



Meander Valley Council
Working Together

ORDINARY AGENDA

COUNCIL MEETING

Tuesday 10 August 2021

MEETING CONDUCT

- The conduct of Council Meetings is currently being undertaken in accordance with the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*. This has necessarily meant that public attendance at meetings has been restricted. Under these arrangements Council meetings have been undertaken remotely via online avenues.
- Given the current COVID-19 circumstance in Tasmania, Council has now resumed face to face meetings at the Council Chambers in Westbury.
- While COVID-19 restrictions remain in place, Council is mindful of the need to ensure community safety and compliance with regard to the number of people who may gather. This obligation is balanced with the need to minimise disruption to the business of Council. Considering this, Council has determined that limited public access to Council meetings will be permitted from 11 August 2020.
- During this first phase priority will be given to those individuals making representations to planning applications which are subject to statutory timeframes. Any member of the public attending will be required to pre-register and attend the meeting for their relevant agenda item or question time. To ensure compliance with Council's COVID-19 Safety Plan, those intending to attend must register their interest with Council's Customer Service Centre by phoning 6393 5300. On arrival, attendees will be required to provide their name, address and contact number to support COVID-19 tracing in the event it is necessary.
- Overall numbers will be limited to **seven members** of the public in the Council Chambers at once. At the discretion of the Chairperson, people may be asked to leave the meeting at the conclusion of an agenda item. Priority access will be afforded to those making representations to planning applications. The general public will be afforded priority over media representatives. If more than seven representors have an interest in an agenda item, people may be asked to leave the meeting room after their representation to allow others to make their representation to Council.
- Council will continue to ensure minutes and audio recordings of Council meetings are available on Council's website and will review access for other people and media in due course.

These arrangements are subject to review based on any changing circumstance relating to the COVID-19 Disease Emergency.

SECURITY PROCEDURES

At the commencement of the meeting the Chairperson will advise that:

- Evacuation details and information are located on the wall to his right.
- In the unlikelyhood of an emergency evacuation an alarm will sound and evacuation wardens will assist with the evacuation.
- When directed, everyone will be required to exit in an orderly fashion through the front doors and go directly to the evacuation point which is in the car park at the side of the Town Hall.



Meander Valley Council
Working Together

PO Box 102, Westbury,
Tasmania, 7303

Notice is hereby given that an Ordinary Meeting of the Meander Valley Council will be held at the Westbury Council Chambers, 26 Lyall Street, Westbury, on **Tuesday 10 August 2021, commencing at 3.00pm.**

In accordance with Section 65 of the *Local Government Act 1993*, I certify that with respect to all advice, information or recommendations provided to Council with this agenda:

1. the advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and
2. where any advice is given directly to Council by a person who does not have the required qualifications or experience, that person has obtained and taken into account in that person's general advice, the advice from an appropriately qualified or experienced person.

John Jordan
GENERAL MANAGER

Table of Contents

CONFIRMATION OF MINUTES.....	6
COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING	6
ANNOUNCEMENTS BY THE MAYOR	7
ANNOUNCEMENTS BY COUNCILLORS.....	7
DECLARATIONS OF INTEREST	7
TABLING AND ACTION ON PETITIONS.....	8
PUBLIC QUESTION TIME.....	8
COUNCILLOR QUESTION TIME.....	10
DEPUTATIONS BY MEMBERS OF THE PUBLIC	10
PLANNING AUTHORITY 1	
40 SUBURB ROAD, WESTBURY.....	12
INFRASTRUCTURE 1	
PROPOSED ROAD NAME – NIGHT TRAIN RISE, PROSPECT VALE.....	91
GOVERNANCE 1	
APPOINTMENT TO COUNCIL AUDIT PANEL	96
ITEMS FOR CLOSED SECTION OF THE MEETING	
GOVERNANCE 2 CONFIRMATION OF MINUTES	99
GOVERNANCE 3 LEAVE OF ABSENCE	99
GOVERNANCE 4 RECEIPT OF LEGAL ADVICE.....	99

Agenda for an Ordinary Meeting of the Meander Valley Council to be held at the Council Chambers Meeting Room, 26 Lyall Street, Westbury, on Tuesday 10 August 2021 at 3.00pm.

Business is to be conducted at this meeting in the order in which it is set out in this agenda, unless the Council by Absolute Majority determines otherwise.

PRESENT

APOLOGIES

IN ATTENDANCE

CONFIRMATION OF MINUTES

(Reference No. 136/2021)

Councillor xx moved and Councillor xx seconded, ***“that the minutes of the Ordinary Meeting of Council held on Tuesday 13 July 2021, be received and confirmed.”***

COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING

(Reference No. 137/2021)

Date	Items discussed:
27 July 2021	<ul style="list-style-type: none">• Presentation – Di Robinson – Dog Off-Leash Areas• Presentation – Local Government Division• Public Meeting – Proposed Northern Regional Prison• Audit Panel Membership• Presentation – Integrity Commission• Petition – Carrick Development• Proposed Renaming of Classic Drive, Prospect Vale• LGAT General Meeting – Notice of Motions• Items for Noting:<ul style="list-style-type: none">a) Promotional Plan – Indoor Recreation Facilities

ANNOUNCEMENTS BY THE MAYOR

(Reference No. 138/2021)

15 July 2021

Meeting Brian Mitchell

16 July 2021

Meeting SES regarding flooding

23 July 2021

NTDC Board Meeting

26 July 2021

ABC radio interview with Leon Compton

28 July 2021

Regional Visioning workshop NTDC

30 July 2021

White Ribbon Committee reception – Launceston City Council

5 & 6 August 2021

LGAT Conference – Hobart

ANNOUNCEMENTS BY COUNCILLORS

(Reference No. 139/2021)

Nil

DECLARATIONS OF INTEREST

(Reference No. 140/2021)

TABLING AND ACTION ON PETITIONS

(Reference No. 141/2021)

Further action is noted regarding the petition tabled at Council's July Ordinary Meeting ("Petition to Stop Inappropriate Development in Carrick"). The petitioner, Mrs Sally McKaige, attended a Council Workshop on 27 July 2021 to discuss the community's concerns and next steps for Council. Councillors indicated support for undertaking a survey of the Carrick community, to be conducted with input from Mrs McKaige as to its content.

PUBLIC QUESTION TIME

General Rules for Question Time:

Public question time will continue for no more than thirty minutes for 'questions on notice' and 'questions without notice'.

At the beginning of public question time, the Chairperson will firstly refer to the questions on notice. The Chairperson will ask each person who has a question on notice if they would like to ask their question. If they accept they will come forward and state their name and where they are from (suburb or town) before asking their question(s).

The Chairperson will then ask anyone else with a question without notice to come forward and give their name and where they are from (suburb or town) before asking their question.

If called upon by the Chairperson, a person asking a question without notice may need to submit a written copy of their question to the Chairperson in order to clarify the content of the question.

A member of the public may ask a Council officer to read their question for them.

If accepted by the Chairperson, the question will be responded to, or, it may be taken on notice as a 'question on notice' for the next Council meeting. Questions will usually be taken on notice in cases where the questions raised at the meeting require further research or clarification. These questions will need to be submitted as a written copy to the Chairperson prior to the end of public question time.

The Chairperson may request a Councillor or Council officer to provide a response. A Councillor or Council officer who is asked a question without notice at a meeting may decline to answer the question.

All questions and answers must be kept as brief as possible. There will be no debate on any questions or answers.

In the event that the same or similar question is raised by more than one person, an answer may be given as a combined response.

If the Chairperson refuses to accept a question from a member of the public, they will provide reasons for doing so.

Questions on notice and their responses will be minuted. Questions without notice raised during public question time and the responses to them will be minuted, with exception to those questions taken on notice for the next Council meeting.

Once the allocated time period of thirty minutes has ended, the Chairperson will declare public question time ended. At this time, any person who has not had the opportunity to put forward a question will be invited to submit their question in writing for the next meeting.

Notes

- Council officers may be called upon to provide assistance to those wishing to register a question, particularly those with a disability or from non-English speaking cultures, by typing their questions.
- The Chairperson may allocate a maximum time for each question, or maximum number of questions per visitor, depending on the complexity of the issue, and on how many questions are anticipated to be asked at the meeting. The Chairperson may also indicate when sufficient response to a question has been provided.
- Limited Privilege: Members of the public should be reminded that the protection of parliamentary privilege does not apply to Local Government, and any statements or discussion in the Council Chamber or any documents produced are subject to the laws of defamation.

PUBLIC QUESTION TIME

(Reference No. 142/2021)

1. PUBLIC QUESTIONS TAKEN ON NOTICE – JULY 2021

Nil

2. PUBLIC QUESTIONS WITH NOTICE – AUGUST 2021

Nil

3. PUBLIC QUESTIONS WITHOUT NOTICE – AUGUST 2021

COUNCILLOR QUESTION TIME

(Reference No. 143/2021)

1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – JULY 2021

Nil

2. COUNCILLOR QUESTIONS WITH NOTICE – AUGUST 2021

Nil

3. COUNCILLOR QUESTIONS WITHOUT NOTICE – AUGUST 2021

DEPUTATIONS BY MEMBERS OF THE PUBLIC

(Reference No. 144/2021)

PLANNING AUTHORITY ITEMS

For the purposes of considering the following Planning Authority items, Council is acting as a Planning Authority under the provisions of the Land Use Planning and Approvals Act 1993.

The following are applicable to all Planning Authority reports:

Strategic/Annual Plan Conformance

Council has a target under the Annual Plan to assess applications within statutory timeframes.

Policy Implications

Not applicable.

Legislation

Council must process and determine the application in accordance with the *Land Use Planning and Approvals Act 1993* (LUPAA) and its Planning Scheme. The application is made in accordance with Section 57 of LUPAA.

Risk Management

Risk is managed by the inclusion of appropriate conditions on the planning permit.

Financial Consideration

If the application is subject to an appeal to the Resource Management Planning and Appeal Tribunal, Council may be subject to the cost associated with defending its decision.

Alternative Recommendations

Council can either approve the application with amended conditions or refuse the application.

Voting Requirements

Simple Majority

PLANNING AUTHORITY 1

(Reference No. 145/2021)

40 SUBURB ROAD, WESTBURY

Planning Application: PA\21\0315
Proposal: Subdivision (3 lots)
Author: Natasha Whiteley
Team Leader, Town Planning

1) Proposal

Council has received an application for a three (3) lot subdivision at 40 Suburb, Westbury.

Applicant	DJ McCulloch Surveying
Owner	N Fitsialos
Property	40 Suburb Road, Westbury (CT: 125610/39)
Zoning	Low Density Residential Zone
Discretions	10.6.3 Services – P2 & P3
	C7.7.1 Subdivision within a waterway and coastal protection area or a future coastal refugia area – P1
	MEA-S11.8 Lot Design – P1
Existing Land Use	Residential
Number of Representations	Two (2)
Decision Due	11 August 2021
Planning Scheme:	Tasmanian Planning Scheme – Meander Valley (the Planning Scheme)

If approved, the application will result in the creation of two (2) additional lots at 40 Suburb Road, Westbury within the Low Density Residential Zone. The application will also result in the construction of an additional vehicle crossing on Five Acre Row and the upgrade of the existing accesses located off Suburb Road.

The proposed plan of subdivision and site photos are shown on the following pages.

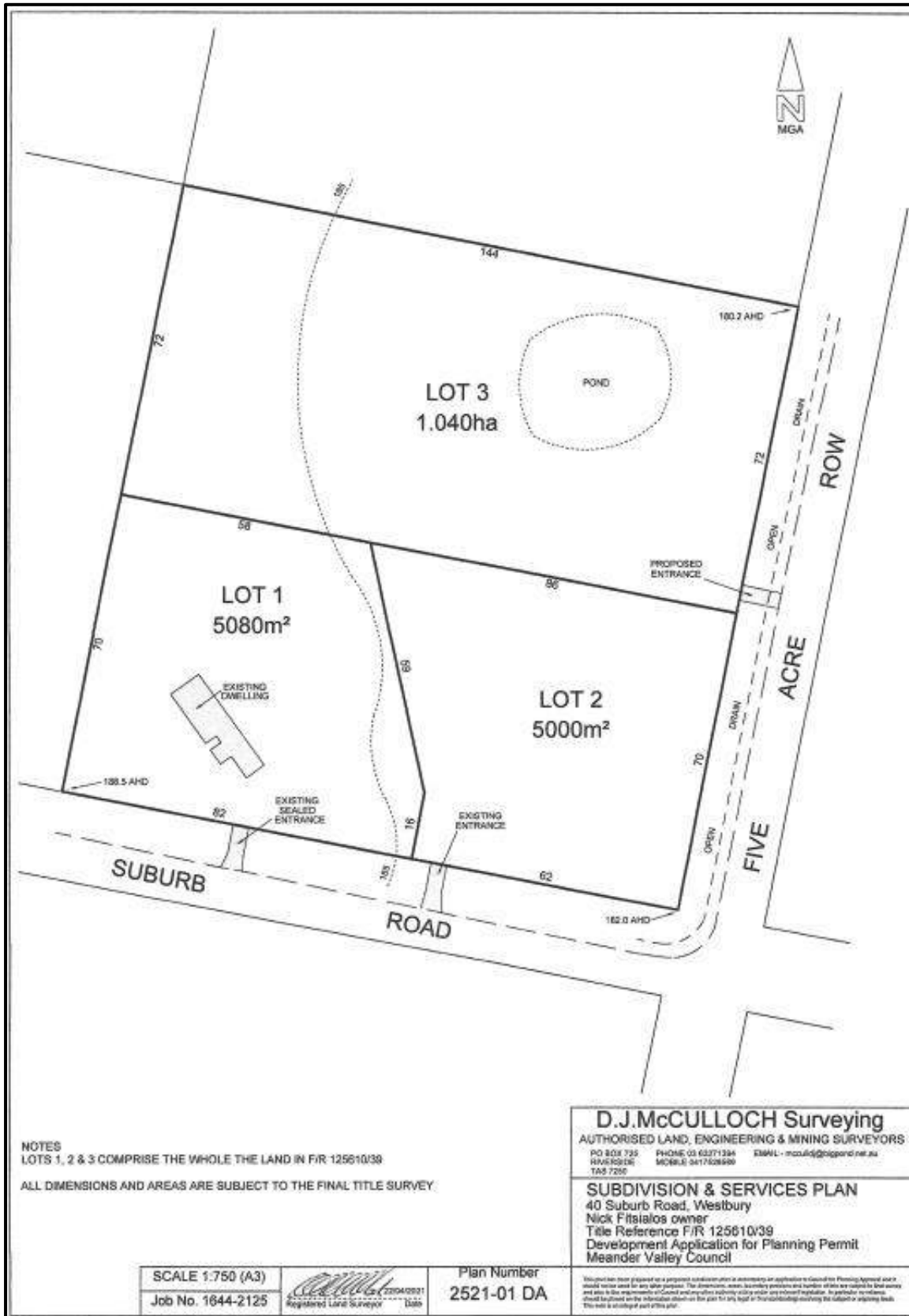


Figure 1: Proposed plan of subdivision.



Photo 1: Aerial photo of 40 Suburb Road, Westbury.



Photo 2: From the intersection of Five Acre Row and Suburb Road looking toward proposed Lots 2 and 3.



Photo 3: From Five Acre Row looking towards Lot 2 and Lot 1.



Photo 4: The existing dwelling on proposed Lot 1.



Photo 5: The western portion of proposed Lot 3.

2) Summary of Assessment

The application proposes to subdivide the land at 40 Suburb Road, Westbury to create a total of three (3) lots. The subject site is a corner lot having frontage to Suburb Road and Five Acre Row and is 2.023ha in area. It contains a single dwelling located towards the south-western corner of the lot. The property is located in the Low Density Residential Zone and is also within the Westbury Specific Area Plan (MEA-S11.0).

Table 1 below provides a summary of the proposed lots.

Lot	Area	Frontage	Access	Feature
Lot 1	5080m ²	Suburb Road	Existing access from Suburb Road	Existing dwelling with established vegetation
Lot 2	5000m ²	Suburb Road and Five Acre Road	Existing access from Suburb Road	Vacant with scattered vegetation
Lot 3	10400m ²	Five Acre Row	Proposed access from Five Acre Road	Vacant with dam and scattered vegetation

The standards of the Planning Scheme which require assessment of the Performance Criteria and the application of Council's discretion to approve or refuse

the application are outlined above and detailed in the Scheme Assessment in Section 6.

Overview

- The subdivision will create two (2) additional lots at 40 Suburb Road, Westbury.
- One (1) new access is required to be installed to service proposed Lot 3.
- The proposal relies on Performance Criteria for Lot Design, Services and Subdivision within a Waterway Protection Area; and, therefore has a Discretionary status.
- Two (2) representations were received during the advertising period. The representations are concerned with the approval of the subdivision for future development, the division of the original five (5) acre lot, increased traffic, loss of amenity due to the amount of recent subdivisions in the area, impact on habitats, servicing of lots, loss of the rural feel of Westbury and safety concerns regarding potential for increased dog attacks.
- The application is recommended for approval as it is demonstrated to comply with each applicable standard of the Planning Scheme.

3) Recommendation

It is recommended that the application for Use and Development for Subdivision (3 lots) on land located at 40 Suburb Road WESTBURY (CT:125610/39) by D.J. McCulloch Surveying, be APPROVED, generally in accordance with the endorsed plans:

- a) **McCulloch Surveying; Dated: 22 April 2021; Job No: 1644-2125; Plan Number: 2521-01 DA; Subdivision & Services Plan;**
- b) **Rebecca Green & Associates; Dated: 8 June 2021; Job No: RGA-B1809; Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan; Pages: 1-31;**

and subject to the following conditions:

1. **Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision, permitted by this permit unless:**
 - a) **Such covenants or controls are expressly authorised by the terms of this permit or by the consent in writing of Council; and**
 - b) **Such covenants or similar controls are submitted for and**

receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.

