicable.

C13.6.2 Public and firefighting access

Objective:

That access roads to, and the layout of roads, tracks and trails, in a subdivision:

- (a) allow safe access and egress for residents, fire fighters and emergency service personnel;
- (b) provide access to the bushfire-prone vegetation that enables both property to be defended when under bushfire attack, and for hazard management works to be undertaken;
- (c) are designed and constructed to allow for fire appliances to be manoeuvred;
- (d) provide access to water supplies for fire appliances; and
- (e) are designed to allow connectivity, and where needed, offering multiple evacuation points.

Acceptable Solutions

Performance Criteria

A1

(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of firefighting;

or

(b) A proposed plan of subdivision showing the layout of roads, fire trails and the location of property access to building areas, is included in a bushfire hazard management plan that:

- (i) demonstrates proposed roads will comply with Table C13.1, proposed property accesses will comply with Table C13.2 and proposed fire trails will comply with Table C13.3 and
- (ii) is certified by the TFS or an accredited person.

P1

A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires, having regard to:

(a) appropriate design measures, including:

- (i) two-way traffic;
- (ii) all weather surfaces;
- (iii) height and width of any vegetation clearances;
- (iv) load capacity;
- (v) provision of passing bays;
- (vi) traffic control devices;
- (vii) geometry, alignment and slope of roads, tracks and trails;
- (viii) use of through roads to provide for connectivity;
- (ix) limits on the length of cul-de-sacs and dead-end roads;
- (x) provision of turning areas;
- (xi) provision for parking areas;
- (xii) perimeter access; and
- (xiii) fire trails; and

(b) the provision of access to:

- (i) bushfire-prone vegetation to permit the undertaking of hazard management works; and
- (i) firefighting water supplies; and

(c) any advice from the TFS.

Comment:

A1(b) is met: The proposed plan of subdivision, transposed onto a BHMP, shows property accesses. These are specified to be compliant with Table C13.2 of the Code. There are no proposed roads or fire trails, as confirmed by section 5.2.1 *Public Roads and Fire Trails*. Therefore, compliance with Table C13.1 and Table C13.3 is not required. The BHRMP is certified by an accredited person (BFP-108).

C15.0 Landslip Hazard Code



Figure 7: Areas of the subject site are subject to 'low' landslip hazard band of the Landslip Hazard Code (*Tasmanian Planning Scheme – Code Overlay, List Map 2023*).

Areas of the subject site are prone to landslip hazard (low) as shown above in Figure 7. An assessment therefore follows against *C15.0 Landslip Hazard Code*. Notwithstanding this, a number of clauses are not applicable and have therefore been excluded, namely:

- *C15.5 Use Standards* (in accordance with above commentary, no use is proposed).
- *C15.6 Development Standards for Buildings and Works* – there are no works proposed within any landslip hazard area (*C15.6.1*).

C17.7 Development Standards for Subdivision

C15.7.1 Subdivision within a landslip hazard area

Objective:

That subdivision within a landslip hazard area does not create an opportunity for use or development that cannot achieve a tolerable risk from a landslip.

Acceptable Solutions

A1

Each lot, or a lot proposed in a plan of subdivision, within a landslip hazard area must:

- (a) be able to contain a building area, vehicle access, and services, that are wholly located outside a landslip hazard area;
- (b) be for the creation of separate lots for existing buildings;
- (c) be required for public use by the Crown, a council or a State authority; or
- (d) be required for the provision of Utilities.

Performance Criteria

P1

Not applicable to this proposal.

Comment:

A1 (a) is met: Lots 1, 2 and the Balance Lot have respective areas of 8.85ha, 5.66ha and 36.08ha respectively. Landslip hazard areas overlain over these are shown in the plan of subdivision (Appendix 2). They demonstrate that each lot has adequate areas not subject to landslip hazard to contain a building area, vehicle access, and services.

Conclusion

The proposed 2-lot and balance subdivision has been assessed against relevant provisions of the TPS and is considered to be in accordance with relevant provisions of SPP's. Under the *Rural Living Zone (11.0)*, one discretion is generated:

- *Development Standards for Subdivision (11.5) – Services (11.5.3) – P2.*

For the rationale provided under this clause, the subject site can well accommodate on-site wastewater systems in accordance with requirements *Rural Living Zone* and relevant Codes. On balance, provisions of the SPP's are met and the proposal is considered to be in accord with the TPS overall. The proposal is therefore recommended for approval.