2. The driveway access servicing Lot 3 must be constructed in accordance with Tasmanian Standard Drawings TSD-R03 and R04 to the satisfaction of Council's Director Infrastructure Services. Refer Note 1.
3. The existing driveway accesses servicing Lot 1 and Lot 2 must be upgraded in accordance with Tasmanian Standard Drawings TSD-R03 and R04 to the satisfaction of Council's Director Infrastructure Services. Refer Note 1.
4. The works required by the endorsed Bushfire Hazard Management Plan are to be completed to the satisfaction of the Tasmanian Fire Service or a practitioner accredited by the Tasmanian Fire Service. Documentation of compliance is to be submitted to the satisfaction of Council's Town Planner.
5. The lots approved by this permit must be maintained at all times in accordance with the endorsed Bushfire Hazard Management Plan.
6. The developer must pay to council a public open space contribution of \$5,709.34, equivalent to 5% of the unimproved value of the approved lots.
7. Prior to the sealing of the final plan of subdivision the following must be completed to the satisfaction of Council:
 - a) Installation and upgrade of driveway accesses to all lots in accordance with Condition 2 & 3;
 - b) The document of compliance submitted to Council demonstrating that the works as required by the endorsed Bushfire Hazard Management Plan have been completed, in accordance with Condition 4; and
 - c) Payment of public open space contribution in accordance with Condition 6.

Notes:

1. Prior to any construction being undertaken in the road reserve,

separate consent is required by the Road Authority. An Application for Works in Road Reservation form is enclosed. All enquiries should be directed to Council's Infrastructure Department on (03) 6393 5312.

2. **Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Development and Regulatory Services on 6393 5320 or via email: mail@mvc.tas.gov.au.**
3. **This permit takes effect after:**
 - a) **The 14 day appeal period expires; or**
 - b) **Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.**
 - c) **Any other required approvals under this or any other Act are granted.**
4. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au.
5. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted if a request is received.
6. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
7. If any Aboriginal relics are uncovered during works:
 - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
 - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania) Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au; and

- | |
|--|
| <p>c) The relevant approval processes will apply with state and federal government agencies.</p> |
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4) Representations

The application was advertised for the statutory 14-day period from 19 June to 5 July 2021. During the advertising period two (2) representations were received. A summary of the concerns raised in the representations is provided below. While the summary attempts to capture the essence of the concerns, it should be read in conjunction with the full representations included in the attachments.

Representation 1
Overall concerns
<ol style="list-style-type: none"> 1. Objects to the proposed subdivision for the prospect of building purposes. 2. The lots were part of the original 5 acre blocks that were once granted and were never to be subdivided. 3. In the immediate area, there have been a dozen or so building approvals. The Meander Valley Council has made decisions for these applications to proceed. The applications have resulted in increased traffic volumes, noise emissions and other undesirable effects from development. The road carriageway is too narrow to accommodate the increased traffic volumes. 4. Lot 2 and its development will impact the Blackwood trees on the site. Native birds feast on the seedpods during summer. When the trees flower bees and other nectar eating species gather to feast. The habitat will be challenged. 5. Lot 3 has an extensive range of trees including Eucalyptus and a dam which is home to many animals. The subdivision will destroy the habitat including the habitat of extinct and endangered animals. 6. At the end of the waterhole is a pear tree which has great significance being one of the trees gifted and planted by the Retired Military Pensioners in the 1850s and is original to this land. 7. The proposed subdivision is not sympathetic to the area or any of the subdivisions recently approved. They destroy, and are permitted to destroy, a small parcel of land within a short period of time. Westbury is no longer a charming village as Meander Valley Council perceive it to be, but a regional city with no amenities.
Response
<ol style="list-style-type: none"> 1. The objection is noted. The Tasmanian Planning Scheme – Meander Valley provides the ability for subdivision to be considered. The proposal has been assessed and is considered to be compliant with the applicable standards of the Planning Scheme as demonstrated in the

assessment in Section 6 below.

2. The original division of the 5 acre allotments and the intentions of the division of land in the past are not matters that are considered in the Tasmanian Planning Scheme – Meander Valley. The Planning Scheme provides the ability for the land to be considered for subdivision. Therefore the planning authority must assess an application against the applicable standards. This subdivision is considered to comply with the requirements of the Planning Scheme. The site at 40 Suburb Road, Westbury is not subject to the provision of the Local Historic Heritage Code and is not heritage listed. As such, any heritage values cannot be assessed.
3. The Planning Scheme provides the ability for land zoned Low Density Residential in Westbury to be subdivided providing the application complies with the applicable standards of the scheme. All subdivisions that have been approved have been assessed in accordance with the Planning Scheme in operation at the time. These assessments include the consideration of increased volumes of traffic as a result of the need to provide new vehicle crossings by Council's Road Authority. The assessment of the traffic considers matters such as: sight distance from the new vehicle crossings; the volume of traffic likely to be generated from the future use of the site; and the road conditions, including the width of the road carriageway and road network. The road network in Westbury, including the width of roads is largely considered to be sufficient to handle the volume of traffic that has increased as a result of development. If road users are not obeying the road rules then this is a police matter.

In regards to this specific application, Council's Road Authority, in accordance with the Road and Railway Asset Code (C3.0) has granted consent for the new vehicle crossing to service Lot 3.

Amenity is a consideration of the Planning Scheme. The provisions in the Specific Area Plan are intended to maintain amenity for existing residents by limiting the lot yield available for subdivision through specific lot size requirements. Increased boundary setbacks for new buildings have also been included in the Specific Area Plan to maintain the separation distance between buildings which is a character of the area. These inclusions are considered to allow for subdivision and future development whilst maintaining the amenity of the area.

It is noted that the Westbury Specific Area Plan has been developed in

consultation with the local community. A survey was undertaken with Westbury residents regarding subdivision in the Low Density Zone of Westbury. Council received 87 responses to this survey. 57 of these responses thought that subdivision should be allowed. There were varying responses regarding lot size (1.1ha -27 responses; 4500-5000m² – 24 responses; 5 acres – 11 responses; 4 acres – 1 response; and 1200m² – 1 response). 59 people thought that battle-axed blocks should be allowed. The responses from this survey assisted in the formation of the requirements for the Specific Area Plan.

4. The Tasmanian Planning Scheme – Meander Valley includes mapped priority vegetation areas which provides for:
- *the protection for threatened native vegetation communities listed under the Nature Conservation Act 2002;*
 - *threatened flora species;*
 - *significant habitat for threatened fauna species; and*
 - *other locally important native vegetation, in conjunction with State legislation such as the Nature Conservation Act 2002, Threatened Species Protection Act 1995 and the Forest Practices Act 1995 (Planning Policy Unit, Department of Justice, September 2017, Tasmanian Planning Scheme Natural Assets).*

The Planning Policy Unit has produced a factsheet regarding the Natural Assets Code with specific information regarding the priority vegetation area overlay which to quote states:

The 'priority vegetation area' overlay is to be prepared based on the Department of Primary Industries, Parks, Water and Environment's (DPIPWE) TASVEG mapping for threatened native vegetation communities and the DPIPWE's Natural Values Atlas for threatened flora and fauna species.

The code intentionally limits the application of 'priority vegetation areas' to certain zones to avoid undermining the purpose of those zones intended for more intensive development. This mainly includes the zones that provide for urban development and the Agriculture Zone. These urban zones are a limited and valuable resource that should be protected for their main purpose. 'Priority vegetation areas' may be included over land within the General Residential Zone or Low Density Residential Zone however, the provisions of the code will only be considered for the subdivision of the land.

It should be noted that while the code may not apply to certain zones, the requirements under other State legislation remain applicable, such as the need to have a forest practices plan certified for the clearance of vegetation under the Forest Practices Act 1985 (Planning Policy Unit, Department of Justice, September 2017, Tasmanian Planning Scheme Natural Assets).

Whilst 40 Suburb Road is not mapped as being within a priority vegetation area under the Planning Scheme, a Natural Values Atlas Report was completed for the site on 28 July 2021. It is noted that the report identified no threatened flora within 500m of the site and there was one (1) verified siting of an Eastern barred bandicoot within 500m of the site. It is noted that the siting was not located at the subject site. The report has identified that there could be other fauna within 500m based on what has been verified throughout the wider area. However, this prediction does not meet the requirement for a priority vegetation area overlay for this particular area in Westbury. It is noted that there are areas of Westbury that are mapped as being a priority vegetation area.

As the subject site is not mapped within the priority vegetation area, the Planning Scheme does not require a site specific assessment of flora and fauna. As such, the potential disturbance to the habitat cannot be considered as part of the assessment of the application.

5. Refer to point 4. Above.
6. The subdivision does not need to have regard to the existing pear tree as it is not identified as a significant tree in the Planning Scheme and the property is not heritage listed. This is not a planning matter for consideration in the assessment of the application.
7. The proposed subdivision has been assessed in accordance with MEA-S11.0 Westbury Specific Area Plan, the Low Density Residential Zone and the applicable Codes of the Planning Scheme. It is considered that the proposed subdivision complies with the applicable standards and is recommended for approval. This subdivision is considered to facilitate separation distances consistent with the existing dwelling separation character of the area, and will maintain the low density grid arrangement of roads. As such, this subdivision is considered to be sympathetic to the area and compliant with the requirements of the Planning Scheme.

On review of this representation, there are no changes recommended to the proposal.

Representation 2

Overall concerns

1. Increased density may result in increased dog number attacks.
2. The proposal is not clear how sewer and stormwater will be managed. It has potential to cause nuisance flows onto neighbouring properties.
3. Increased residential blocks will take away the rural feel of the town of Westbury.
4. Safety concerns for children and community members around poor management of dogs.

Response

1. The potential for increased dog attacks is not a matter of the Planning Scheme and, therefore, this concern does not have any planning merit. It is noted that the *Dog Control Act 2000* is the controlling legislation regarding dog management.
2. Each lot is capable of connection into Council's public stormwater drain along Suburb Road and Five Acre Row. It is also considered that there is sufficient area on-site for stormwater to be contained within the proposed lots. The proposed lots are considered to have a sufficient area for the management of on-site wastewater. As the proposed lots will require an on-site wastewater management system, future development of the lots will require a plumbing permit which will assess the suitability of the system for the site.
3. The proposed subdivision has been assessed in accordance with MEA-S11.0 Westbury Specific Area Plan, the Low Density Residential Zone and the applicable Codes of the Planning Scheme. It is considered that the proposed subdivision complies with the applicable standards and is recommended for approval. This subdivision is considered to facilitate separation distances consistent with the existing dwelling separation character of the area, and will maintain the low density grid arrangement of roads. As such, this subdivision is considered to be sympathetic to the area and compliant with the requirements of the Planning Scheme. The separation distances between buildings that can be achieved through this subdivision is considered to maintain the rural feel of the area.
4. Poor management of dogs is not a matter of the Planning Scheme and, therefore, this concern does not have any planning merit. It is noted

that the *Dog Control Act 2000* is the controlling legislation regarding dog management.

On review of this representation, there are no changes recommended to the proposal.

5) Consultation with State Government and other Authorities

Not applicable

6) Scheme Assessment

Use Class: The proposal is for a subdivision which does not need to be categorised into a Use Class in accordance with sub-clause 6.2.6 of the Planning Scheme. Clause 7.10 requires additional considerations where development is not required to be categorised into a Use Class which is assessed below.

7.10 Development Not Required to be Categorised into a Use Class

7.10.1 An application for development that is not required to be categorised into one of the Use Classes under sub-clause 6.2.6 of this planning scheme and to which 6.8.2 applies, excluding adjustment of a boundary under sub-clause 7.3.1, may be approved at the discretion of the planning authority.

The application is not required to be categorised into a Use Class under sub-clause 6.2.6 (sub-clause 6.2.6 states that development which is for subdivision does not need to be categorised into one of the use Classes). Sub-clause 6.8.2 applies to the proposal as the application relies on the Performance Criteria of one (1) or more applicable standards. In accordance with sub-clause 6.8.2, the planning authority has discretion under clause 7.10 to refuse or permit a development that is not required to be categorised under sub-clause 6.2.6. The proposal has been assessed as a discretionary planning application in accordance with Section 57 of the *Land Use Planning and Approvals Act 1993*. The discretion of the planning authority has been exercised.

7.10.2 An application must only be approved under sub-clause 7.10.1 if there is no unreasonable detrimental impact on adjoining uses or the amenity of the surrounding area.

The proposed subdivision has been assessed under the development standards for subdivision of the Low Density Residential Zone and the Westbury Specific Area Plan. Each lot proposed in the plan of subdivision achieves compliance with the applicable standards by complying with the relevant Acceptable Solutions or satisfying the Performance Criteria. Therefore, the proposed lots are consistent with the objective of the relevant standard. The proposed subdivision meets the requirements of the Lot Design standards and for these reasons, is not expected to have a detrimental impact on adjoining uses or the amenity of the surrounding

area. It is noted that dwellings within this particular area of Westbury are separated from each other with an established range of approximately 40m to 200m. With the setback requirements in the Westbury Specific Area Plan, it is considered that this established character can be maintained as a result of future development on the proposed lots, thus maintaining reasonable levels of amenity.



Photo 6: Aerial photo of subject property and nearby land demonstrating the separation between dwellings.

7.10.3 *In exercising its discretion under sub-clauses 7.10.1 and 7.10.2 of this planning scheme, the planning authority must have regard to:*

- (a) the purpose of the applicable zone;*
- (b) the purpose of any applicable code;*
- (c) any relevant local area objectives; and*
- (d) the purpose of any applicable specific area plan.*

(a) the purpose of the applicable zone

Low Density Residential Zone

10.0 Zone Purpose

The purpose of the Low Density Residential Zone is:

10.1.1 To provide for residential use and development in residential areas where there are infrastructure or environmental constraints that limit the density, location or form of development.

The proposal is for the subdivision of land to create an additional two (2) lots in the Low Density Residential Zone. The subject site is not connected to reticulated sewerage and therefore larger size lots are required to facilitate on-site management of wastewater. The proposed subdivision has the potential to provide for future residential use and development, with wastewater managed on site.

Future development will collect a water supply via tanks.

10.1.2 To provide for non-residential use that does not cause an unreasonable loss of amenity, through scale, intensity, noise, traffic generation and movement, or other off site impacts.

The subject site is located in the Low Density Residential Zone. It is expected that the proposed subdivision will allow for future residential development. Future non-residential development will be subject to the use and development standards of the Zone.

(b) The purpose of any applicable code

Road and Railway Assets Code

C3.1 Code Purpose

The purpose of the Road and Railway Assets Code is:

C3.1.1 To protect the safety and efficiency of the road and railway networks; and

The safety and efficiency of Five Acre Row and Suburb Road has been assessed by the Road Authority. Consent for the installation of the additional crossover to Five Acre Row was granted and conditions have been recommended to ensure the development is in accordance with the relevant Tasmanian Standards. The site is not in proximity to the rail network.

C3.1.2 To reduce conflicts between sensitive uses and major roads and the rail network.

Five Acre Row and Suburb Road are not major roads as per the definition in the Road and Railway Assets Code and the site is not within proximity to the rail network.

Natural Assets Code

C7.1 Code Purpose

The purpose of the Natural Assets Code is:

C7.1.1 To minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological function of watercourses, wetlands and lakes.

The subject site is located within a mapped watercourse protection area. There are no obvious watercourses on the site. There is, however, an open drain network that

is within the Road Reservation parallel to Suburb Road and Five Acre Row. A new vehicle access is proposed to access Lot 3 and will require work within the open drain for the installation. The work required for the construction of the access is not considered to impact the water quality or function of the open stormwater drain. There is the potential for future building areas to be located outside of the mapped watercourse protection area.

C7.1.2 To minimise impacts on coastal and foreshore assets, native littoral vegetation, natural coastal processes and the natural ecological function of the coast.

The subject site is not located within a coastal area.

C7.1.3 To protect vulnerable coastal areas to enable natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise.

The subject site is not located within a coastal area.

C7.1.4 To minimise impacts on identified priority vegetation.

The subject site is not located in an area identified as priority vegetation.

C7.1.5 To manage impacts on threatened fauna species by minimising clearance of significant habitat.

The subject site is not located in an area identified as priority vegetation. No vegetation removal is required as part of the subdivision.

(c) any relevant local area objectives

There are no Local Area Objectives in the Low Density Residential Zone or the Westbury Specific Area Plan.

(d) the purpose of any applicable specific area plan

MEA-S11.0 Westbury Specific Area Plan

MEA-S11.1 Plan Purpose

The purpose of the Westbury Specific Area Plan is:

MEA-S11.1.1 To provide for a subdivision density and the arrangement of future development in Westbury.

The proposal will provide for an additional two (2) lots in the Low Density Residential Zone to allow for future development.

MEA-S11.1.2 To provide for additional lot yield without diminishing the historic, low density grid arrangement to lots and roads.

The proposal provides an additional two (2) lots, consistent with the requirements of the development standards for subdivision. The low density grid arrangement varies along Five Acre Row and Suburb Road and the site is not subject to the provision of the Local Historic Heritage Code. Over time the historic pattern of development has evolved to facilitate the future development of Westbury. The two (2) additional lots are not considered to diminish the historic low density grid arrangement. Whilst the proposed boundary between Lot 1 and Lot 2 does not provide for a rectangular or square shape, the boundary appears to be positioned on an angle to maintain the stand of Eucalypt vegetation on Lot 1. From the road, the grid pattern will appear to be maintained. The proposed subdivision does not include any new roads which could alter the historic grid pattern and respects and maintains the safety and efficiency of Five Acre Row and Suburb Road.