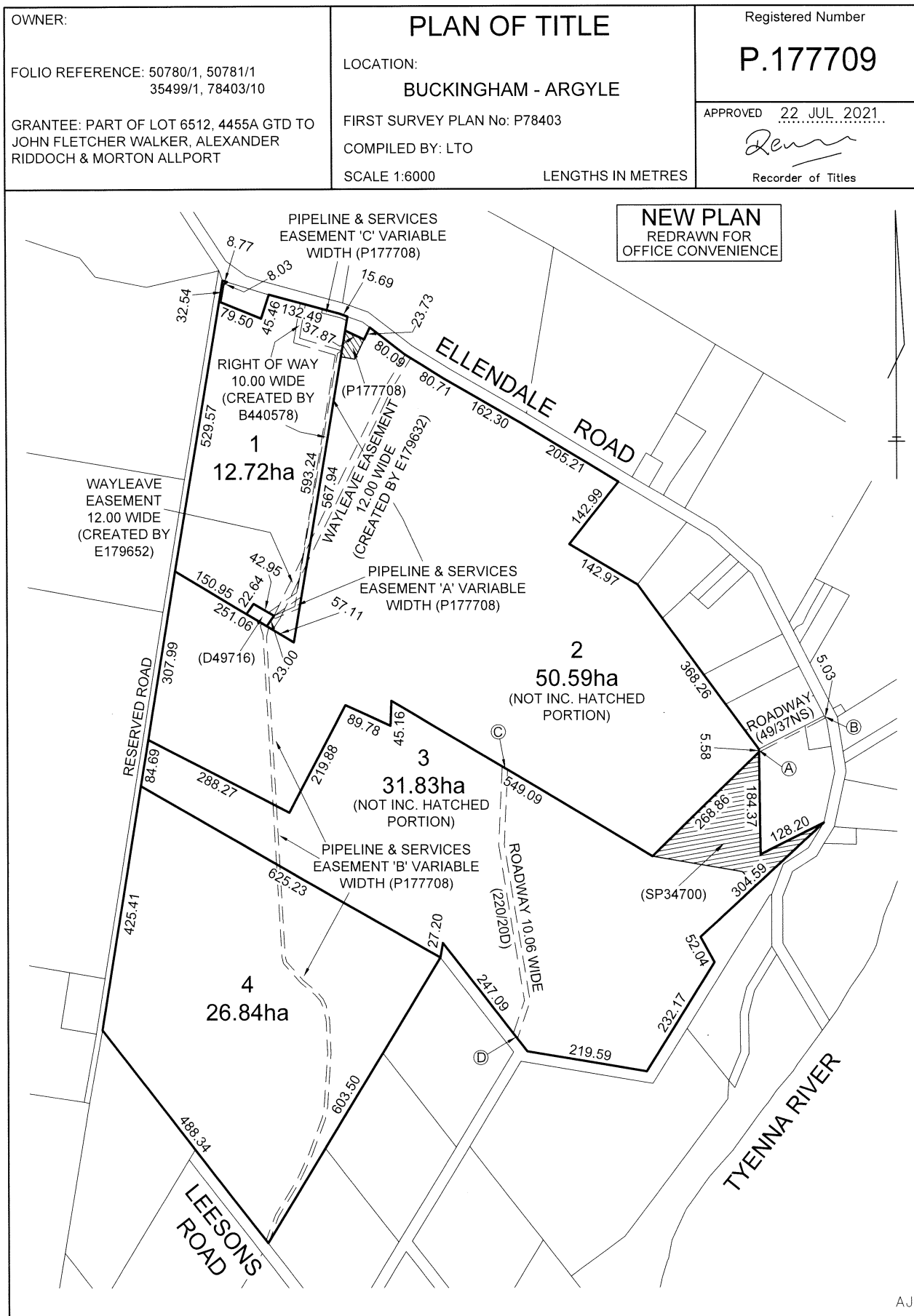
Yours faithfully,
Gabrielle Priest



On behalf of
PDA Surveyors, Engineers and Planners

Appendices

Appendix 1: Title Plan and Folio



SEARCH OF TORRENS TITLE

VOLUME 177709	FOLIO 2
EDITION 2	DATE OF ISSUE 09-Jun-2022

SEARCH DATE : 21-Sep-2023

SEARCH TIME : 10.53 AM

DESCRIPTION OF LAND

Parish of ARGYLE Land District of BUCKINGHAM
Lot 2 on Plan 177709
Derivation : Part of Lot 6512, 4455A Gtd. to John Fletcher
Walker, Alexander Riddoch & Morton Allport
Prior CT 50781/1

SCHEDULE 1

M964432 TRANSFER to THOMAS ROBERT HARVEY CLARK and SARAH JANE
GATENBY-CLARK Registered 09-Jun-2022 at noon

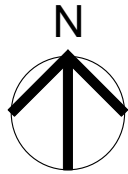
SCHEDULE 2

Reservations and conditions in the Crown Grant if any
BENEFITING EASEMENT: Right of Carriageway for the said James
Meaghan or the owner or occupier of the said land
within described over Roadway 10.06 wide marked C D
on Plan 177709
BENEFITING EASEMENT: Right of Carriageway over the several
roads shown on Plan No. 666
BENEFITING EASEMENT: Right of Carriageway over the Roadway
marked A B on Plan 177709
E179632 BURDENING WAYLEAVE EASEMENT with the benefit of a
restriction as to user of land in favour of Tasmanian
Networks Pty Ltd over the land marked Wayleave
Easement 12.00 wide on Plan 177709 Registered
04-Aug-2021 at noon
E173075 BURDENING EASEMENT: A Pipeline and Services Easement
in favour of Tasmanian Water & Sewerage Corporation
Pty Ltd over the Pipeline & Services Easement 'B'
variable width on Plan 177709 Registered 04-Aug-2021
at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