MEA-S11.1.3 To provide for subdivision that facilitates separation distances between dwellings, consistent with the existing dwelling separation character.

The proposed subdivision includes two (2) 5,000m² lots and one (1) 1.04ha lot. The proposed lot sizes allow for sufficient area to meet the setback distances required by the Westbury Specific Area Plan. Dwellings within the area are typically on larger lots. The dwelling separation character established within the area shows dwellings separated between 40m – 200m from each other. The proposed lots are large enough to provide for a separation distance consistent with that existing in the surrounding area.

MEA-S11.1.4 To locate and design development to reinforce the low density character of the streetscape through building separation and minimizing, or mitigating, viewing opportunities from the road.

The proposal is for subdivision only, no development is proposed. The subdivision proposes two (2) additional lots. Lot 2 will have frontage to both Five Acre Row and Suburb Road whilst Lot 3 will have frontage to Five Acre Row. The layout of the proposed lots will provide for building separation consistent with that existing in the surrounding area. Lot 3 comprises a dam that is towards the front of the lot, meaning that future development will likely be to the rear of the lot, and the existing vegetation established around the dam will minimise viewing opportunities from the road. It is possible to site future development on proposed Lots 2 and 3 without removing the existing scattered vegetation on the lots. The existing vegetation along Suburb Road provides opportunities to mitigate impacts on streetscape of future development.

MEA-S11.1.5 To locate and design development to reinforce the low density residential character of the area through separation of buildings, minimizing, or mitigating, viewing opportunities between habitable rooms and views of development from adjoining properties or recreational pathways.

The proposal is for a subdivision only. No residential development is proposed. The existing residential dwelling on Lot 1 will be separated from the proposed lot boundaries a distance consistent with the pattern of development in the surrounding area. The site does not adjoin a recreational pathway.

Performance Criteria

10.0 Low Density Residential

10.6.3 Services

Objective

That the subdivision of the land provides services for the future use and development of the land.

Performance Criteria P2

Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for future use and development of the land.

Response

The proposed lots cannot connect to a reticulated sewerage system as required by Acceptable Solution A2 and relies on assessment against the Performance Criteria.

There is an existing on-site wastewater system for the dwelling on Lot 1 and it is located approximately 13m from the proposed new boundary with Lot 3. No change to the wastewater system for Lot 1 is required or proposed.

The application was referred to Council's Environmental Health Officer for consideration of the proposed lots and their capability to accommodate on-site wastewater. The following comment was received from Council's Environmental Health Officer:

'The proposed lots are considered to be a suitable size for managing wastewater on-site from a typical dwelling. The existing onsite wastewater system is contained within Lot 1 of the proposed new boundaries.'

It is noted that an on-site wastewater system is assessed at the time an application for a dwelling is lodged.

The proposed subdivision satisfies the Performance Criteria and is considered to

comply with the Objective.

Performance Criteria P3

Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to:

- (a) the size of the lot;*
- (b) topography of the site;*
- (c) soil conditions;*
- (d) any existing buildings on the site;*
- (e) any area of the site covered by impervious surfaces; and*
- (f) any watercourse on the land.*

Response

The proposal creates two (2) additional lots. Whilst capable of connecting to the public stormwater system, connections are not proposed as part of the application. As such the proposal is considered to rely on the Performance Criterion P3, to consider the suitability of each lot to be serviced by an on-site stormwater management system.

The proposed lots sizes are considered of an appropriate size to accommodate an on-site stormwater management system for future use and development. The topography of the site rises in elevation towards the west. There is scattered vegetation across the site and a dam located in the north-eastern corner of proposed Lot 3. These features are not considered to inhibit the on-site stormwater management for each lot.

The application was referred to Infrastructure Services who has advised that:

Each lot is capable of being connected to Council's roadside drains in Suburb Road and Five Acre Row. The proposed lots are also considered to have a sufficient area for the management of stormwater runoff of future development so as to prevent nuisance flows from impacting the proposed lots or adjoining properties.

The low density areas of Westbury are generally serviced by septic tanks and on-site stormwater systems. This characteristic indicates that the soil type is appropriate for an on-site stormwater management system for a future development. The List demonstrates that the soil is primarily made up of Cressy SPC (Cs) – structured brown clay loam surface soils overlying clayey subsoils containing shale fragments on gently undulating slopes. Cressy SPC (Cs) is moderately permeable and moderately well drained.

Proposed Lot 1 will contain the existing dwelling which is the only building on the property. Other than the internal driveway associated with the existing dwelling there are no other impervious surfaces on the site.

A mapped watercourse is shown close to the eastern and southern edge of the site. This watercourse feature is not physically obvious on-site. There is, however, a stormwater open drain network located in the road reservation along both Suburb Road and Five Acre Row. It is considered that future development can be sufficiently separated from the mapped waterway.

It is considered that each lot is capable of on-site stormwater management. The proposed subdivision satisfies the Performance Criteria and is considered to comply with the Objective.

MEA-S11.0 Westbury Specific Area Plan

S11.8.1 Lot Design

Objective

To provide for:

- (a) density and dimensions of lots in an arrangement consistent with the low density grid arrangement of the area;*
- (b) dimensions of lots that enables building to be separated;*
- (c) lot areas and dimensions of lots that are appropriate to accommodate a dwelling and associated on-site drainage and on-site wastewater requirements; and*
- (d) access to lots that minimises the number of driveway crossovers.*

Performance Criteria P1

Subdivision must only be from an area of land not less than 2ha and:

- (a) provide not more than 3 lots for each 2ha;*
- (b) provide 1 lot that has an area of not less than 1ha; and*
- (c) each lot, or lot proposed in a plan of subdivision must:*
 - (i) be capable of containing a circle of not less than 60m diameter;*
 - (ii) have an area not less than 5,000m²; and*
 - (iii) have sufficient useable area and dimensions suitable for its intended use, having regard to:*
 - a. the plan purpose;*
 - b. the relevant requirements for development of buildings on the lots;*
 - c. the potential or intended location of buildings;*
 - d. distances between new building areas and existing buildings;*
 - e. the topography of the site;*
 - f. adequate provision of drainage and on-site wastewater disposal;*
 - g. the ability to screen development through retention of existing hedgerows or other vegetation, or the planting of new*

- vegetation screening;
- h. whether the location of access driveways and crossovers minimises vegetation clearance and viewing opportunities;
- i. the use of adjoining land as a recreational pathway; and
- j. any constraints to development.

Response

The proposed subdivision does not comply with the requirements of the Acceptable Solution and relies on the assessment against the Performance Criteria.

The subject site at 40 Suburb Road, Westbury has a site area of 2.023ha and:

- (a) will create a total of three (3) lots.
- (b) Lot 3 will have an area of 1.04ha.
- (c) each lot is:
 - (i) capable of containing a circle of not less than 60m diameter.

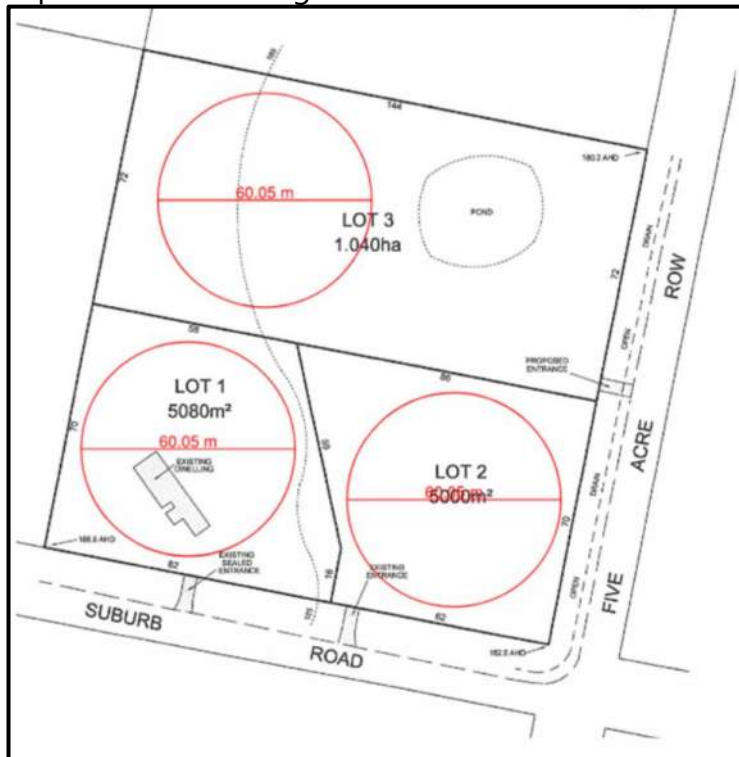


Figure 2: Plan of subdivision demonstrating compliance with the 60m diameter circle.

- (ii) Lot 1 has an area of 5080m²; Lot 2 has an area of 5000m² and Lot 3 has an area of 1.04ha.
- (iii) each lot will have sufficient usable area and dimensions having regard to:
 - a. the purpose of the Plan of Subdivision is to create an additional two (2) lots within the Low Density Residential Zone. Each proposed lot is intended for Residential use which is a No Permit Required use in the MEA-S11.0 Westbury

Specific Area Plan.

- b. the Low Density Residential Zone allows for site coverage of 30% (Acceptable Solution A1 of Clause 10.4.4). Dwellings must be setback a minimum distance of 15m from a frontage and 15m from side and rear boundaries (Acceptable Solution A1 & A2 of MEA-S11.7). The size and shape of the lots proposed will allow for residential development to occur in accordance with the Acceptable Solutions within the Low Density Residential Zone and the Westbury Specific Area Plan. The proposed subdivision is also supported by a Bushfire Hazard Management Plan (BHMP) (refer Figure 3 below) contained in the *Bushfire Hazard Assessment Report and Bushfire Hazard Management Plan* prepared by Rebecca Green & Associates. The BHMP demonstrates that each lot has sufficient area and dimensions to achieve the required setbacks and sufficient area for the required bushfire hazard management areas within the proposed title boundaries. It is noted that a Discretionary process is available if future development cannot comply with the Acceptable Solution A1.

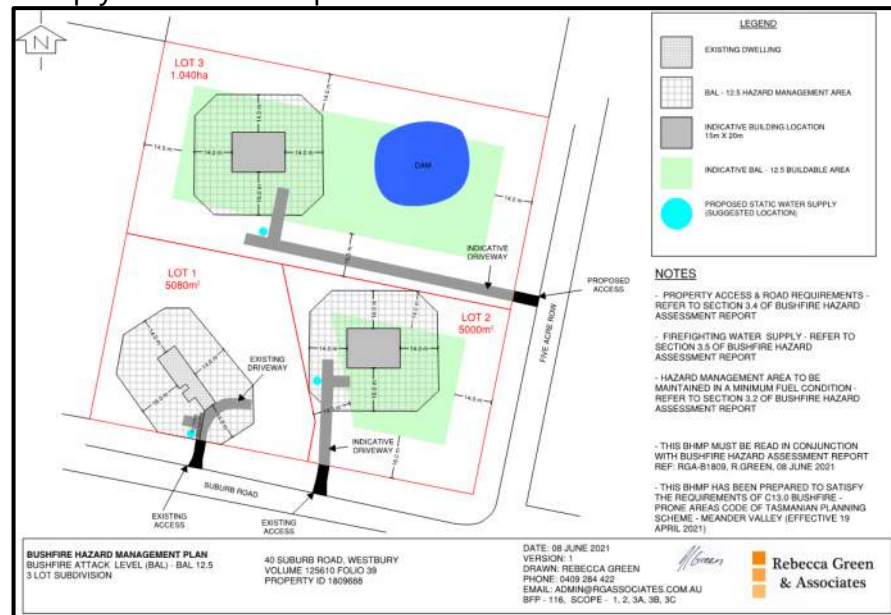


Figure 3: Bushfire Hazard Management Plan.

- c. as above – the proposed lots are capable of providing for residential development in accordance with the setbacks required by the development standards of the Low Density Residential Zone and the Westbury Specific Area Plan.
- d. the existing dwelling contained on Lot 1 is setback approximately 25m from the proposed eastern boundary with Lot 2 and approximately 35m from the proposed northern boundary with Lot 3. There are no buildings on proposed Lot 2

and Lot 3. The distances between existing building areas and new building areas are capable of retaining a horizontal separation distance of 20m or more. The separation distance will replicate a development pattern that is compatible with the surrounding area, namely around the Suburb Road and Ritchie Street intersection as shown in Photo 7 below.



Photo 7: Demonstration of separation between dwellings (within red circle) within proximity to the proposed subdivision.

- e. The topography of the site gently rises from Five Acre Row towards the west. There is a change in elevation of approximately 6m across the site. The shared boundary of proposed Lot 1 and Lot 2 follows the 185m contour. Apart from the dam located in the north-eastern corner of proposed Lot 3, the topography does not restrict the useable area of any lot.
- f. Council's Environmental Health Officer has advised that each lot has adequate area to accommodate an on-site wastewater management system. Sufficient area will remain on each lot to construct a dwelling. All lots are capable of connecting to Council's public stormwater system or containing stormwater on-site.
- g. Mature vegetation is established on the site (refer to Figure 4 below) around the existing dwelling and the perimeter of the dam. There is also some established vegetation within the south-west corner of Lot 2 near the intersection of Five Acre Row and Suburb Road. There are no hedgerows along Five Acre Row or Suburb Road. There are scattered stands of vegetation over the property and it is possible to site development without the need to remove the established vegetation on Lot 2 and Lot 3. No vegetation is proposed to be removed or required to be removed as part of the Bushfire Hazard Management Plan.



Figure 4: Plan of Subdivision with the aerial photo overlaid to demonstrate the extent of vegetation coverage on the site.

- h. the application proposes one (1) new access located off Five Acre Row to service Lot 3. No vegetation is proposed or required to be removed to facilitate the new access. The existing accesses off Suburb Road will be used to service Lot 1 and Lot 2.
- i. adjoining land is not used as a recreational pathway.
- j. Lot 3 contains a dam covering an area of approximately 2050m² in the north-eastern corner of the lot. A watercourse is mapped over the eastern side of the site. There is no evidence of this watercourse on site. Rather there is an open drain network along Five Acre Row and Suburb Road. Building areas can be achieved away from the dam and outside the waterway protection area. There are no other development constraints present on site.

It is therefore considered that the proposed lots will have sufficient useable area and dimensions suitable for the intended residential use.

The proposed subdivision satisfies the Performance Criteria and is considered to comply with the Objective.

C7.0 Natural Asset Code

C7.7.1 Subdivision within 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.*

P1

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 minimise adverse impacts on natural assets, having regard to:

- a) the need to locate building areas and any associated bushfire hazard management area to be outside a waterway and coastal protection area or a future coastal refugia area; and*
- b) future development likely to be facilitated by the subdivision.*

Response

Proposed Lot 2 and Lot 3 have areas shown to be within a waterway and coastal protection area (refer to Figure 5). The centreline of the waterway, shown on the map below as the thin blue line, runs close to the edge the eastern and southern boundaries of the site. A site inspection has revealed that there are no obvious features on the property that suggest a watercourse dissects the property. Rather there is an open stormwater drain that is located within the road reserve along both Five Acre Row and Suburb Road. Refer to photos below.

Given a new vehicle crossing is proposed to access Lot 3 the Acceptable Solution cannot be complied with and relies on assessment against the Performance Criteria.

The bushfire hazard management area and building areas for Lots 2 and 3 are outside of the waterway and coastal protection area.

The subdivision will likely result in the development for single dwellings. The likely development will achieve sufficient separation to not impact on the waterway protection area.

It is noted that the vehicle crossing to Lot 3 will be constructed to the Tasmanian Standard as determined by Council's Road Authority.



Figure 5: Waterway and coastal protection area across the site.



Photo 8: Looking west along Suburb Road showing the open drain to the right of the road.



Photo 9 & 10: Looking north and south along Five Acre Row showing the open stormwater drain that is located in the road reserve.

The proposed subdivision satisfies the Performance Criteria and is considered to comply with the Objective.

Applicable Standards

A brief assessment against all applicable Acceptable Solutions of the applicable zone and codes is provided below.

Low Density Residential Zone		
Scheme Standard	Comment	Assessment
10.3 Use Standards		
10.3.1 Discretionary Uses		
A1 – A4	In accordance with clause 6.2.6 a subdivision does not need to be categorised into a use class.	Not Applicable
10.3.2 Visitor Accommodation		
A1 – A2	The application is for subdivision and not for visitor accommodation.	Not Applicable
10.4 Development Standards for Dwellings		
10.4.1 Residential Density for multiple dwellings		
A1	The application is for subdivision and not for multiple dwellings.	Not Applicable
10.4.2 Building Height		
A1	The proposal is for subdivision and does not include the development of buildings.	Not Applicable
10.4.3 Setback		
A1 – A2	The proposal is for subdivision and does not include the development of buildings.	Not Applicable
10.4.4 Site Coverage		
A1	The proposal is for subdivision and does not include the development of buildings.	Not Applicable
10.4.5 Frontage Fences for all dwellings		
A1	The proposal is for subdivision and does not include the development of frontage fences.	Not Applicable
10.5 Development Standards for Non-Dwellings		
10.5.1 Non-dwelling Development		

A1 – A7	The proposal is for subdivision and does not include the development of non-dwellings.	Not Applicable								
10.6 Development Standards for Subdivision										
10.6.1 Lot Design										
A1	This clause is substituted by MEA-S11.8.1.	Not Applicable								
A2	All frontages are greater than 20m. <table border="1" data-bbox="391 548 973 728"> <thead> <tr> <th>Lots</th> <th>Frontage</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>82m</td> </tr> <tr> <td>2</td> <td>62m & 70m</td> </tr> <tr> <td>3</td> <td>72m</td> </tr> </tbody> </table>	Lots	Frontage	1	82m	2	62m & 70m	3	72m	Complies with Acceptable Solution
Lots	Frontage									
1	82m									
2	62m & 70m									
3	72m									
A3	Each lot is provided with vehicular access. Road Authority consent was issued on 16 June 2021 consenting to the development of a new vehicle access on to Five Acre Row to service Lot 3. Lot 1 and Lot 2 will use the existing accesses off Suburb Road. The accesses are required to be constructed or upgraded in accordance with the Tasmanian Standard Drawings TSD-R03 & R04 – Refer to Infrastructure Services comments below.	Complies with Acceptable Solution								
10.6.2 Roads										
A1	No new road will be created by the subdivision.	Not Applicable								
10.6.3 Services										
A1	The land is not serviced by reticulated water. No service is available within 30m.	Not Applicable								
A2	The subject site and proposed lots will not have connections to a reticulated sewerage system.	Relies on Performance Criteria								
A3	The subject site and proposed lots are capable of connecting to a public stormwater system (the open stormwater drains in Five Acre Row and Suburb Road). However, the proposed subdivision does not demonstrate connection to the public stormwater system, nor is connection required from	Relies on Performance Criteria								

	Council's Stormwater Authority. In order to satisfy the objective, the Performance Criteria is to be relied upon.	
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Codes

C2 Parking and Sustainable Transport Code		
Scheme Standard	Comment	Assessment
C2.2 Application of this Code		
	This code applies to all use and development.	Code applies
C2.4 Development exempt from this Code		
	There are no exemptions.	Code Applies
C2.5.1 Car parking numbers		
A1	The car parking for the residential dwelling on Lot 1 is existing and will not be altered by the proposed subdivision. In accordance with sub-clause 6.2.6 of the Planning Scheme no use class is required to be assigned for Lot 2 and Lot 3 and therefore no car parking is required.	Complies with Acceptable Solution
C2.5.2 Bicycle parking numbers		
A1	In accordance with sub-clause 6.2.6 of the Planning Scheme no use class is required to be assigned for Lot 2 and Lot 3 and therefore this standard is not applicable. There is no requirement for Residential use.	Not Applicable
C2.5.3 Motorcycling parking numbers		
A1	In accordance with sub-clause 6.2.6 of the Planning Scheme a use class is not required to be assigned for subdivision and therefore this standard is not applicable. In accordance with C2.2.2 this standard is not applicable for Residential use (Single Dwelling).	Not Applicable
C2.5.4 Loading bays		
A1	In accordance with sub-clause 6.2.6 of the Planning Scheme a use class is not required to be assigned for subdivision and therefore this standard is not	Not Applicable

	applicable. In accordance with C2.2.3 this standard is not applicable for Residential use (Single Dwelling).	
C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential zone		
A1	The subject site is located within the Low Density Residential Zone.	Not Applicable
C2.6.1 Construction of parking areas		
A1	All parking, access ways, manoeuvring and circulation spaces exist for Lot 1 and will not be altered or impacted by the proposed development. The proposal does not include internal driveways or parking areas for Lots 2 & 3.	Not Applicable
C2.6.2 Design and layout of parking areas		
A1.1	All parking, access ways, manoeuvring and circulation spaces exist for Lot 1 and will not be altered or impacted by the proposed development. The proposal does not include internal driveways or parking areas for Lots 2 & 3.	Not Applicable
A1.2		
C2.6.3 Number of accesses for vehicles		
A1	Each lot will be serviced by one (1) access.	Complies with Acceptable Solution
A2	The subject site is located within the Low Density Residential Zone.	Not Applicable
C2.6.4 Lighting of parking within the General Business Zone and Central Business Zone		
A1	The subject site is located within the Low Density Residential Zone.	Not Applicable
C2.6.5 Pedestrian access		
A1.1	The residential use on Lot 1 does not require 10 or more car parking spaces.	Not Applicable
A1.2	No disabled car parking is provided on Lot 1.	
C2.6.6 Loading bays		
A1	The residential use on Lot 1 does not require a loading bay.	Not Applicable
A2		Not Applicable
C2.6.7 Bicycles parking and storage facilities within the General Business Zone and Central Business Zone		
A1	The subject site is located within the Low Density Residential Zone.	Not Applicable

A2	The subject site is located within the Low Density Residential Zone.	Not Applicable
C2.6.8 Siting of parking and turning areas		
A1	The subject site is located within the Low Density Residential Zone.	Not Applicable
A2	The subject site is located within the Low Density Residential Zone.	Not Applicable
C2.7.1 Parking precinct plan		
A1	The subject site is not located within a parking precinct plan.	Not Applicable

C3 Road and Railway Assets Code		
Scheme Standard	Comment	Assessment
C3.2 Application of this Code		
	The proposal includes one (1) new vehicle crossings.	Code applies
C3.4 Development exempt from this Code		
	There are no exemptions from this code.	Not exempt
C3.5 Use Standards		
C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction		
A1.1	Not Applicable - Five Acre Row is not a Category 1 road.	Complies with Acceptable Solution
A1.2	Road Authority provided consent for one (1) additional access on 16 June 2021. Conditions on the standard of work have been recommended.	
A1.3	Not applicable – The site is not within proximity of the rail network.	
A1.4	Vehicle traffic to and from Lot 1 for the existing residential use is not expected to increase. Single dwellings are calculated to have 9 vehicle movements per day.	
A1.5	Not applicable - Five Acre Row is not a major road.	
C3.6 Development Standards for Building or Works		
C3.6.1 Habitable Buildings for Sensitive uses within a road or railway attenuation area		
A1	The proposal is for subdivision and does not include the development of habitable buildings within a road or railway attenuation area.	Not Applicable

C3.7 Development Standards for Subdivision		
C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area		
A1	The subject site is not located within a road or rail attenuation area.	Not Applicable
C7 Natural Assets Code		
Scheme Standard	Comment	Assessment
C7.2 Application of this Code		
	The application is for subdivision.	Code applies
C7.4 Use or Development exempt from this Code		
	The proposal does not meet any of the listed exemptions.	Not exempt
C7.6 Development Standards for Buildings and Works		
C7.6.1 Development Standards for Buildings and Works		
A1 – A5	The proposal is for subdivision and does not include any buildings or works within a waterway and coastal protection area or a future coastal refugia area.	Not Applicable
C7.6.2 Clearance within a priority vegetation area		
A1	The proposal is for subdivision and the application does not proposed any vegetation removal. The site is not within a priority vegetation area.	Not Applicable
C7.7 Development Standards for Subdivision		
C7.7.1 Subdivision within a waterway and coastal protection area or a future coastal refugia area		
A1	<ul style="list-style-type: none"> a) Not Applicable; b) Not Applicable; c) Not Applicable; d) Not Applicable; e) A new vehicle access is required to be constructed to Lot 3 which will be within the waterway protection area. Future building areas and bushfire hazard management areas are capable of being sited outside the waterway protection area. 	Relies on Performance Criteria
C7.7.2 Subdivision with a priority vegetation area		
A1	The subject site is not located within a	Not Applicable

	priority vegetation area.	
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C13 Bushfire-Prone Areas Code		
Scheme Standard	Comment	Assessment
C13.2 Application of this Code		
	The subject site is shown on the overlay maps as Bushfire-Prone.	Code applies
C13.4 Development exempt from this Code		
	The proposal does not meet an exemption listed.	Not exempt
C13.5 Use Standards		
C13.5.1 Vulnerable uses		
A1 – A3	The proposal is for subdivision and not for a vulnerable use.	Not Applicable
C13.5.2 Hazardous uses		
A1 – A3	The proposal is for subdivision and not for a hazardous use.	Not Applicable
C13.6 Development standards for Subdivision		
C13.6.1 Provision of hazard management areas		
A1	A Bushfire Hazard Management Plan for Subdivision was prepared by an accredited person and submitted with the application. The Bushfire Hazard Management Plan and accompanying report demonstrates compliance with (a) & (b).	Complies with Acceptable Solution
C13.6.2 Public and firefighting access		
A1	A Bushfire Hazard Management Plan for Subdivision was prepared by an accredited person and submitted with the application. The Bushfire Hazard Management Plan and accompanying report demonstrates compliance with (a) & (b).	Complies with Acceptable Solution
C13.6.3 Provision of water supply for firefighting purposes		
A1	Not within an area serviced with reticulated water.	Not Applicable
A2	A Bushfire Hazard Management Plan for Subdivision was prepared by an accredited person and submitted with	Complies with Acceptable Solution

	<p>the application. The Bushfire Hazard Management Plan and accompanying report demonstrates compliance with (b).</p> <p>It is noted that the existing dwelling on Lot 1 is required to be provided with a dedicated firefighting tank to meet the standard prior to the sealing of the final plan of survey.</p>	
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Specific Area Plan

Scheme Standard	Comment	Assessment								
MEA-S11.7 Development Standards for Buildings and Works										
MEA-S11.7.1 Setback – in substitution for Low Density Residential Zone – Clause 10.4.3										
A1	The proposal is for subdivision and does not include any buildings or works.	Not Applicable								
A2										
MEA-S11.8 Development Standards for Subdivision										
MEA-S11.8.1 Lot Design – in substitution for Low Density Residential Zone – Clause 10.6.1 A1 & P1										
A1	<p>The proposal does not satisfy (a). Lot 1 and Lot 2 have an area less than 1ha.</p> <table border="1"> <thead> <tr> <th>Lots</th> <th>Area</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>5080m²</td> </tr> <tr> <td>2</td> <td>5000m²</td> </tr> <tr> <td>3</td> <td>1.04ha</td> </tr> </tbody> </table>	Lots	Area	1	5080m ²	2	5000m ²	3	1.04ha	Relies on Performance Criteria
Lots	Area									
1	5080m ²									
2	5000m ²									
3	1.04ha									

Internal Referrals

Environmental Health

All three lots are a sufficient size for onsite wastewater systems for dwellings. The existing onsite wastewater system is contained within Lot 1 of the proposed new boundaries.

Infrastructure Services

The risk to Council Infrastructure associated with the proposed subdivision is considered to be low. The applicant, or applicant's contractor, will be required to apply to Council for permission to undertake work in the road reserve prior to commencing work on driveway accesses.

Each lot is capable of being connected to Council's roadside drains in Suburb Road and Five Acre Row. The proposed lots are also considered to have a sufficient area for the management of stormwater runoff for future development so as to prevent nuisance flows from impacting the proposed lots or adjoining properties.

Recommended Conditions:

- 1) The driveway access servicing Lot 3 must be constructed in accordance with Tasmanian Standard Drawings TSD-R03 and R04 to the satisfaction of Council's Director Infrastructure Services. Refer Note 1.*
- 2) The existing driveway accesses servicing Lot 1 and 2 must be upgraded in accordance with Tasmanian Standard Drawings TSD-R03 and R04 to the satisfaction of Council's Director Infrastructure Services. Refer Note 1.*

Recommended Notes:

- 1) Works must be completed by a suitably qualified contractor. Prior to any construction being undertaken in the road reserve, separate consent is required by the Road Authority. An Application for Works in Road Reservation form is enclosed. All enquiries should be directed to Council's Infrastructure Department on 6393 5312.*

Conclusion

It is considered that the application for Subdivision (3 lots) on land at 40 Suburb Road, Westbury is acceptable in the Low Density Residential Zone and is recommended for approval.

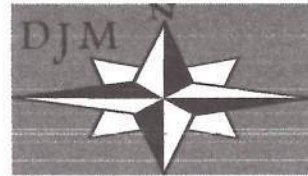
DECISION:

D.J. McCulloch Surveying

AUTHORISED LAND, ENGINEERING & MINING SURVEYORS

A.B.N. 36 400 870 790

Dallas McCulloch, M.I.S.(Tas) M.I.S.(Vic.) M.S.S.I
Registered Land Surveyor (Tas.)



P.O. BOX 725
148 West Tamar Road
RIVERSIDE, TAS, 7250
Phone (03) 63271394
Mobile 0417 526589
Facsimile (03) 63272934
mcculldj@bigpond.net.au

Your ref :

Our ref : 2521 GL1MVC

9 June, 2021

The Manager
Meander Valley Council
PO Box 102,
Westbury
Tas. 7303

Dear Sir,

Re: - Proposed Development – 3 Lot Subdivision
40 Suburb Road, Westbury
Nick Fisialos pwner

Please find enclosed herewith, for Councils' consideration:

- Subdivision proposal plan 2521-01 DA
- The Development Application Form
- A copy of the subject title and associated plan.
- The required Bushfire Report

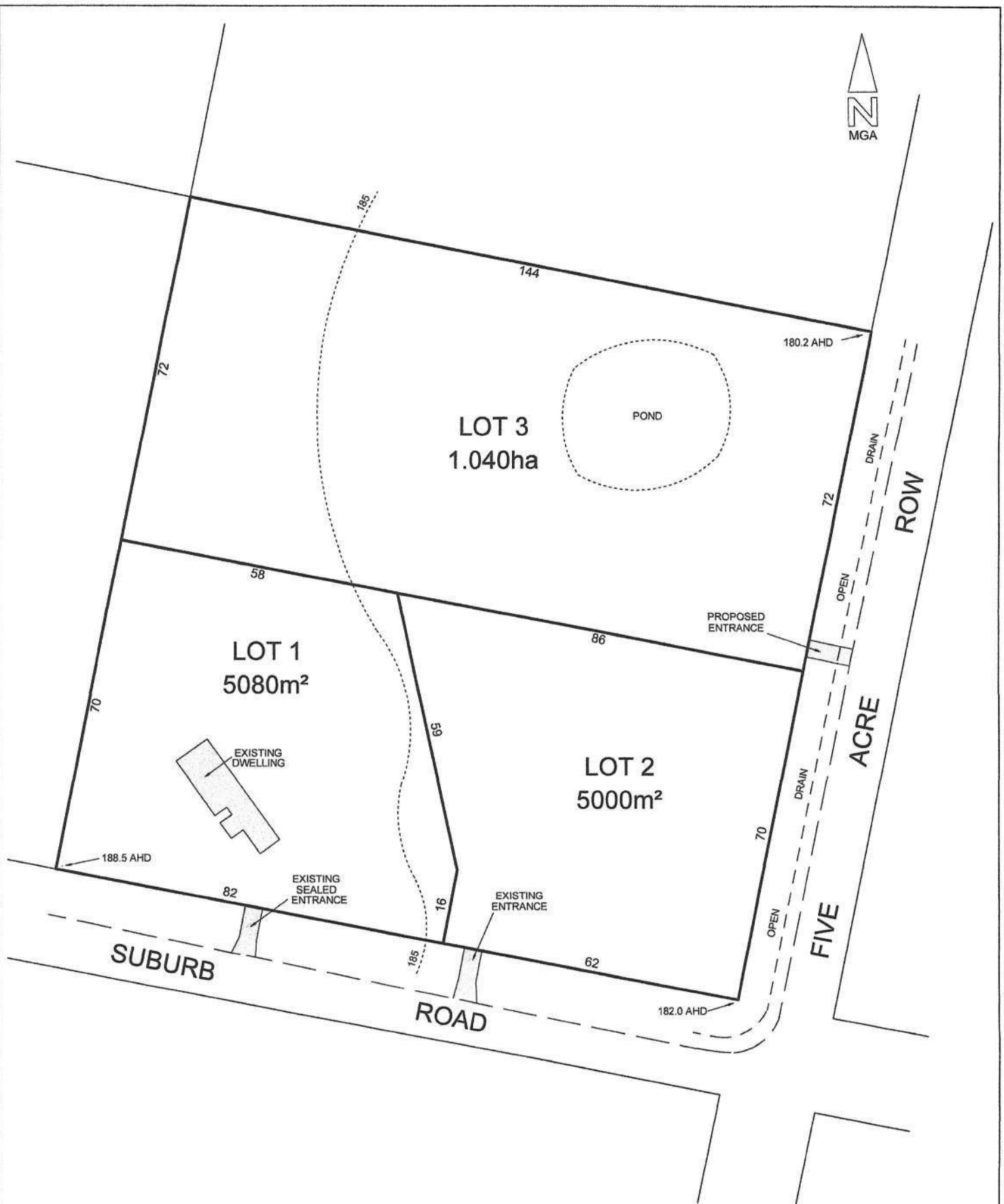
Approval is sought for Lot 1, Lot 2 & Lot 3 under the provisions of the Tasmanian Planning Scheme for the Low Density Residential Zone (Meander Valley Local Provisions Schedule).

Please invoice us by email for the required planning fees and for any other information that you may require.