Appendix 2: Proposed Plan of Subdivision



PLAN OF SUBDIVISION

Owners
Thomas Robert Harvey Clark &
Sarah Jane Gatenby-Clark

Title References
FR 177709/2

Address
Lot 2 Ellendale Road, Westerway,
TAS, 7140

Council
Central Highlands Council

Planning scheme
Central Highlands Interim Planning
Scheme 2015

Zone
13.0 Rural Living

Zone Overlay
126.FRE, 126.LDS, 126.WCP

Map reference
TP07

PID
9170139

Point of interest GDA2020 MGA55
482 150E, 5 276 110N

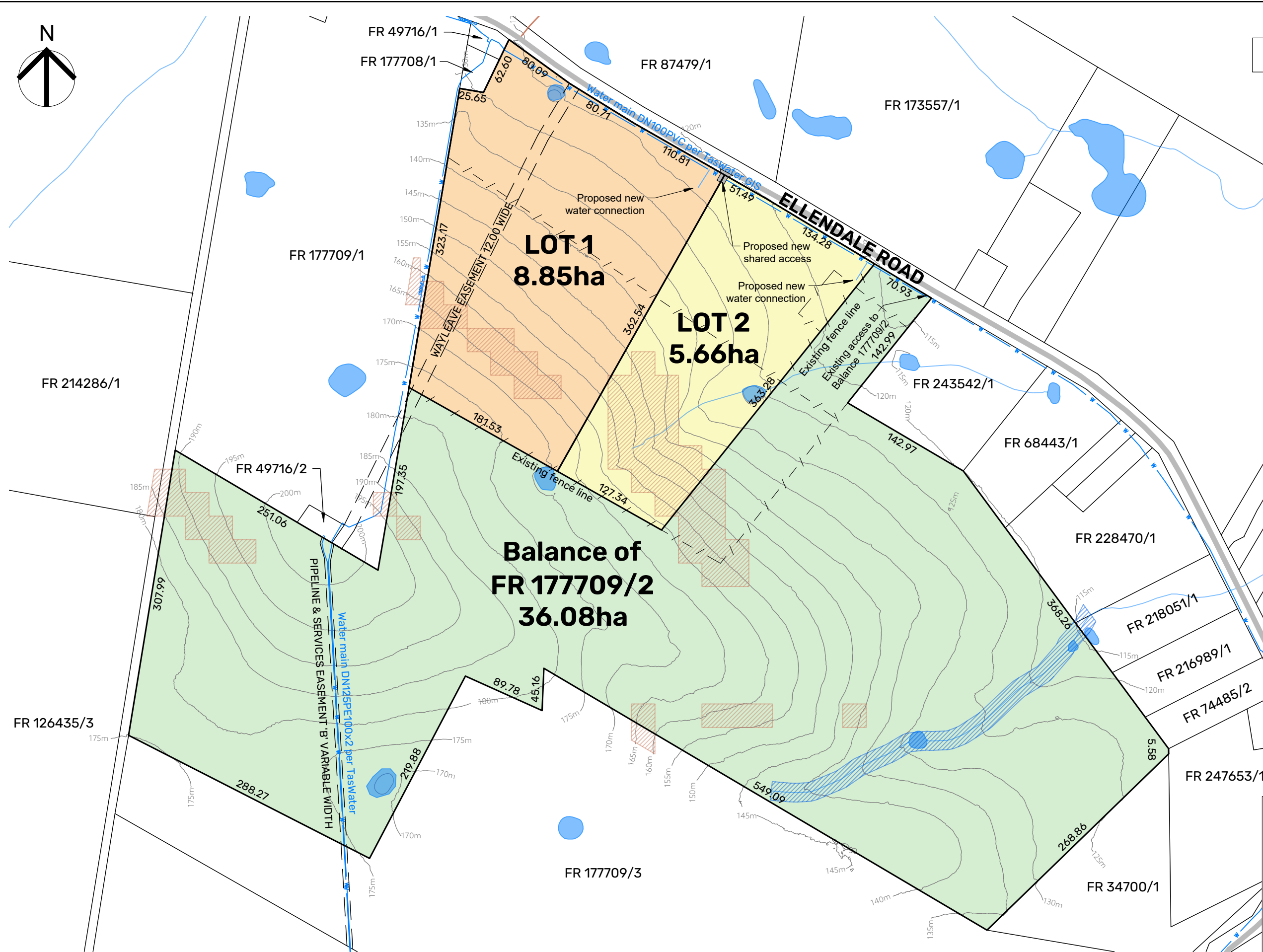
Schedule of Easements
As shown

NOTES

1. This plan has been prepared only for the purpose of obtaining preliminary subdivision approval from the Council and the information shown hereon should be used for no other purpose. All measurements and areas are subject to final survey.
2. Entire site is subject to the Bushfire Prone Areas Overlay. This isn't shown for plan clarity

LEGEND


- Title/lot boundary
- - - Easement
- / - Existing fence
- Water main (per TasWater GIS)
- Hydrographic line (per theLIST)
- ▨ Landslide Hazard Area
- ▨ Waterway and Coastal Protection Area



E					
D					
C					
B					
A					
REV	AMENDMENTS		DRAWN	DATE	APPR.

NOTES:					
SURVEYOR	-	GEOCIVIL	-		
DRAWN	BM	CHECKED	CT		
DATE	1 NOVEMBER 2023				

PROPOSAL PLAN
FR 177709/2
ELLENDALE ROAD, WESTERWAY
for ROB CLARK



PDA
SURVEYORS, ENGINEERS & PLANNERS

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SCALE	PAPER
1:4000	(A3)
JOB NUMBER	DRAWING
49834CT - 1	45

Appendix 3: Bushfire Hazard Report and Management Plan



Proposed Subdivision
Lot 2 Ellendale Road, Westerway
Bushfire Hazard Report



Applicant: T & S Clark
October 2023, J9134v2

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1.0 Introduction

This Bushfire Hazard Report has been completed to form part of supporting documentation for a planning permit application for a two lot plus Balance subdivision. The proposed subdivision occurs in a Bushfire-prone Area defined by the Tasmanian Planning Scheme – Central Highlands (the Scheme). This report has been prepared by Mark Van den Berg a qualified person under Part 4a of the *Fire Service Act 1979* of Geo Environmental Solutions Pty Ltd for T & S Clark

The report considers all the relevant standards of Code C13 of the planning scheme, specifically;

- The requirements for appropriate Hazard Management Areas (HMA's) in relation to building areas;
- The requirements for Public and Private access;
- The provision of water supplies for firefighting purposes;
- Compliance with the planning scheme, and
- Provides a Bushfire Hazard Management Plan to facilitate appropriate compliant future development.

2.0 Proposal

The proposal is for the subdivision of land resulting in two new lots and balance, as described on the proposed plan of subdivision in appendix A. Public access to new lots will be provided by existing public roadways. The development is proposed to occur as a single stage. All proposed lots are undeveloped.

3.0 Site Description

The subject site comprises private land on one title at Lot 2 Ellendale Road, Westerway, FR: 177709/2 (figure 1). The site occurs in the municipality of the Central Highlands, this application is administered through the Tasmanian Planning Scheme – Central Highlands which makes provision for subdivision. The proposed development occurs within the Rural Living zone. The site is located north of the Westerway settled area, approximately 2.6 km north north-west of Hollands Hill (figure 1). The surrounding landscape is characterised by intensive horticulture and grasslands extending into landscape scale forests with both hardwood and softwood plantation forestry. Vegetation throughout the immediate area provides linkages to landscape scale bushfire-prone vegetation units (figure 2).