Yours sincerely,

Dallas McCulloch

PLANNING AUTHORITY 1



NOTES
 LOTS 1, 2 & 3 COMPRISE THE WHOLE THE LAND IN F/R 125610/39
 ALL DIMENSIONS AND AREAS ARE SUBJECT TO THE FINAL TITLE SURVEY

D.J.McCULLOCH Surveying
 AUTHORISED LAND, ENGINEERING & MINING SURVEYORS
 PO BOX 725 RIVERSIDE TAS 7250
 PHONE 03 6327 1394 MOBILE 0417526580
 EMAIL:- mcculldj@bigpond.net.au

SUBDIVISION & SERVICES PLAN
 40 Suburb Road, Westbury
 Nick Fitsialos owner
 Title Reference F/R 125610/39
 Development Application for Planning Permit
 Meander Valley Council

SCALE 1:750 (A3)
 Plan Number 2521-01 DA
 22/04/2021
 Job No 644-2125

PLANNING AUTHORITY 1

Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan

40 Suburb Road, Westbury



PLANNING AUTHORITY 1

Prepared for (Client)

D.J. McCulloch Surveying

PO Box 725

LAUNCESTON TAS 7250

Assessed & Prepared by

Rebecca Green

Senior Planning Consultant & Accredited Bushfire Hazard Assessor

Rebecca Green & Associates

PO Box 2108 LAUNCESTON TAS 7250

Mobile: 0409 284 422

Version 1

8 June 2021

Job No: RGA-B1809

PLANNING AUTHORITY 1

Executive Summary

The proposed development at 40 Suburb Road, Westbury, is subject to bushfire threat. A bushfire attack under extreme fire weather conditions is likely to subject buildings at this site to considerable radiant heat, ember attack along with wind and smoke.

The site requires bushfire protection measures to protect the buildings and people that may be on site during a bushfire.

These measures include provision of hazard management areas in close proximity to the buildings, implementation of safe egress routes, establishment of a water supply and construction of buildings as described in AS 3959-2018 Construction of Buildings in Bushfire Prone Areas.

Contents

Executive Summary	3
Schedule 1 – Bushfire Report	5
1.0 Introduction	5
2.0 Site Description for Proposal (Bushfire Context)	6
3.0 Bushfire Site Assessment	7
3.1 Vegetation Analysis	7
3.2 BAL Assessment – Subdivision	11
3.3 Outbuildings	12
3.4 Road Access	14
3.5 Water Supply	15
4.0 Bushfire-Prone Areas Code Assessment Criteria	17
5.0 Layout Options	18
6.0 Other Planning Provisions	18
7.0 Conclusions and Recommendations	18
Schedule 2 – Bushfire Hazard Management Plan	19
Form 55	20
Attachment 1 – Certificate of Compliance to the Bushfire-prone Area Code	23
Attachment 2 – AS3959-2018 Construction Requirements	28
Attachment 3 – Proposal Plan	29
Attachment 4 – Tasmania Fire Service Water Supply Signage Guideline	30
References	31

Schedule 1 – Bushfire Report

1.0 Introduction

The Bushfire Attack Level (BAL) Report and Bushfire Hazard Management Plan (BHMP) has been prepared for submission with a Planning Permit Application under the *Land Use Planning and Approvals Act 1993; Bushfire-Prone Areas Code* and/or a Building Permit Application under the *Building Act 2016 & Regulations 2016*.

The Bushfire Attack Level (BAL) is established taking into account the type and density of vegetation within 100 metres of the proposed building site and the slope of the land; using the simplified method in AS 3959-2018 Construction of Buildings in Bushfire Prone Areas; and includes:

- The type and density of vegetation on the site,
- Relationship of that vegetation to the slope and topography of the land,
- Orientation and predominant fire risk,
- Other features attributing to bushfire risk.

On completion of assessment, a Bushfire Attack Level (BAL) is established which has a direct reference to the construction methods and techniques to be undertaken on the buildings and for the preparation of a Bushfire Hazard Management Plan (BHMP).

1.1 Scope

This report was commissioned to identify the Bushfire Attack Level for the existing property. ALL comment, advice and fire suppression measures are in relation to compliance with *Bushfire-Prone Areas Code* of the Tasmanian Planning Scheme – Meander Valley, the Building Code of Australia and Australian Standards, *AS 3959-2018, Construction of buildings in bushfire-prone areas*.

1.2 Limitations

The inspection has been undertaken and report provided on the understanding that:-

1. The report only deals with the potential bushfire risk, all other statutory assessments are outside the scope of this report.
2. The report only identifies the size, volume and status of vegetation at the time the site inspection was undertaken and cannot be relied upon for any future development.
3. Impacts of future development and vegetation growth have not been considered.

No action or reliance is to be placed on this report; other than for which it was commissioned.

1.3 Proposal

The proposal is for the development of a 3 Lot Subdivision.

2.0 Site Description for Proposal (Bushfire Context)

2.1 Locality Plan



Figure 1: Location Plan of 40 Suburb Road, Westbury

2.2 Site Details

Property Address	40 Suburb Road, Westbury
Certificate of Title	Volume 125610 Folio 39
Owner	Nicholas Fitsialos
Existing Use	Dwelling
Type of Proposed Work	3 Lot Subdivision
Water Supply	On-site for fire fighting
Road Access	Suburb Road and Five Acre Row

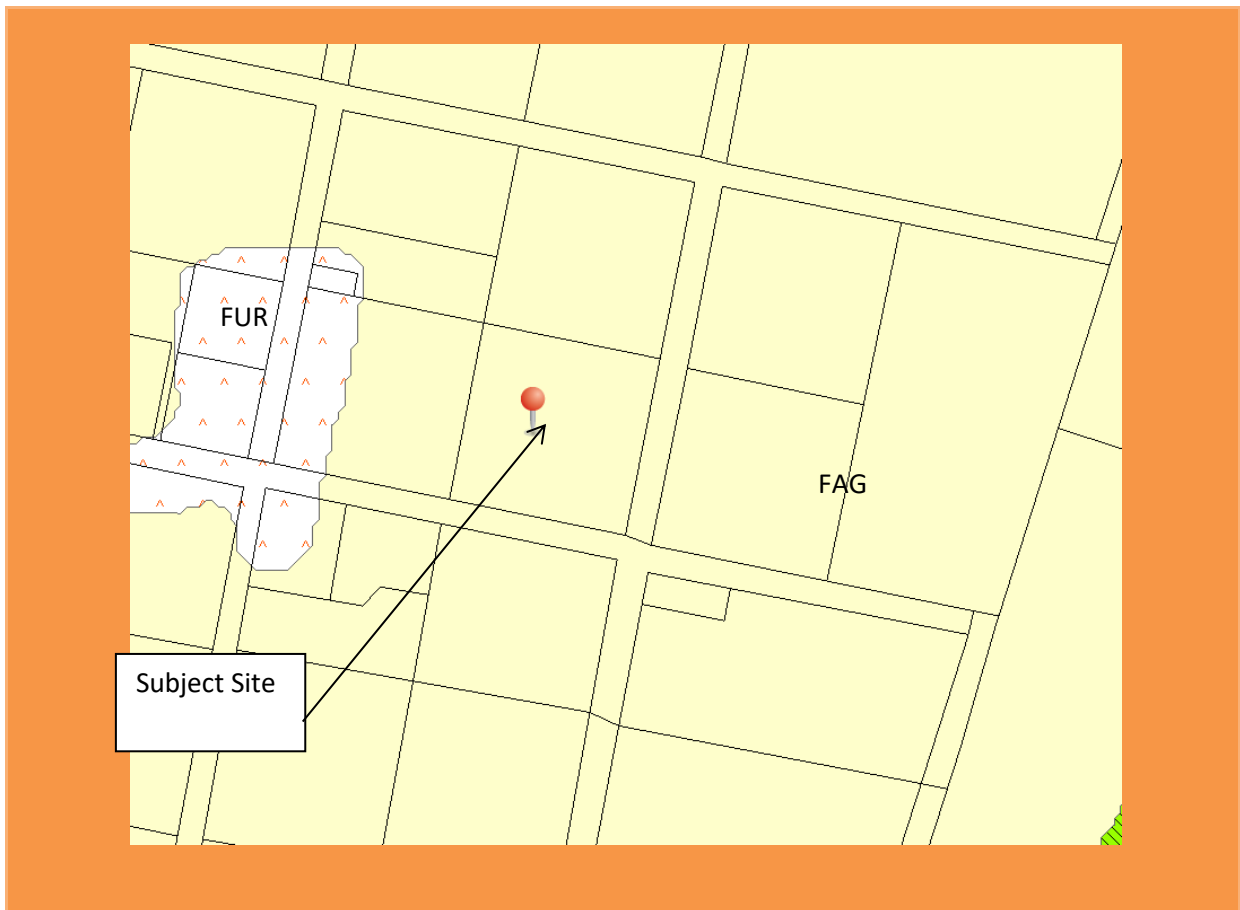
PLANNING AUTHORITY 1

3.0 Bushfire Site Assessment

3.1 Vegetation Analysis

3.1.1 TasVeg Classification

Reference to Tasmanian Vegetation Monitoring & Mapping Program (TASVEG) indicates the land in and around the property is generally comprising of varying vegetation types including:



Code	Species	Vegetation Group
FUR	<ul style="list-style-type: none">Urban areas	Modified land
FAG	<ul style="list-style-type: none">Agricultural land	Modified land

3.1.2 Site & Vegetation Photos



Looking northeast from existing dwelling



Existing access – Lot 1 looking to southwest



Looking to west of existing dwelling



Looking south of Lot 1



Existing access – Lot 1



Existing access - Lot 2

PLANNING AUTHORITY 1



Looking southeast



Looking west from Five Acre Road to Lot 2



Looking east



Looking to proposed access location Lot 3



Looking west



Looking to north

PLANNING AUTHORITY 1



Looking further to north



Existing dam – Lot 3



Looking southwest to Lot 1 from Lot 3



Looking southeast to Lot 2 from Lot 3

PLANNING AUTHORITY 1

3.2 BAL Assessment – Subdivision

The Acceptable Solution in Clause 13.6.1, C13.0 Bushfire-Prone Areas Code requires all lots within the proposed subdivision to demonstrate that each lot can achieve a Hazard Management Area between the bushfire vegetation and each building on the lot with distances equal to or greater than those specified in Table 2.6 of AS3959-2018 Construction of Buildings in Bushfire Prone Areas for **BAL 12.5**.

Lot 1

Vegetation classification AS3959	North <input checked="" type="checkbox"/> North-East <input type="checkbox"/>	South <input checked="" type="checkbox"/> South-West <input type="checkbox"/>	East <input checked="" type="checkbox"/> South-East <input type="checkbox"/>	West <input checked="" type="checkbox"/> North-West <input type="checkbox"/>
Group A	<input type="checkbox"/> Forest	<input type="checkbox"/> Forest	<input type="checkbox"/> Forest	<input type="checkbox"/> Forest
Group B	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland
Group C	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land
Group D	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub
Group E	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga
Group F	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest
Group G	<input checked="" type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland
	<input checked="" type="checkbox"/> Managed Land	<input checked="" type="checkbox"/> Managed Land	<input checked="" type="checkbox"/> Managed Land	<input checked="" type="checkbox"/> Managed Land
Effective slope (degrees)	<input checked="" type="checkbox"/> Up/0°	<input type="checkbox"/> Up/0°	<input checked="" type="checkbox"/> Up/0°	<input checked="" type="checkbox"/> Up/0°
	<input type="checkbox"/> >0-5°	<input checked="" type="checkbox"/> >0-5°	<input type="checkbox"/> >0-5°	<input type="checkbox"/> >0-5°
	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°
	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°
	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°
Likely direction of bushfire attack	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Prevailing winds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Distance to classified vegetation	0-approx. 108m managed (subject site managed) >108m to grassland	0-approx. 32m managed (subject site managed & road) >32m to grassland	0-approx. 120m managed (subject site managed) >120m to grassland	0-approx. 19m managed (subject site managed) >19m to grassland
REQUIRED Distance to classified vegetation for BAL 12.5	14-<50m	To title boundary/16-<50m	14-<50m	14-<50m

Lot 2

Vegetation classification AS3959	North <input checked="" type="checkbox"/> North-East <input type="checkbox"/>	South <input checked="" type="checkbox"/> South-West <input type="checkbox"/>	East <input checked="" type="checkbox"/> South-East <input type="checkbox"/>	West <input checked="" type="checkbox"/> North-West <input type="checkbox"/>
Group A	<input type="checkbox"/> Forest	<input type="checkbox"/> Forest	<input type="checkbox"/> Forest	<input type="checkbox"/> Forest
Group B	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland
Group C	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land
Group D	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub
Group E	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga
Group F	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest
Group G	<input checked="" type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland
	<input checked="" type="checkbox"/> Managed Land	<input checked="" type="checkbox"/> Managed Land	<input checked="" type="checkbox"/> Managed Land	<input checked="" type="checkbox"/> Managed Land
Effective slope (degrees)	<input checked="" type="checkbox"/> Up/0°	<input type="checkbox"/> Up/0°	<input checked="" type="checkbox"/> Up/0°	<input checked="" type="checkbox"/> Up/0°
	<input type="checkbox"/> >0-5°	<input checked="" type="checkbox"/> >0-5°	<input type="checkbox"/> >0-5°	<input type="checkbox"/> >0-5°
	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°
	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°
	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°
Likely direction of bushfire attack	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Prevailing winds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Distance to classified vegetation	0-approx. 86m managed (subject site managed) >86m to grassland	0-approx. 20m managed (road) >20m to grassland	0-approx. 20m managed (road) >20m to grassland	0-min. 72m managed (subject site managed) >72m to grassland
REQUIRED Distance to classified vegetation for BAL 12.5	14-<50m	16-<50m	14-<50m	14-<50m

PLANNING AUTHORITY 1

Lot 2

Vegetation classification AS3959	North <input checked="" type="checkbox"/> North-East <input type="checkbox"/>	South <input checked="" type="checkbox"/> South-West <input type="checkbox"/>	East <input checked="" type="checkbox"/> South-East <input type="checkbox"/>	West <input checked="" type="checkbox"/> North-West <input type="checkbox"/>
Group A	<input type="checkbox"/> Forest	<input type="checkbox"/> Forest	<input type="checkbox"/> Forest	<input type="checkbox"/> Forest
Group B	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland
Group C	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land
Group D	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub
Group E	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga
Group F	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest
Group G	<input checked="" type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland
	<input checked="" type="checkbox"/> Managed Land	<input checked="" type="checkbox"/> Managed Land	<input checked="" type="checkbox"/> Managed Land	<input checked="" type="checkbox"/> Managed Land
Effective slope (degrees)	<input checked="" type="checkbox"/> Up/0°	<input type="checkbox"/> Up/0°	<input checked="" type="checkbox"/> Up/0°	<input checked="" type="checkbox"/> Up/0°
	<input type="checkbox"/> >0-5°	<input checked="" type="checkbox"/> >0-5°	<input type="checkbox"/> >0-5°	<input type="checkbox"/> >0-5°
	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°
	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°
	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°
Likely direction of bushfire attack	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Prevailing winds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Distance to classified vegetation	0-approx. 14m managed (subject site managed) >14m to grassland	0-approx. 90m managed (subject site managed and road) >90m to grassland	0-approx. 20m managed (road) >20m to grassland	0-approx. 14m managed (subject site managed) >14m to grassland
REQUIRED Distance to classified vegetation for BAL 12.5	14-<50m	16-<50m	14-<50m	14-<50m

PLANNING AUTHORITY 1

3.3 Outbuildings

Not applicable.

3.4 Road Access

Roads are to be constructed to provide vehicle access to the site to assist firefighting and emergency personnel to defend the building or evacuate occupants; and provide access at all times to the water supply for firefighting purposes on the building site.

Private access roads are to be maintained from the entrance to the property cross over with the public road through to the buildings on the site.

<p>Lot 2 and Lot 3- (new)</p>	<p>Private access driveways are to be <u>constructed / maintained</u> from the entrance of the property cross over at the public road through to any future habitable building and on-site dedicated firefighting water supply. Private access roads are to be maintained to a standard not less than specified in Table C13.2B.</p> <p>Indicative access length – Lot 2: Approx. 40m Indicative access length – Lot 3: Approx. 116m</p>
<p>Lot 1 (existing)</p>	<p>Private access driveways are to be <u>maintained</u> from the entrance of the property cross over at the public road through to any future habitable building and on-site dedicated firefighting water supply. Private access roads are to be maintained to a standard not less than specified in Table C13.2B.</p> <p>Existing access length: Approx. 12m</p>

Table C13.2B: Standards for Property Access

The following design and construction requirements apply to property access length is 30 metres or greater or access for a fire appliance to a fire fighting point:

- (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 degrees (1:20 or 5%);
- (g) Dips less than 7 degrees (1:8 or 12.5%) entry and exit angle;
- (h) Curves with a minimum inner radius of 10 metres;
- (i) Maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads; and

- (j) Terminate with a turning area for fire appliances provided by one of the following:
 - 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.

3.5 Water Supply

A building that is constructed in a designated bushfire prone area must provide access at all times to a sufficient supply of water for firefighting purposes on the building site.

The exterior elements of a Habitable building in a designated Bushfire prone area must be within reach of a 120m long hose (lay) connected to –

- (i) A fire hydrant with a minimum flow rate of 600L per minute and pressure of 200kpa; or
- (ii) A stored water supply in a water tank, swimming pool, dam or lake available for firefighting at all times which has the capacity of at least 10,000L for each separate building.

<p>Lot 2 and Lot 3 – Static Water Supply (new)</p>	<p>On-site water supply is required for any new habitable building.</p> <p>A water tank of at least 10,000 litres per building area to be protected and above ground pipes and fittings used for a stored water supply must be of non-rusting, non-combustible, non-heat-deforming materials and must be situated more than 6m from a building area to be protected.</p>
<p>Lot 1 – Static Water Supply (new)</p>	<p>On-site water supply is required for the existing habitable building prior to Final Plan of Survey for subdivision to be signed off by Council. The existing tank is poly and too close to the house and provides domestic water supply.</p> <p>A water tank of at least 10,000 litres per building area to be protected and above ground pipes and fittings used for a stored water supply must be of non-rusting, non-combustible, non-heat-deforming materials and must be situated more than 6m from a building area to be protected.</p>

It should be recognised that although water supply as specified above may be in compliance with the requirements of the Building Code of Australia, the supply may not be adequate for all firefighting situations.