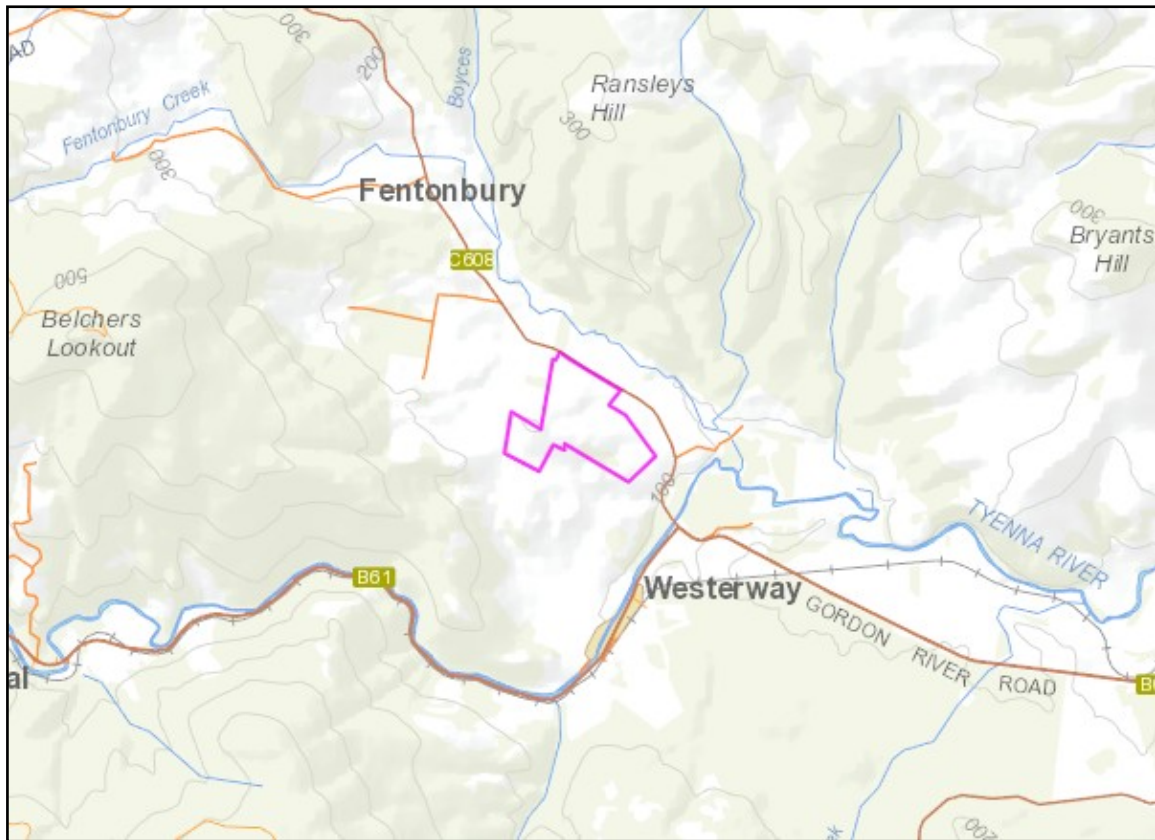


Figure 1. The site in a topographical context, pink line defines the parent lot (approximate).



Figure 2. Aerial photo of the site, pink line denotes the parent lot (approximate).

4.0 Bushfire Hazard Assessment

4.1 Vegetation

The site and adjacent lands within 100 metres of the proposed building areas carry Low Open Woodland and Grassland vegetation (figures 3 to 5). The highest risk vegetation occurs to the north and north-west of the sites.

4.2 slopes

The effective slopes in relation to the proposed building areas are gentle (<5 degrees) and are unlikely to have a significant influence on the bushfire attack at the sites.



Figure 3. Grassland vegetation within and adjacent to the balance lot looking north from the building area within the balance lot.



Figure 4. Grassland and Low Open Woodland vegetation within lot 2 looking south from the building area within lot 2.



Figure 5. Grassland vegetation within lot 1 and with lot 2 looking east from the building area within lot 1.

4.3 Bushfire Attack Level

An assessment of vegetation and topography was undertaken within and adjacent to the proposed building areas on each lot. A bushfire attack level assessment as per AS3959-2018 was completed which has determined setbacks for each building area from bushfire-prone vegetation which do not exceed BAL-19 of AS3959-2018 (appendix B). The building areas and bushfire attack levels are identified on the BHMP.

5.0 Bushfire Prone Areas Code

Code C13 of the planning scheme articulates requirements for the provision of hazard management areas, standards for access and firefighting water supplies and requirements for hazard management for staged subdivisions.

5.1 Hazard Management Areas

Hazard management areas are required to be established and/or maintained for all lots, they provide an area around the building within which fuels are managed to reduce the impacts of direct flame contact, radiant heat and ember attack on the site. Lot 1 will require the HMA to be established prior to sealing of titles.

The Bushfire Hazard Management Plan (BHMP) shows building areas (for habitable buildings) and associated Hazard Management Areas for each lot, guidance for establishment and maintenance of HMA's is provided below.

This subdivision is to occur as a single stage. Each proposed lot can accommodate a hazard management area with sufficient separation from bushfire-prone vegetation not exceeding the requirements for BAL-19 of AS3959-2018. This means that each lot is not dependant on adjacent land use or management for bushfire mitigation.

5.1.1 Building areas

Building areas for habitable buildings are shown on the BHMP. Each lot has been assessed and a Bushfire Attack Level (BAL) assigned to it. If future buildings are located within the building area and comply with the minimum setbacks for the lot, the buildings may be constructed to the bushfire attack level assigned to that lot. If associated structures like sheds or other non-habitable buildings exist or are proposed, they do not need to conform to a BAL unless they are within 6 metres of the habitable building.