Table C13.5: Static Water Supply for Fire Fighting

Column 1	Column 2
Element	Requirement
<p>A. Distance between building area to be</p>	<p>The following requirements apply: (a) The building area to be protected must be located</p>

PLANNING AUTHORITY 1

	<p>protected and water supply</p> <p>within 90 metres of the fire fighting water point of a static water supply; and</p> <p>(b) The distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.</p>
<p>B. Static Water Supplies</p>	<p>A static water supply:</p> <p>(a) May have a remotely located offtake connected to the static water supply;</p> <p>(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;</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 fire fighting 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 400mm of the tank exterior is protected by:</p> <p>(i) Metal;</p> <p>(ii) Non-combustible material; or</p> <p>(iii) Fibre-cement a minimum 6mm thickness.</p>
<p>C. Fittings, pipework and accessories (including stands and tank supports)</p>	<p>Fittings and pipework associated with a fire fighting water point for a static water supply must:</p> <p>(a) Have a minimum nominal internal diameter of 50mm;</p> <p>(b) Be fitted with a valve with a minimum nominal diameter of 50mm;</p> <p>(c) Be metal or lagged by non-combustible materials if above ground;</p> <p>(d) if buried, have a minimum depth of 300mm;</p> <p>(e) Provide a DIN or NEN standard forged Storz 65mm coupling fitted with a suction washer for connection to fire fighting equipment;</p> <p>(f) Ensure the coupling is accessible and available for connection at all times;</p> <p>(g) Ensure the coupling is fitted with a blank cap and securing chain (minimum 220mm length);</p> <p>(h) Ensure underground tanks have either an opening at the top of not less than 250mm diameter or a coupling compliant with this Table; and</p> <p>(i) If a remote offtake is installed, ensure the offtake is in a position that is:</p> <p>(i) Visible;</p> <p>(ii) Accessible to allow connection by fire fighting equipment;</p> <p>(iii) At a working height of 450-600mm above ground level; and</p>

PLANNING AUTHORITY 1

		(iv) Protected from possible damage, including damage from 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: (a) water tank signage requirements within AS 2304-2011 Water storage tanks for fire protection systems; or (b) <i>Water Supply Signage Guideline</i> , version 1.0, Tasmanian Fire Service, February 2017.
E.	Hardstand	A hardstand area for fire appliances must be provided: (1) No more than 3m from the fire fighting water point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like); (2) No closer than 6m from the building area to be protected; (3) a minimum width of 3m constructed to the same standard as the carriageway; and (4) Connected to the property access by a carriageway equivalent to the standard of the property access.

4.0 Bushfire-Prone Areas Code Assessment Criteria

Assessment has been completed below to demonstrate the BAL and BHMP have been developed in compliance with the Acceptable Solutions and/or the Performance Criteria as specified in the Bushfire-Prone Areas Code.

C13.4 – Exemptions – Not applicable.

C13.6 Development Standards for Subdivision

C13.6.1 Provision of hazard management areas

Comments		
<input checked="" type="checkbox"/>	A1 (a) & (b)	Specified distances for Hazard Management Areas for BAL 12.5 as specified on the plan are in accordance with AS3959. The proposal complies.

P1

C13.6.2 Public and fire fighting access

Comments		
<input checked="" type="checkbox"/>	A1 (a)	Existing access to Lot 1 is to standard and shall be maintained in accordance with Table C13.2B.
<input checked="" type="checkbox"/>	A1 (b)	The private driveway to Lot 1 and Lot 2 will be constructed in accordance with Table C13.2B. The property access is likely to be less than 200 metres, but greater than 30m.

P1

A2 Not applicable.

PLANNING AUTHORITY 1

<input type="checkbox"/>	P2	No PC	
C13.6.3 Provision of water supply for fire fighting purposes			
		Comments	
<input type="checkbox"/>	A1	(a) (b)	Not applicable Not applicable.
<input type="checkbox"/>	P1	No PC	
<input checked="" type="checkbox"/>	A2	(a) (b)	Not applicable. Any new habitable building on Lot 2 and Lot 3, at building application stage consideration with a stored water supply in a water supply tank at least 10,000 litres per building area to be protected, with a fitting suitable for TFS access in accordance with Table C13.5 shall be considered. The existing dwelling on Lot 1, although provided with one existing tank, this is not to be dedicated for fire fighting purposes as this is poly and too close to the dwelling, therefore a new tank is to be provided with a water supply tank at least 10,000 litres per building area to be protected, with a fitting suitable for TFS access in accordance with Table C13.5 be provided to Lot 1 prior to the Final Plan of Survey being signed off by Council.
<input type="checkbox"/>	A2	(c)	Not applicable.
<input type="checkbox"/>	P2	No PC	

5.0 Layout Options

Not relevant to this proposal.

6.0 Other Planning Provisions

Not relevant to this proposal.

7.0 Conclusions and Recommendations

Mitigation from bushfire is dependent on the careful management of the site by maintaining reduced fuel loads within the hazard management areas and within the site generally and to provide sources of water supply dedicated for firefighting purposes and the construction and maintenance of a safe egress route.

The site has been assessed as demonstrating a building area that have the dimensions equal to or greater than the separation distance required for BAL 12.5 in Table 2.6 of AS 3959 – 2018 Construction of Buildings in Bushfire Prone Areas.

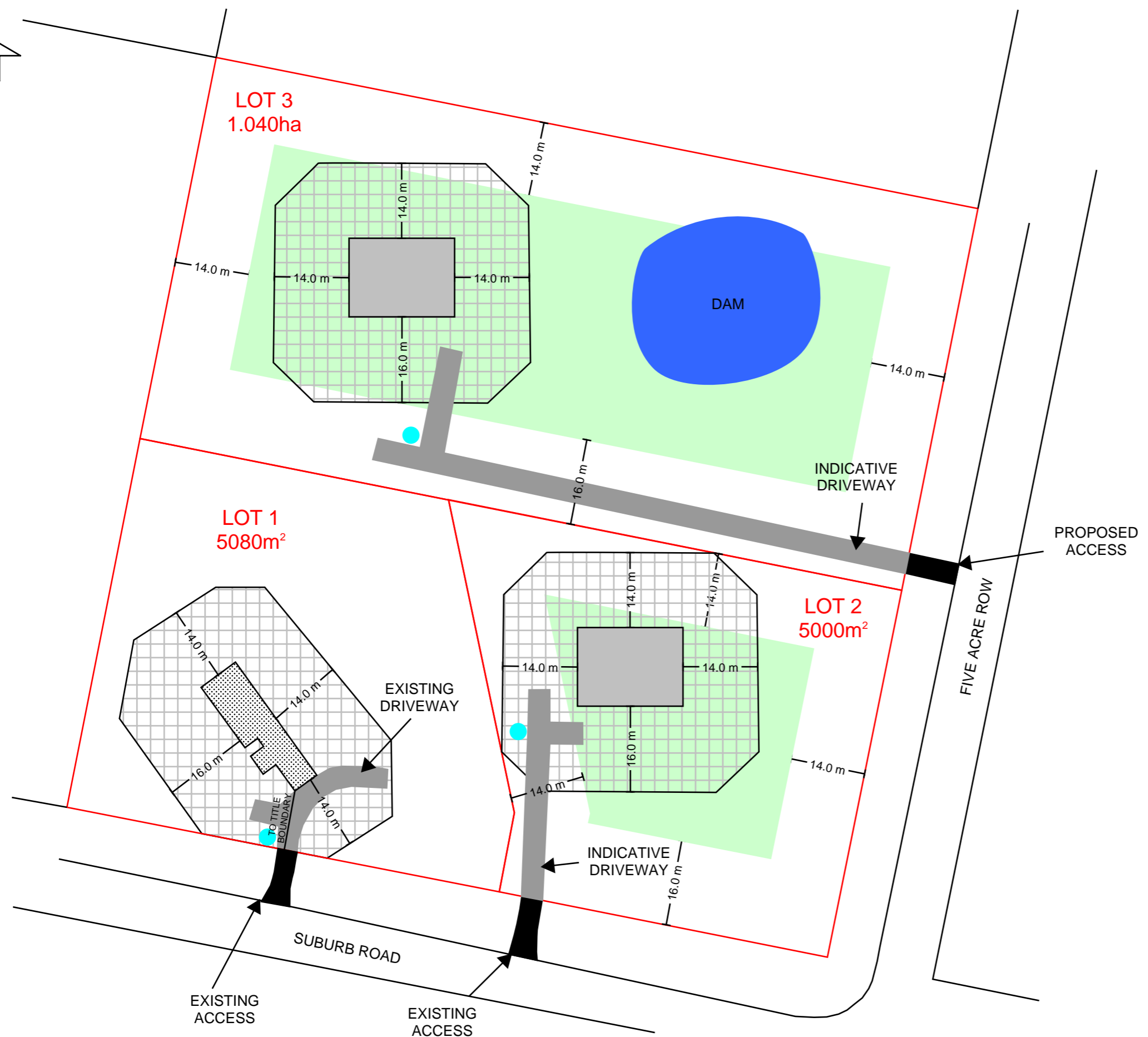
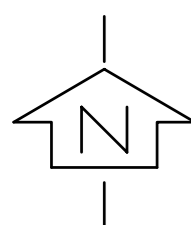
Fuel Managed Areas

Hazard Management Areas as detailed within the plan shall be constructed and maintained as detailed in Schedule 2.

PLANNING AUTHORITY 1

Schedule 2 – Bushfire Hazard Management Plan

PLANNING AUTHORITY 1



LEGEND

- EXISTING DWELLING
- BAL - 12.5 HAZARD MANAGEMENT AREA
- INDICATIVE BUILDING LOCATION
15m X 20m
- INDICATIVE BAL - 12.5 BUILDABLE AREA
- PROPOSED STATIC WATER SUPPLY
(SUGGESTED LOCATION)

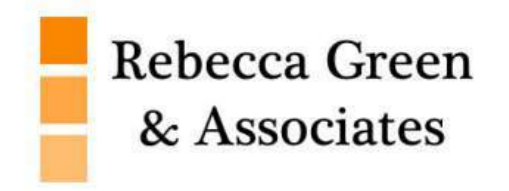
- NOTES**
- PROPERTY ACCESS & ROAD REQUIREMENTS - REFER TO SECTION 3.4 OF BUSHFIRE HAZARD ASSESSMENT REPORT
 - FIREFIGHTING WATER SUPPLY - REFER TO SECTION 3.5 OF BUSHFIRE HAZARD ASSESSMENT REPORT
 - HAZARD MANAGEMENT AREA TO BE MAINTAINED IN A MINIMUM FUEL CONDITION - REFER TO SECTION 3.2 OF BUSHFIRE HAZARD ASSESSMENT REPORT
 - THIS BHMP MUST BE READ IN CONJUNCTION WITH BUSHFIRE HAZARD ASSESSMENT REPORT REF: RGA-B1809, R.GREEN, 08 JUNE 2021
 - THIS BHMP HAS BEEN PREPARED TO SATISFY THE REQUIREMENTS OF C13.0 BUSHFIRE - PRONE AREAS CODE OF TASMANIAN PLANNING SCHEME - MEANDER VALLEY (EFFECTIVE 19 APRIL 2021)

BUSHFIRE HAZARD MANAGEMENT PLAN
 BUSHFIRE ATTACK LEVEL (BAL) - BAL 12.5
 3 LOT SUBDIVISION

40 SUBURB ROAD, WESTBURY
 VOLUME 125610 FOLIO 39
 PROPERTY ID 1809688

PLANNING AUTHORITY 1

DATE: 08 JUNE 2021
 VERSION: 1
 DRAWN: REBECCA GREEN
 PHONE: 0409 284 422
 EMAIL: ADMIN@RGASSOCIATES.COM.AU
 BFP - 116, SCOPE - 1, 2, 3A, 3B, 3C



Form 55

PLANNING AUTHORITY 1

CERTIFICATE OF QUALIFIED PERSON – ASSESSABLE ITEM

Section 321

Form **55**

To: Owner /Agent
 Address
 Suburb/postcode

Qualified person details:

Qualified person:
 Address: Phone No:
 Fax No:
 Licence No: Email address:

Qualifications and Insurance details: *(description from Column 3 of the Director's Determination - Certificates by Qualified Persons for Assessable Items)*

Speciality area of expertise: *(description from Column 4 of the Director's Determination - Certificates by Qualified Persons for Assessable Items)*

Details of work:

Address: Lot No:
 Certificate of title No:

The assessable item related to this certificate: *(description of the assessable item being certified)*
 Assessable item includes –
 - a material;
 - a design
 - a form of construction
 - a document
 - testing of a component, building system or plumbing system
 - an inspection, or assessment, performed

Certificate details:

Certificate type: *(description from Column 1 of Schedule 1 of the Director's Determination - Certificates by Qualified Persons for Assessable Items n)*

This certificate is in relation to the above assessable item, at any stage, as part of - (tick one)

building work, plumbing work or plumbing installation or demolition work:

or

a building, temporary structure or plumbing installation:

PLANNING AUTHORITY 1

In issuing this certificate the following matters are relevant –

Documents:	Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan (Rebecca Green & Associates, 8 June 2021, Version 1, Job No. RGA-B1809)
Relevant	N/A
References:	<i>Tasmanian Planning Scheme – Meander Valley, Bushfire-Prone Areas Code Australian Standard 3959-2018</i>


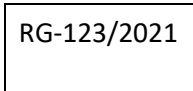
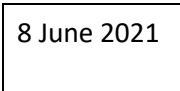
Substance of Certificate: (what it is that is being certified)

1. Assessment of the site Bushfire Attack Level (to Australian Standard 3959-2018)
2. Bushfire Hazard Management Plan showing BAL-12.5 solutions.

Scope and/or Limitations

<p>Scope</p> <p>This report and certification was commissioned to identify the Bushfire Attack Level for the existing property. <u>All</u> comment, advice and fire suppression measures are in relation to compliance with <i>Tasmanian Planning Scheme – Meander Valley, Bushfire-Prone Areas Code C13.0</i>, the <i>Building Act 2016 & Regulations 2016, Building Code of Australia</i> and <i>Australian Standard 3959-2018, Construction of buildings in bushfire-prone areas</i>.</p> <p>Limitations</p> <p>The assessment has been undertaken and report provided on the understanding that:-</p> <ol style="list-style-type: none">1. The report only deals with the potential bushfire risk all other statutory assessments are outside the scope of this certificate.2. The report only identifies the size, volume and status of vegetation at the time the inspection was undertaken and cannot be relied upon for any future development.3. Impacts of future development and vegetation growth have not been considered.4. No assurance is given or inferred for the health, safety or amenity of the general public, individuals or occupants in the event of a Bushfire.5. No warranty is offered or inferred for any buildings constructed on the property in the event of a Bushfire. <p>No action or reliance is to be placed on this certificate or report; other than for which it was commissioned.</p>

I certify the matters described in this certificate.