5.1.2 Hazard Management Area requirements

A hazard management area is the area, between a habitable building or building area and the bushfire prone vegetation which provides access to a fire front for firefighting, is maintained in a minimal fuel condition and in which there are no other hazards present which will significantly contribute to the spread of a bushfire. This can be achieved through, but is not limited to the following strategies;

- Remove fallen limbs, sticks, leaf and bark litter;
- Maintain grass at less than a 100mm height;
- Avoid or minimise the use of flammable mulches (especially against buildings);
- Thin out under-story vegetation to provide horizontal separation between fuels;
- Prune low-hanging tree branches (<2m from the ground) to provide vertical separation between fuel layers;
- Remove or prune larger trees to establish and maintain horizontal separation between tree canopies;
- Minimise the storage of flammable materials such as firewood;
- Maintain vegetation clearance around vehicular access and water supply points;
- Use low-flammability plant species for landscaping purposes where possible;
- Clear out any accumulated leaf and other debris from roof gutters and other debris accumulation points.

It is not necessary to remove all vegetation from the hazard management area, trees and shrubs may provide protection from wind borne embers and radiant heat under some circumstances if other fuels are appropriately managed.

5.2 Public and firefighting Access

5.2.1 Public Roads and Fire Trails

There is no proposal for the construction of new public roadways or fire trails, in this circumstance there are no applicable standards for the construction of new public roads.

5.2.2 Property access (for building compliance)

Proposed property access will be required to be used to access a static firefighting water supply and connection point, consistent with table C13.2 of the Bushfire-prone Areas Code property access is required to comply with the following standards:

- a) All-weather construction;
- b) Load capacity of at least 20 tonnes, including for bridges and culverts;
- c) Minimum carriageway width of 4 metres;
- d) Minimum vertical clearance of 4 metres;
- e) Minimum horizontal clearance of 0.5 metres from the edge of the carriageway;
- f) Cross falls of less than 3° (1:20 or 5%);
- g) Dips less than 7° (1:8 or 12.5%) entry and exit angle;
- h) Curves with a minimum inner radius of 10 metres;
- i) Maximum gradient of 15° (1:3.5 or 28%) for sealed roads, and 10° (1:5.5 or 18%) for unsealed roads; and
- j) Terminate with a turning area for fire appliances provided by one of the following:
 - (i) A turning circle with a minimum inner radius of 10 metres;
 - (ii) A property access encircling the building; or
 - (iii) A hammerhead “T” or “Y” turning head 4 metres wide and 8 metres long.
- k) Passing bays of 2 metres additional carriage way width and 20 metres length provided every 200 metres.

5.3 Water supplies for firefighting

The building areas are serviced by a reticulated water supply system with fire hydrants. However, due to the proximity of the existing fire hydrants to the building areas, dedicated static firefighting water supplies will be provided in accordance with table 1 below.

Table 1. Requirements for Static Water Supplies dedicated for Firefighting.

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 90 metres of the firefighting water point of a static water supply; and (b) The distance must be measured as a hose lay, between the firefighting water point and the furthest part of the building area
B.	Static Water Supplies	A static water supply: (a) May have a remotely located offtake connected to the static water supply;

		<p>(b) May be a supply for combined use (firefighting and other uses) but the specified minimum quantity of firefighting water must be available at all times;</p> <p>(c) Must be a minimum of 10,000 litres per building area to be protected. This volume of water must not be used for any other purpose including firefighting sprinkler or spray systems;</p> <p>(d) Must be metal, concrete or lagged by non-combustible materials if above ground; and</p> <p>(e) If a tank can be located so it is shielded in all directions in compliance with Section 3.5 of AS 3959:2018, the tank may be constructed of any material provided that the lowest 400 mm of the tank exterior is protected by:</p> <ul style="list-style-type: none"> (i) metal; (ii) non-combustible material; or (iii) fibre-cement a minimum of 6 mm thickness.
C.	Fittings, pipework and accessories (including stands and tank supports)	<p>Fittings and pipework associated with a firefighting water point for a static water supply must:</p> <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) Where buried, have a minimum depth of 300mm; (e) Provide a DIN or NEN standard forged Storz 65 mm coupling fitted with a suction washer for connection to firefighting 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 220 mm length); (h) Ensure underground tanks have either an opening at the top of not less than 250 mm diameter or a coupling compliant with this Table; and (i) Where 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 firefighting 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	<p>The firefighting 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:</p> <ul style="list-style-type: none"> (a) comply with water tank signage requirements within AS 2304:2019; or (b) comply with the Tasmania Fire Service Water Supply Signage Guideline published by the Tasmania Fire Service.
E.	Hardstand A hardstand area for fire appliances must be provided:	<ul style="list-style-type: none"> (a) No more than three metres from the firefighting water point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like); (b) No closer than six metres from the building area to be protected; (c) With a minimum width of three metres 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.

6.0 Compliance

6.1 Planning Compliance

Table 2 summarises the compliance requirements for subdivisions in bushfire prone areas against Code C13 as they apply to this proposal. A planning certificate has been issued for the associated BHMP as being compliant with the relevant standards as outlined below and is located in appendix D.