Qualified person:	Signed: 	Certificate No: 	Date: 
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PLANNING AUTHORITY 1

Attachment 1 – Certificate of Compliance to the Bushfire-prone Area Code

PLANNING AUTHORITY 1

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:

40 Suburb Road, Westbury

Certificate of Title / PID:

CT125610/39

2. Proposed Use or Development

Description of proposed Use and Development:

3 Lot Subdivision

Applicable Planning Scheme:

Tasmanian Planning Scheme – Meander Valley

3. Documents relied upon

This certificate relates to the following documents:

Title	Author	Date	Version
Proposed Subdivision Plan Number: 2521-01 DA	D.J. McCulloch Surveying	22/04/2021	
Bushfire Hazard Assessment Report	Rebecca Green	8 June 2021	1
Bushfire Hazard Management Plan	Rebecca Green	8 June 2021	1

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

4. Nature of Certificate

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

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

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

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

<input checked="" type="checkbox"/> E1.6.1 / C13.6.1 Subdivision: Provision of hazard management areas	
Acceptable Solution	Compliance Requirement
<input type="checkbox"/> E1.6.1 P1 / C13.6.1 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/> E1.6.1 A1 (a) / C13.6.1 A1(a)	Insufficient increase in risk
<input checked="" type="checkbox"/> E1.6.1 A1 (b) / C13.6.1 A1(b)	Provides BAL-19 for all lots (including any lot designated as 'balance') <i>Refer to Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan, prepared by</i>

PLANNING AUTHORITY 1

		<i>Rebecca Green & Associates, 8 June 2021 demonstrating BAL 12.5 for all lots.</i>
<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 <i>Refer to Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan, prepared by Rebecca Green & Associates, 8 June 2021.</i>

<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 <i>Refer to Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan, prepared by Rebecca Green & Associates, 8 June 2021.</i>
<input type="checkbox"/>	E1.6.3 A2 (c) / C13.6.3 A2 (c)	Static water supply consistent with the objective

PLANNING AUTHORITY 1

5. Bushfire Hazard Practitioner

Name:

Rebecca Green

Phone No:

0409 284 422

Postal Address:

PO Box 2108
Launceston, Tas 7250

Email Address:

admin@rgassociates.com.au

Accreditation No:

BFP – 116

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:

Rebecca Green

Date:

8 June 2021

Certificate
Number:

RGA-021/2021

(for Practitioner Use only)

Attachment 2 – AS3959-2018 Construction Requirements

PLANNING AUTHORITY 1

BAL Assessments

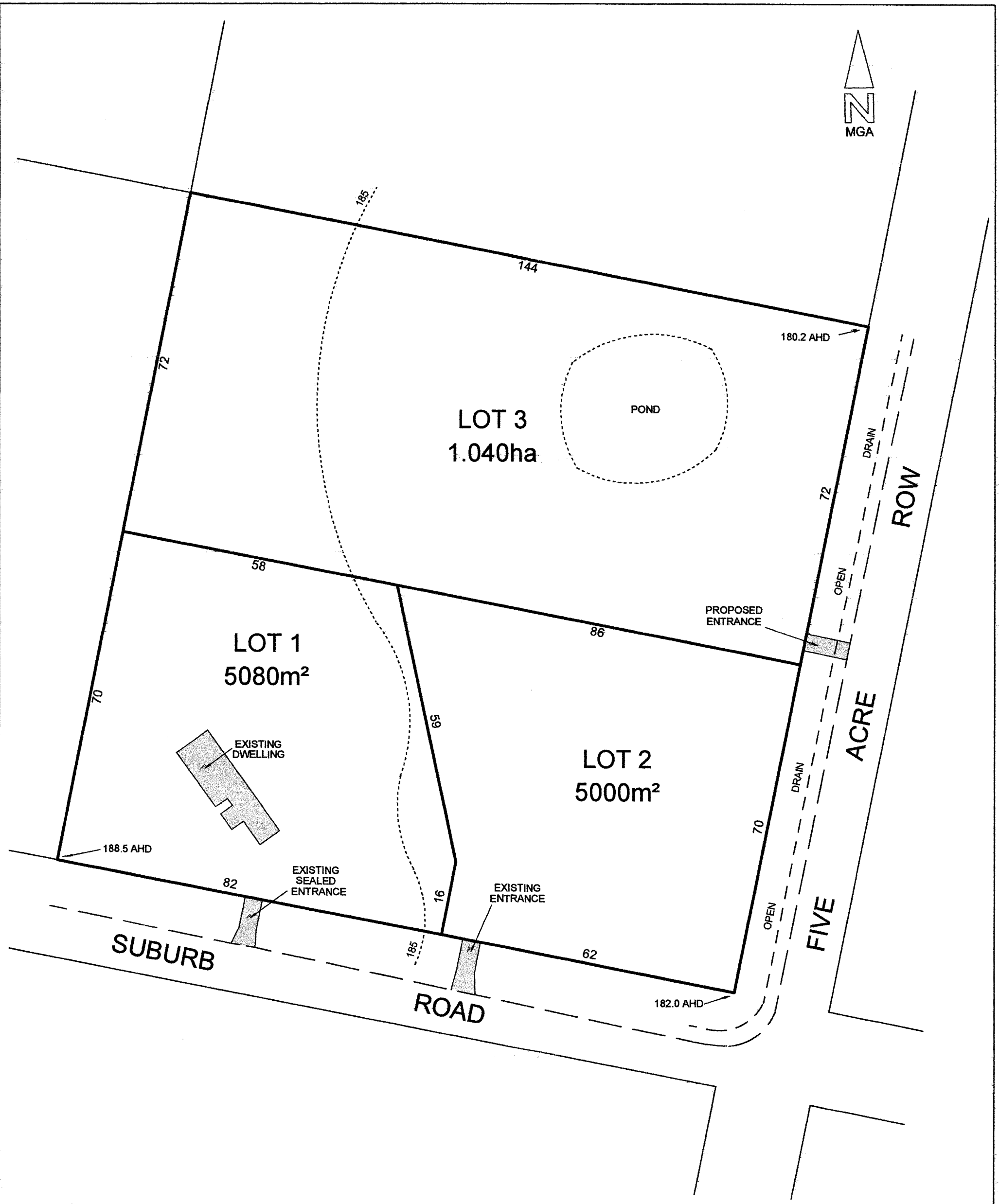
Revised for 2018 edition

	BAL—LOW	BAL-12.5	BAL-19	BAL-29	BAL-40	BAL –FZ (FLAMEZONE)
SUBFLOOR SUPPORTS	No special construction requirements	No special construction requirements	Enclosure by external wall or by steel, bronze or aluminium mesh	Enclosure by external wall or by steel, bronze or aluminium mesh. Non-combustible or naturally fire resistant timber supports where the subfloor is unenclosed	If enclosed by external wall refer below “External Walls” section in table or non-combustible sub-floor supports, or tested for bushfire resistance to AS1530.8.1	Enclosure by external wall or non-combustible with an FRL of 30/-/- or to be tested for bushfire resistance to AS1530.8.2
FLOORS	No special construction requirements	No special construction requirements	Concrete slab on ground or enclosure by external wall, metal mesh as above or flooring less than 400mm above ground level to be non-combustible, naturally fire resistant timber or protected on the underside with sarking or mineral wool insulation	Concrete slab on ground or enclosure by external wall, metal mesh as above or flooring less than 400mm above ground level to be non-combustible, naturally fire resistant timber or protected on the underside with sarking or mineral wool insulation	Concrete slab on ground or enclosure by external wall or protection of underside with a non-combustible material such as fibre cement sheet or be non-combustible or to be tested for bushfire resistance to AS1530.8.1	Concrete slab on ground or enclosure by external wall or an FRL of 30/30/30 or protection of underside 30 minute incipient spread of fire system or to be tested for bushfire resistance to AS1530.8.2
EXTERNAL WALLS	No special construction requirements	As for BAL-19	Parts less than 400mm above ground or decks etc to be of non-combustible material, 6mm fibre cement clad or bushfire resistant/ naturally fire resistant timber	Non-combustible material (masonry, brick veneer, mud brick, aerated concrete, concrete) or timber framed, or steel framed walls sarked on the outside and clad with 6mm fibre cement sheeting or steel sheeting or bushfire resistant timber	Non-combustible material (masonry, brick veneer, mud brick, aerated concrete, concrete) or timber framed, or steel framed walls sarked on the outside and clad with 9mm fibre cement sheeting or steel or to be tested for bushfire resistance to AS1530.8.1	Non-combustible material (masonry, brick veneer, mud brick, aerated concrete, concrete) with a minimum thickness of 90mm or a FRL of -/30/30 when tested from outside or to be tested for bushfire resistance to AS1530.8.2
EXTERNAL WINDOWS	No special construction requirements	4mm grade A Safety Glass of glass blocks within 400m of ground, deck etc with Openable portion metal screened with frame of metal or metal reinforced PVC-U or bushfire resisting timber	5mm toughened glass or glass bricks within 400mm of the ground, deck etc with openable portion metal screened with frame of metal or metal reinforced PVC-U or bushfire resisting timber. Above 400mm annealed glass can be used with all glass screened	5mm toughened glass with openable portion screened and frame of metal or metal reinforced PVC-U, or bushfire resistant timber and portion within 400mm of ground, deck, screen etc screened	6mm toughened glass. Fixed and openable portion screened with steel or bronze mesh	Protected by bushfire shutter or FRL of -/30/- and openable portion screened with steel or bronze mesh or be tested for bushfire resistance to AS1530.8.2
EXTERNAL DOORS	No special construction requirements	As for BAL-19 except that door framing can be naturally fire resistant (high density) timber	Screened with steel, bronze or aluminium mesh or glazed with 5mm toughened glass, non-combustible or 35mm solid timber for 400mm above threshold, metal or bushfire resistant timber framed for 400mm above ground, decking etc. tight-fitting with weather strips at base	Screened with steel, bronze or aluminium mesh or non-combustible, or 35mm solid timber for 400mm above threshold. Metal or bushfire resistant timber framed tight-fitting with weather strips at base	Non-combustible or 35mm solid timber, screened with steel or bronze mesh, metal framed, tight-fitting with weather strips at base	Protected by bushfire shutter or tight-fitting with weather strips at base and a FRL of -/30/-
ROOFS	No special construction requirements	As for BAL-19 (including roof to be fully sarked)	Non-combustible covering, roof/wall junctions sealed. Openings fitted with non-combustible ember guards. Roof to be fully sarked.	Non-combustible covering. Roof/wall junction sealed. Openings fitted with non-combustible ember guards. Roof to be fully sarked	Non-combustible covering. Roof/wall junction sealed. Openings fitted with non-combustible ember guards. Roof to be fully sarked and no roof mounted evaporative coolers	Roof with FRL of 30/30/30 or tested for bushfire resistance to AS1530.8.2. Roof/wall junction sealed. Openings fitted with non-combustible ember guards. No roof mounted evaporative coolers
VERANDAS DECKS ETC.	No special construction requirements	As for BAL-19	Enclosed sub floor space—no special requirements for materials except within 400mm of ground. No special requirements for supports or framing. Decking to be non-combustible or bushfire resistant within 300mm horizontally and 400mm vertically from a glazed element	Enclosed sub floor space or non-combustible or bushfire resistant timber supports. Decking to be non-combustible or bushfire resistant timbers	Enclosed sub-floor space or non-combustible supports. Decking to be non-combustible	Enclosed sub floor space or non-combustible supports. Decking to have no gaps and be non-combustible

PLANNING AUTHORITY 1

Attachment 3 – Proposal Plan

D.J. McCulloch Surveying



NOTES
 LOTS 1, 2 & 3 COMPRISE THE WHOLE THE LAND IN F/R 125610/39
 ALL DIMENSIONS AND AREAS ARE SUBJECT TO THE FINAL TITLE SURVEY

D.J.McCULLOCH Surveying
 AUTHORISED LAND, ENGINEERING & MINING SURVEYORS
 PO BOX 725 RIVERSIDE TAS 7250 PHONE 03 63271394 MOBILE 0417526589 EMAIL:- mcculldj@bigpond.net.au

SUBDIVISION & SERVICES PLAN
 40 Suburb Road, Westbury
 Nick Fitsialos owner
 Title Reference F/R 125610/39
 Development Application for Planning Permit
 Meander Valley Council

SCALE 1:750 (A3)
 Job No. 1644-2125


 22/04/2021
 Registered Land Surveyor

Plan Number
2521.01 DA
PLANNING AUTHORITY 1

This plan has been prepared as a proposed subdivision plan to accompany an application to Council for Planning Approval and it should not be used for any other purpose. The dimensions, areas, boundary positions and number of lots are subject to final survey and also to the requirements of Council and any other authority acting under any relevant legislation. In particular no reliance should be placed on the information shown on this plan for any legal or financial dealings involving the subject or adjoining lands. This note is an integral part of this plan.

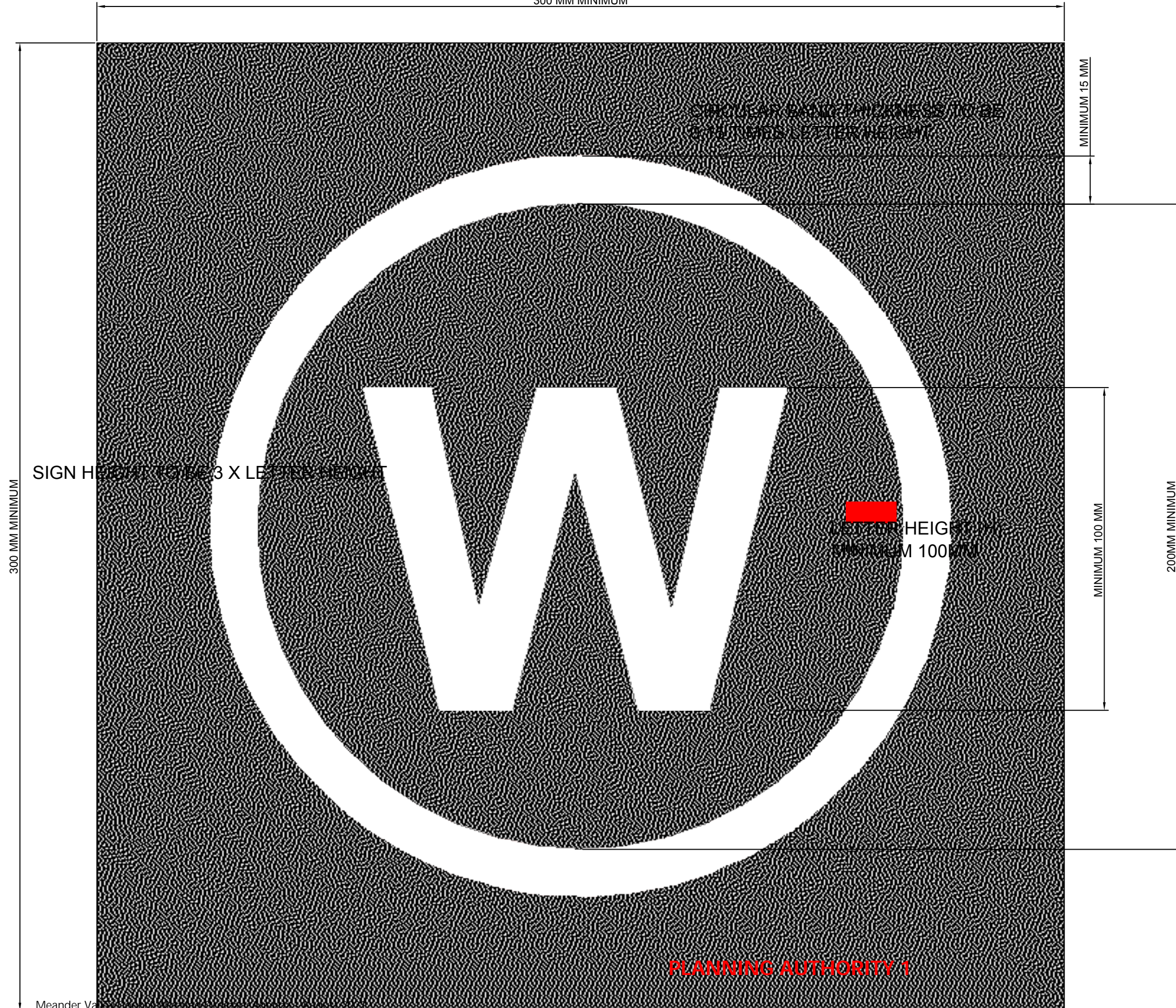
Attachment 4 – Tasmania Fire Service Water Supply Signage Guideline

PLANNING AUTHORITY 1

10,000 LITRE DOMESTIC FIREFIGHTING STATIC WATER INDICATOR SIGN

SIGN WIDTH TO BE 3 X LETTER HEIGHT

300 MM MINIMUM



LETTERING TO BE UPPERCASE AND NOT LESS THAN 100MM IN HEIGHT

INSIDE DIAMETER OF CIRCULAR BAND TO BE 2 TIMES LETTER HEIGHT

SIGN SIZE DIMENSIONS 3 X LETTER HEIGHT HIGH AND 3 X LETTER HEIGHT WIDE.

THICKNESS OF CIRCULAR BAND TO BE 0.15 TIMES LETTER HEIGHT

TEXT STYLE TO BE IN ACCORDANCE WITH AS1744.2015, SERIES F

SIGN TO BE IN FADE RESISTING MATERIAL WITH WHITE REFLECTIVE LETTERING AND CIRCLE ON A RED BACKGROUND

RED TO BE R-13 SIGNAL RED COLOUR CODE 1795U

WHITE SUBSTRATE COLOUR TO BE PMS 186C

SIGN TO BE CONSTRUCTED FROM UV STABILIZED, NON FLAMMABLE AND NON HEAT DEFORMING MATERIAL

SIGN TO BE PERMANENTLY FIXED

CIRCLE INNER DIAMETER 2 X LETTER HEIGHT

PLANNING AUTHORITY 1



References

- (a) Tasmanian Planning Commission 2021, *Tasmanian Planning Scheme – Meander Valley (Effective 19 April 2021)*, C13.0 Bushfire-Prone Areas Code, Tasmania.
- (b) Australian Standards, AS 3959-2018, *Construction of buildings in bushfire-prone areas*, Standards Australia, Sydney NSW.
- (c) Resource Management & Conservation Division of the Department Primary Industry & Water September 2006, TASVEG, *Tasmanian Vegetation Map*, Tasmania.
- (d) Tasmanian Government, Land Information System Tasmania, www.thelist.tas.gov.au

APPLICATION FORM

PLANNING PERMIT

Land Use Planning and Approvals Act 1993



Meander Valley Council
Working Together

- Application form & details MUST be completed **IN FULL**.
- Incomplete forms will not be accepted and may delay processing and issue of any Permits.