Table 2. Compliance with Code C13 of the Tasmanian Planning Scheme – Clarence

Clause	Compliance
C13.4 Use or development exempt from this code	Not applicable.
C13.5 1 Vulnerable Uses	Not applicable.
E13.5.2 Hazardous Uses	Not applicable
C13.6.1 Subdivision: Provision of hazard management areas	<p>The Bushfire Hazard Management Plan is certified by an accredited person. Each lot within the subdivision has a building area and associated hazard management area shown which is suitable for BAL-12.5 construction standards. Hazard management areas are able to be contained within each individual lot, therefore there is no requirement for part 5 agreements or easements to facilitate hazard management of site .</p> <p>The proposal is compliant with the acceptable solution at A1(b).</p>
C13.6.2 Subdivision: Public and firefighting access	<p>There is no proposal for the construction of new public roadways or fire trails as part of this development. Minimum standards for property access have been specified for all lots consistent with table C13.2.</p> <p>The Bushfire Hazard Management Plan is certified by an accredited person.</p> <p>The proposal is compliant with the acceptable solution at A1(b).</p>
C13.6.3 Subdivision: Provision of water supply for firefighting purposes	<p>The building areas are serviced by a reticulated water supply system with fire hydrants. However, in this circumstance dedicated static firefighting water supplies will be provided for all lots in accordance table C13.5</p> <p>The proposal is compliant with the acceptable solution at A2(b)</p>

6.2 Building Compliance (for future development)

Future residential development may not require assessment for bushfire management requirements at the planning application stage. Subsequent building applications will require demonstrated compliance with the Directors Determination. If future development is undertaken in compliance with the Bushfire Hazard Management Plan associated with this report, a building surveyor may rely upon it for building compliance purposes if it is not more than 6 years old.

7.0 Summary

The proposed development occurs within a bushfire-prone area. The vegetation is classified as Grassland and Low Open Woodland, with the highest risk is presented by vegetation to the north and west of the building areas.

A bushfire hazard management plan has been developed and shows building areas with hazard management areas and construction standards, the location proposed property access and requirements for the provision of firefighting water supplies.

8.0 Limitations Statement

This Bushfire Hazard Report has been prepared in accordance with the scope of services between Geo-Environmental Solutions Pty. Ltd. (GES) and the applicant. To the best of GES's knowledge, the information presented herein represents the Client's requirements at the time of printing of the report. However, the passage of time, manifestation of latent conditions or impacts of future events may result in findings differing from that described in this report. In preparing this report, GES has relied upon data, surveys, analyses, designs, plans and other information provided by the Client and other individuals and organisations referenced herein. Except as otherwise stated in this report, GES has not verified the accuracy or completeness of such data, surveys, analyses, designs, plans and other information.

The scope of this study does not allow for the review of every possible bushfire hazard condition and does not provide a guarantee that no loss of property or life will occur as a result of bushfire. As stated in AS3959-2018 "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". In addition, no responsibility is taken for any loss which is a result of actions contrary to AS3959-2018 or the Tasmanian Planning Commission Bushfire code.

This report does not purport to provide legal advice. Readers of the report should engage professional legal practitioners for this purpose as required. No responsibility is accepted for use of any part of this report in any other context or for any other purpose by third party

9.0 References

Building Amendment (Bushfire-Prone Areas) Regulations 2014

Determination, Director of Building Control – Requirements for Building in Bushfire-Prone Areas, version 2.2, 6th February 2020. Consumer, Building and Occupational Services, Department of Justice, Tasmania

Standards Australia 2018, *Construction of buildings in bushfire prone areas*, Standards Australia, Sydney.

Tasmanian Planning Commission 2017, *Planning Directive No.5.1 – Bushfire prone Areas Code*. Tasmanian Planning Commission, Hobart. 20th July 2022.

Tasmanian Planning Scheme – Southern Midlands.

Bushfire Hazard Report - Lot 2 Ellendale Road, Westerway, October 2023, J9134v2



Appendix B – Bushfire Attack Level assessment tables

Table 1. Bushfire Attack Level Assessment for Lot 1.

Azimuth	Vegetation Classification	Effective Slope	Distance to Bushfire-prone vegetation	Hazard management area width	Bushfire Attack Level
North-east	Grassland	>0 to 5° downslope	0 to 20 metres	20 metres	BAL-12.5
	Exclusion 2.2.3.2 (e, f) [^]	flat 0°	20 to 30 metres		
	Grassland [^]	>0 to 5° downslope	30 to 100 metres		
	--	--	--		
South-east	Grassland	>0 to 5° downslope	0 to 100 metres	16 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
South-west	Grassland	upslope	0 to 40 metres	14 metres	BAL-12.5
	Low Open Woodland	upslope	40 to 100 metres		
	--	--	--		
	--	--	--		
North-west	Grassland [^]	flat 0°	0 to 100 metres	14 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		

[^] Vegetation classification as per AS3959-2018 and Figures 2.4(A) to 2.4 (H).

^{*} Low threat vegetation as per Bushfire Prone Areas Advisory Note (BHAN) No.1-2014, version 3, 8/11/2017.

^{^^} Exclusions as per AS3959-2018, section 2.2.3.2, (a) to (f).

Appendix B – Bushfire Attack Level assessment tables

Table 2. Bushfire Attack Level Assessment for Lot 2

Azimuth	Vegetation Classification	Effective Slope	Distance to Bushfire-prone vegetation	Hazard management area width	Bushfire Attack Level
North-east	Grassland	>0 to 5° downslope	0 to 20 metres	20 metres	BAL-12.5
	Exclusion 2.2.3.2 (e, f) [^]	flat 0°	20 to 30 metres		
	Grassland [^]	>0 to 5° downslope	30 to 100 metres		
	--	--	--		
South-east	Grassland	>0 to 5° downslope	0 to 100 metres	16 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
South-west	Grassland	upslope	0 to 40 metres	14 metres	BAL-12.5
	Low Open Woodland	upslope	40 to 100 metres		
	--	--	--		
	--	--	--		
North-west	Grassland [^]	flat 0°	0 to 100 metres	14 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		

[^] Vegetation classification as per AS3959-2018 and Figures 2.4(A) to 2.4 (H).

^{*} Low threat vegetation as per Bushfire Prone Areas Advisory Note (BHAN) No.1-2014, version 3, 8/11/2017.

^{^^} Exclusions as per AS3959-2018, section 2.2.3.2, (a) to (f).

Table 3. Bushfire Attack Level Assessment for Balance Lot

Azimuth	Vegetation Classification	Effective Slope	Distance to Bushfire-prone vegetation	Hazard management area width	Bushfire Attack Level
North-east	Grassland	>0 to 5° downslope	0 to 100 metres	20 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
South-east	Low Open Woodland	>0 to 5° downslope	0 to 100 metres	16 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
South-west	Low Open Woodland	upslope	0 to 100 metres	14 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
North-west	Low Open Woodland	flat 0°	0 to 30 metres	14 metres	BAL-12.5
	Grassland [^]	flat 0°	30 to 100 metres		
	--	--	--		
	--	--	--		

[^] Vegetation classification as per AS3959-2018 and Figures 2.4(A) to 2.4 (H).

^{*} Low threat vegetation as per Bushfire Prone Areas Advisory Note (BHAN) No.1-2014, version 3, 8/11/2017.

^{^^} Exclusions as per AS3959-2018, section 2.2.3.2, (a) to (f).

Appendix C

Bushfire Hazard Management Plan



Compliance Requirements

Property Access

Property access length is 30 metres or greater; and access is required for a fire appliance to connect to a firefighting water point.
Consistent with table C13.2 the following design and construction requirements apply to property access:

(a) All-weather construction;
(b) Load capacity of at least 20 tonnes, including for bridges and culverts;
(c) Minimum carriageway width of 4 metres;
(d) Minimum vertical clearance of 4 metres;
(e) Minimum horizontal clearance of 0.5 metres from the edge of the carriageway;
(f) Cross falls of less than 3° (1:20 or 5%);
(g) Dips less than 7° (1:8 or 12.5%) entry and exit angle;
(h) Curves with a minimum inner radius of 10 metres;
(i) Maximum gradient of 15° (1:3.5 or 28%) for sealed roads, and 10° (1:5.5 or 18%) for unsealed roads; and
(j) Terminate with a turning area for fire appliances provided by one of the following:
(i) A turning circle with a minimum outer radius of 10 metres;
(ii) A property access encircling the building; or
(iii) A hammerhead "T" or "Y" turning head 4 metres wide and 8 metres long
(k) Passing bays of 2 metres additional carriageway width and 20 metres length provided every 200 metres.

Water Supplies for Firefighting

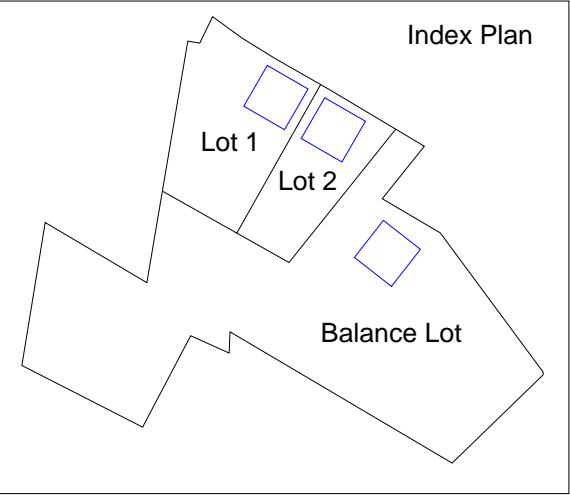
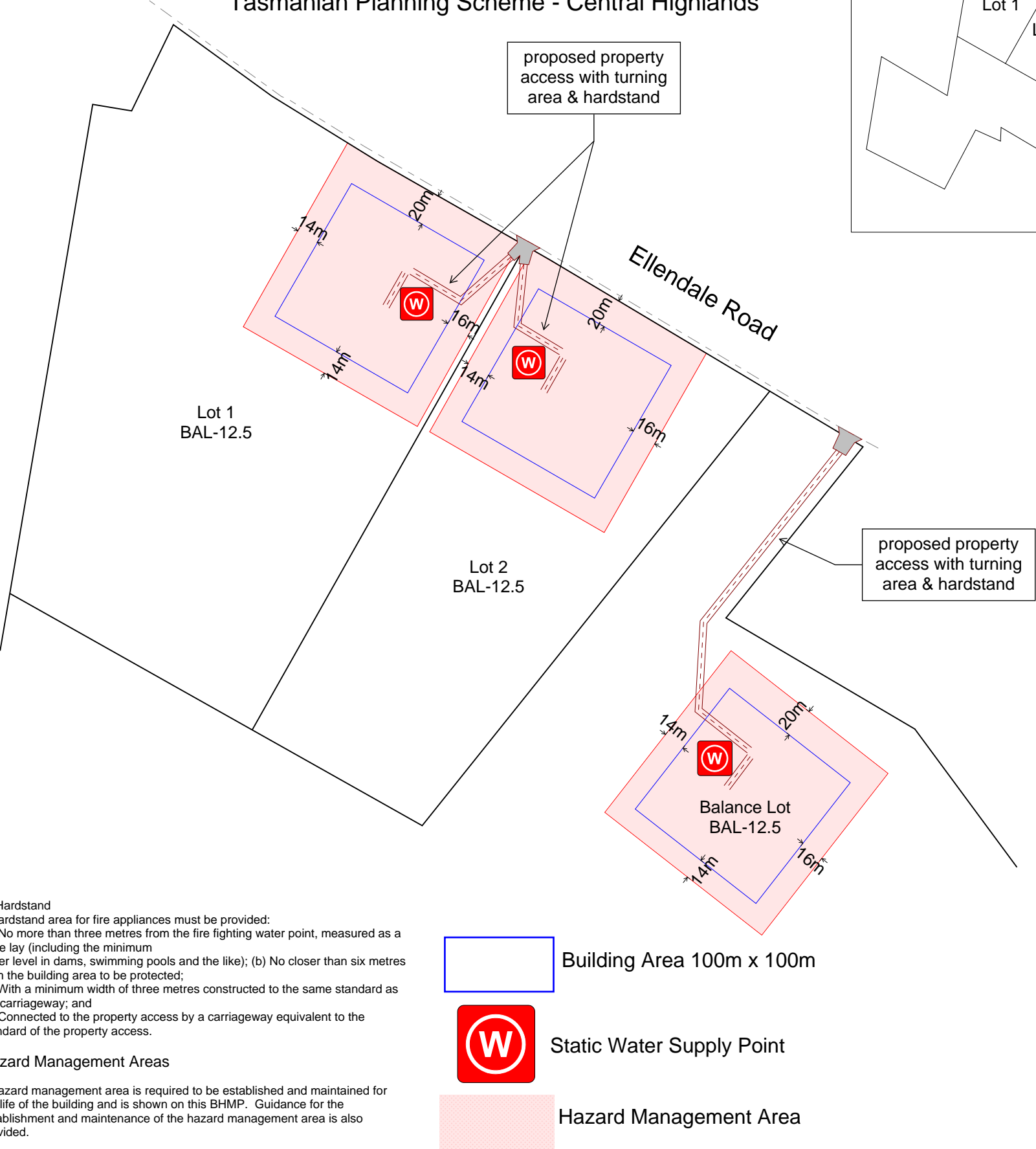
The site is not serviced by a reticulated water supply, therefore a dedicated, static firefighting water supply will be provided in accordance with the following:

- 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 90 metres 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:
- (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 10,000 litres 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 AS 3959-2009, the tank may be constructed of any material provided that the lowest 400 mm of the tank exterior is protected by:
- (i) metal;
(ii) non-combustible material; or
(iii) fibre-cement a minimum of 6 mm thickness.
- C) Fittings and pipework associated with a fire fighting water point for a static water supply must:
- (a) Have a minimum nominal internal diameter of 50mm; (2) Be fitted with a valve with 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) Where buried, have a minimum depth of 300mm (compliant with AS/NZS 3500.1-2003 Clause 5.23);
(e) Provide a DIN or NEN standard forged Storz 65 mm 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 220 mm length);
(h) Ensure underground tanks have either an opening at the top of not less than 250 mm diameter or a coupling compliant with this Table; and
(i) Where a remote offtake is installed, ensure the offtake is in a position that is:
(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 comply with the Tasmania Fire Service Water Supply Signage Guideline published by the Tasmania Fire Service

BUSHFIRE HAZARD MANAGEMENT PLAN

Bushfire Hazard Management Plan, Lot 2 Ellendale Road,
Westerway. October 2023. J9134v2
Tasmanian Planning Scheme - Central Highlands



GES
GEO-ENVIRONMENTAL
SOLUTIONS
29 Kirksway Place, Battery Point.
T| 62231839 E| office@geosolutions.net.au

Note: Hazard Management Area widths to be established from the facade's of the building to be protected, as specified for each lot.

Hazard Management Area

A hazard management area is the area, between a habitable building or building area and the bushfire prone vegetation, which provides access to a fire front for firefighting, which is maintained in a minimal fuel condition and in which there are no other hazards present which will significantly contribute to the spread of a bushfire. This can be achieved through, but is not limited to the following actions;

- Remove fallen limbs, sticks, leaf and bark litter;
- Maintain grass at less than a 100mm height;
- Remove pine bark and other flammable mulch (especially from against buildings);
- Thin out under-story vegetation to provide horizontal separation between fuels;
- Prune low-hanging tree branches (<2m from the ground) to provide (vertical separation between fuel layers);
- Prune larger trees to maintain horizontal separation between canopies;
- Minimise the storage of flammable materials such as firewood;
- Maintain vegetation clearance around vehicular access and water supply points;
- Use low-flammability species for landscaping purposes where appropriate;
- Clear out any accumulated leaf and other debris from roof gutters and other accumulation points.

It is not necessary to remove all vegetation from the hazard management area, trees may provide protection from wind borne embers and radiant heat under some circumstances.

Certification No. J9134

Mark Van den Berg

Mark Van den Berg
Acc. No. BFP-108
Scope 1, 2, 3A, 3B, 3C.

Do not scale from these drawings. Dimensions to take precedence over scale. Written specifications to take precedence over diagrammatic representations.	T & S Clark C/O Lot 2 Ellendale Road, Westerway. Tas., 7140	C.T.: 177709/2 PID: 9170139	Date: 20/10/2023	Bushfire Hazard Management Plan Lot 2 Ellendale Road, Westerway. October 2023. J9134v2 Bushfire Management Report Lot 2 Ellendale Road, Westerway. October 2023. J9134v2	Drawing Number: A01	Sheet 1 of 1 Prepared by: MvdB 64
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Appendix D

Planning Certificate

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:

Lot 2 Ellendale Road, Westerway

Certificate of Title / PID:

FR: 177709/2 PID: 9170139

2. Proposed Use or Development

Description of proposed Use and Development:

Two lot plus Balance subdivision

Applicable Planning Scheme:

Tasmanian Planning Scheme – Central Highlands

3. Documents relied upon

This certificate relates to the following documents:

Title	Author	Date	Version
Plan of Subdivision	PDA Surveyors	11/07/2022	49834CT - 1
Bushfire Hazard Report Lot 2 Ellendale Road, Westerway. October 2023. J9134v2	Mark Van den Berg	20/10/2023	2
Bushfire Hazard Management Plan Lot 2 Ellendale Road, Westerway. October 2023. J9134v2	Mark Van den Berg	20/10/2023	2

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-12.5 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"/>	E1.6.2 A1 (b) / 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"/>	E1.6.3 A2 (b) / 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: Mark Van den Berg

Phone No: 03 62231839

Postal Address: 29 Kirksway Place
Battery Point Tas. 7004

Email Address: mvandenberg@geosolutions.net.au

Accreditation No: BFP – 108

Scope: 1, 2, 3a, 3b & 3c

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: Mark Van den Berg

20/10/2023

Certificate
Number: J9134

(for Practitioner Use only)