OFFICE USE ONLY

Property No: <input type="text"/>	Assessment No: <input type="text"/> - <input type="text"/> - <input type="text"/>	
DA\ <input type="text"/>	PA\ <input type="text"/>	PC\ <input type="text"/>

- Is your application the result of an illegal building work? Yes No Indicate by ✓ box
- Have you already received a Planning Review for this proposal? Yes No
- Is a new vehicle access or crossover required? Yes No

PROPERTY DETAILS:

Address:	<input type="text" value="40 Suburb Road"/>	Certificate of Title:	<input type="text" value="F/R 125610/39"/>
Suburb:	<input type="text" value="Westbury"/>	Lot No:	<input type="text" value="39"/>
Land area:	<input type="text" value="2.049ha"/>	<i>m² / ha</i>	
Present use of land/building:	<input type="text" value="Residential"/>	<i>(vacant, residential, rural, industrial, commercial or forestry)</i>	

- Does the application involve Crown Land or Private access via a Crown Access Licence: Yes No
- Heritage Listed Property: Yes No

DETAILS OF USE OR DEVELOPMENT:

- Indicate by ✓ box
- | | | | |
|--|--|---|-------------------------------------|
| <input type="checkbox"/> Building work | <input type="checkbox"/> Change of use | <input checked="" type="checkbox"/> Subdivision | <input type="checkbox"/> Demolition |
| <input type="checkbox"/> Forestry | <input type="checkbox"/> Other | | |

Total cost of development (inclusive of GST): Includes total cost of building work, landscaping, road works and infrastructure

Description of work:

Use of building: (main use of proposed building – dwelling, garage, farm building, factory, office, shop)

New floor area: m² New building height: m

Materials: External walls: Colour:
Roof cladding: Colour:

PLANNING AUTHORITY 1

SEARCH OF TORRENS TITLE

VOLUME 125610	FOLIO 39
EDITION 6	DATE OF ISSUE 20-May-2021

SEARCH DATE : 09-Jun-2021

SEARCH TIME : 09.21 PM

DESCRIPTION OF LAND

Town of WESTBURY
 Lot 39 on Plan 125610
 Derivation : Whole of Lot 39 Section D.11 Gtd. to J. Murray
 Prior CT 244408/1

SCHEDULE 1


B974332 & E258715 NICHOLAS FITSIALOS Registered 20-May-2021
 at noon

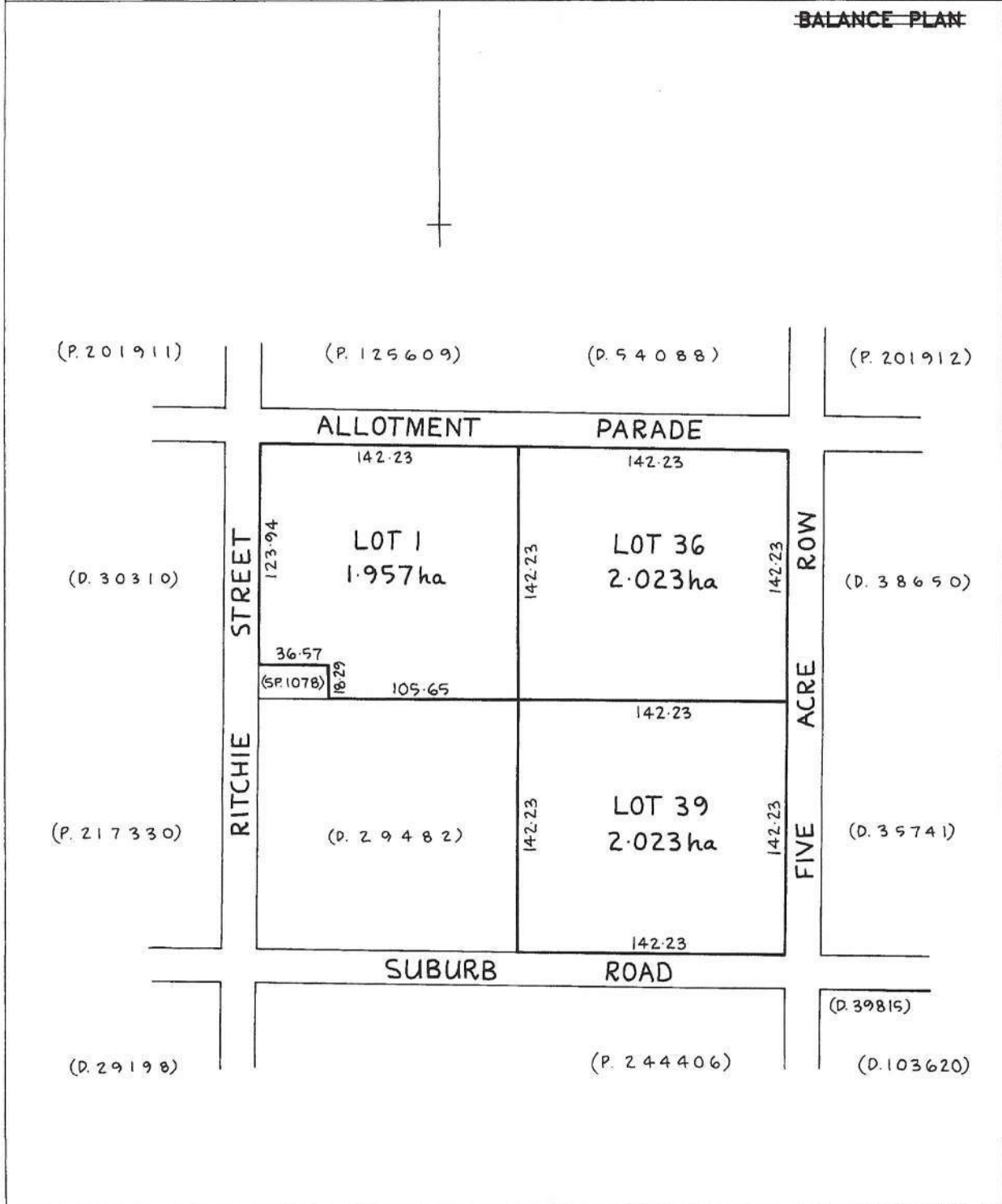
SCHEDULE 2

Reservations and conditions in the Crown Grant if any
 C711509 MORTGAGE to Bank of Western Australia Limited
 Registered 24-Oct-2006 at 12.01 PM
 D70288 APPLICATION Mortgage C711509 vested to the
 Commonwealth Bank of Australia

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

OWNER		PLAN OF TITLE		REGISTERED NUMBER	
FOLIO REFERENCE F/R 244408-1				P 125610	
GRANTEE		LOCATION		APPROVED 18 SEP 1996	
		TOWN OF WESTBURY (SEC. D.11)		 Recorder of Titles	
		FIRST SURVEY PLAN No.			
		COMPILED BY LTO			
		SCALE 1: 200		LENGTHS IN METRES	
MAPSHEET MUNICIPAL CODE No. 121		LAST UPI No. 6502242, 6502244, 6502245		LAST PLAN No.	
				ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN	



PLANNING AUTHORITY 1

Natasha Whiteley

From: [REDACTED]
Sent: Monday, 5 July 2021 9:51 PM
To: Planning @ Meander Valley Council

PA\21\0315

05/07/2021

Dear Mr John Jordan,

I, Karen Murray of 24 Five Acre Row, Westbury Tasmania 7303 object to the proposed subdivision of land situated at 40 Suburb Road, Westbury Tasmania 7303 for the prospect of building purposes. The land situated at the above address is one of the original 5 acre blocks that were once granted to our Retired Military Pensioners and these blocks WERE NEVER TO BE SUBDIVIDED.

In this immediate area there have been a dozen or so building approvals. Allowing all these subdivisions to occur DEFEATS THE PURPOSE OF WHY WE LIVE IN THE COUNTRY. You, the Meander Valley Council and councillors who have voted for these applications to proceed, you are FORCING suburbia upon us. If we wanted large volumes of traffic, noisy neighbours and screaming children we would have moved to the city years ago. This is why we moved to the "country" so we could have some space, keep animals, have a small holding, ride our horses and bikes without the fear of being killed by "townies" who have no idea or respect for us who use these narrow streets. These streets are NOT DESIGNED for the volume of traffic which is now forced upon them. By volumes of traffic, I refer to the new inhabitants, the inconsiderate tradies, and the huge trucks delivering building materials who think they own the streets.

Looking over the plans for the proposed subdivision of this land at 40 Suburb Road, I can see many great challenges for the creatures that call this place home.

Lot 2 has a large gathering of Tasmanian Blackwood trees to the intersection of Five Acre Row and Suburb Road and will be impacted as part of this development. Wattle birds, Black cockatoos, and other native birds feast on the seedpods during summer. When these trees start flowering usually from July to the end of spring, bees and other nectar eating species gather to feast. What a pity that their habitat is about to be challenged.

Lot 3 has an extensive range of trees including many Eucalyptus trees which are not only native to the area but also house a great number of animals. These include the Ring-tail Possum, Tawny Frogmouth Owls, the Brushtail Possum, Sugar Gliders, the Eastern Pygmy Possum but most importantly are the Micro-bats. Tasmania is home for 8 species of Micro-bats. Micro-bats are fully PROTECTED by law in ALL states of AUSTRALIA. Some of these bat species are so RARE that they are threatened with EXTINCTION.....HABITAT LOSS is their biggest danger and these HARMLESS little mammals are vitally important for their nightly job in our environment. But does anyone CARE..... NO.....NO-ONE CARES. The Eastern Barred Bandicoot and Southern Brown Bandicoot are also little creatures that call this land home and are on the threatened list. Why are so many people allowed and permitted to destroy the habitats of our most vulnerable creatures? Only one word.....GREED.

Also on this lot is the dam/ waterhole which is home to a great number of amphibious creatures, namely the once again ENDANGERED Green and Gold Bellfrog. Australia is home to 240 different species of frogs and Tasmania has many of these which are declining rapidly in numbers by HABITAT LOSS. Frogs play a key role

in our ecosystem and the cycle of nature as they are both predators and prey. Native ducks and other winged animals frequent this waterhole and also use it as a stopping point between journeys. The list goes on, however, NO-ONE CARES.

To the Eastern end of the waterhole is a pear tree. This pear tree has great significance as it was one of the trees gifted and planted by the Retired Military Pensioners in the 1850s and is original to this land.

Subdivision of land should be sympathetic to an area, however, I and many others have come to notice that there is nothing sympathetic about any of these recent subdivisions, only how much people can destroy and are permitted to destroy a small parcel of land within a short period of time.

Westbury is no longer the charming village the Meander Valley Council perceive it to be but alas a regional city with no amenities.

Yours Sincerely,

Karen Murray,
24 Five Acre Row,
Westbury. Tasmania. 7303
Contact: 0419 574 536

Objection

Planning Permit – PA\21\0315 40 Suburb Road, Westbury

Name: Ron Murray

Address: 47 Meander Valley Road, Westbury

Contact no: 03 6393 1982

Subdivision

App. No. 14610		
Doc No.		
RCVD	21 JUN 2021	MVC
Author Officer: LR	Dept.	DD5
SO	OD	✓

Concerns:

- Increased density may result in increased dog numbers and attacks. I personally have had sheep killed by neighbourhood dogs – this is a big concern.
- Not clear how sewer and stormwater will be managed. Has the potential to cause nuisance flows onto neighbouring properties if not managed correctly.
- Increase in residential blocks will take away from the rural feel of the town of Westbury.
- Safety concerns for children and community members around poor management of dogs leading to dog attacks.



Ron Murray
21 June 2021



INFRASTRUCTURE 1

(Reference No. 146/2021)

PROPOSED ROAD NAME – NIGHT TRAIN RISE, PROSPECT VALE

AUTHOR: Jarred Allen
Team Leader Engineering

1) Recommendation

It is recommended that Council, pursuant to the provisions of Section 11 of the Place Names Act 2020, approves:

- 1. The renaming of Classic Drive, from Harley Parade up to the intersection of Daytona Rise, Prospect Vale, to Night Train Rise; and***
- 2. Use of the new road name Night Train Rise for the new section of road south of the intersection of Daytona Rise.***

2) Officers Report

Background

Classic Drive is an 'L' shaped road off Harley Parade, Prospect Vale. It is approximately 170m long and ends in a cul-de-sac. Classic Drive has been fully developed either side, with the exception being at the bend in the road to allow for extension of a new road for future residential subdivision. 17 dwellings have vehicle access from Classic Drive. Refer Figure 1.



Figure 1 –Classic Drive.

Council has approved a subdivision off Classic Drive which is currently under construction. Once completed, this will alter the layout of Classic Drive in terms of priority vehicle movements and create two (2) T-junctions. The section of Classic Drive running approximately north-south off Harley Parade will continue on the same alignment past the intersection with Daytona Rise. The section of Classic Drive ending in the cul-de-sac will form a T-junction. Refer Figure 2. This change warrants renaming of the section of Classic Drive off Harley Parade.

The rezoning of land in this area allows for the future connection of the new road through to the end of Buell Drive, which is located at the western end of Harley Parade.

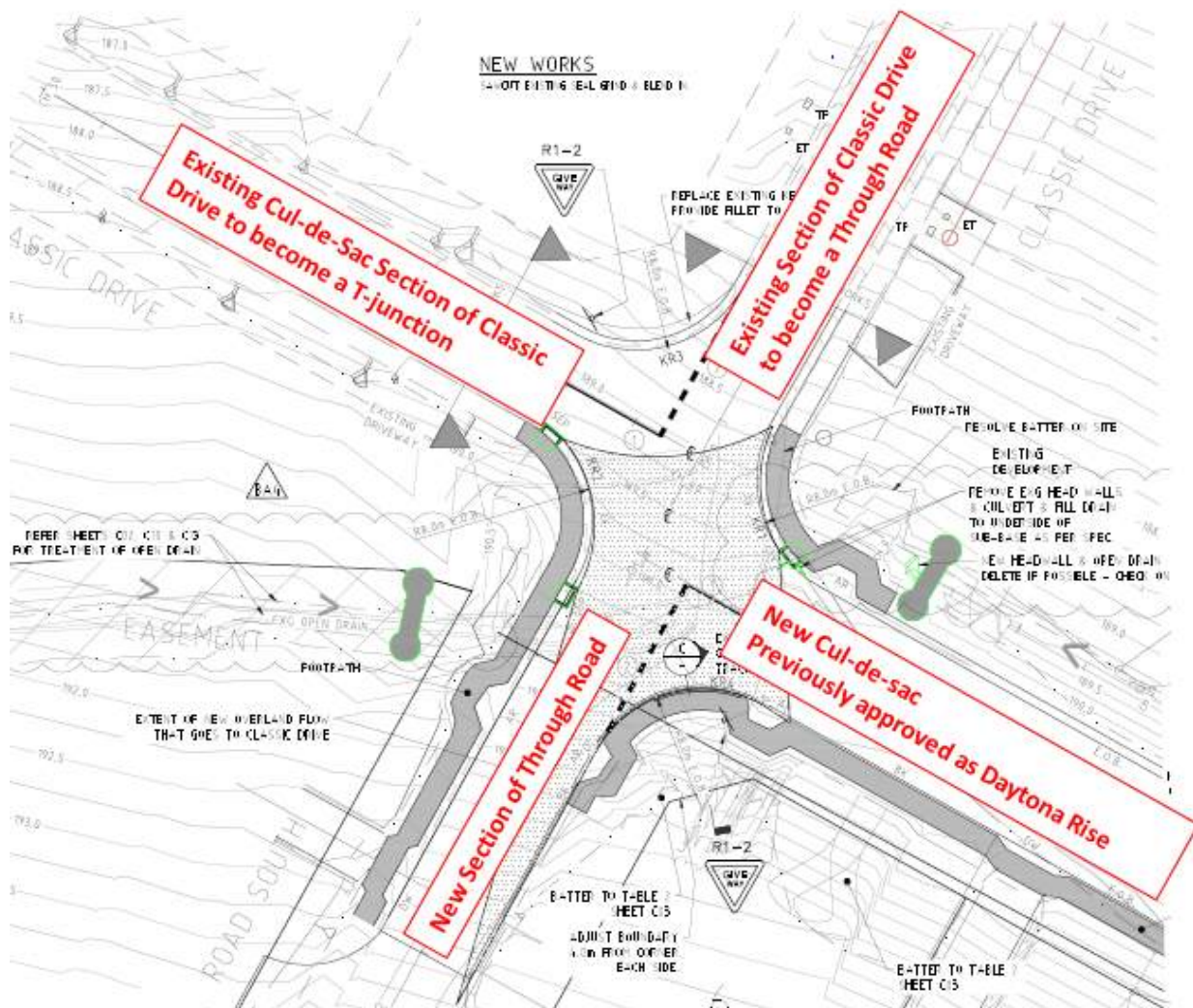


Figure 2 – New T-intersections – Classic Drive.

Placenames Tasmania has indicated that in situations such as this, where an existing 'L' shaped road is altered so that one section of the road becomes a through road (while the other section of road becomes a 'T' Junction), at least one of the sections of road should be renamed.

The main reason for renaming one section of road is to ensure emergency services are not confused when responding to callouts.

Proposed Name

Council Officers requested a suggestion from the developer for the name of the new section of road south of Classic Drive. The developer has put forward the name Night Train Ridge. Council Officers would not necessarily support Ridge in the road name, with the preference to use Rise.

The developer of the subdivision has previously completed other subdivisions in the area. Where these recent subdivisions have included new roads, the names

approved by Council have followed a 'motorcycle' theme, with examples being; Harley Parade, Belt Drive, Classic Drive, Buell Drive, Sturgis Place and Dayton Rise.

The proposed name of 'Night Train' continues the motorbike theme. It is named after a model of Harley Davidson motorcycle.

Officers recommendation was discussed at the July Council Workshop.

3) Council Strategy and Policy

Not applicable

4) Legislation

Road naming is regulated under the *Place Names Act 2020*.

5) Risk Management

Risk is managed through the formal process of ratifying road names to avoid conflict with existing named roads in other municipalities within Tasmania. Non-duplication of names also ensures greater address clarity for emergency services.

6) Government and Agency Consultation

Council endorsed road names are required to be submitted to the Placenames Tasmania database which is administered by the Department Primary Industries, Parks, Water and Environment.

7) Community Consultation

Consultation has been undertaken with the affected landowners.

8) Financial Consideration

Not applicable

9) Alternative Recommendations

Council can choose a name other than that proposed or delegate this responsibility to Council staff.

10) Voting Requirements

Simple Majority

DECISION:

GOVERNANCE 1

(Reference No. 147/2021)

APPOINTMENT TO COUNCIL AUDIT PANEL

AUTHOR: John Jordan
General Manager

1) Recommendation

It is recommended that Council:

- 1. Appoint Councillor John Temple as a member of Council's Audit Panel; and***
- 2. Approve the commencement of a recruitment process to appoint a second independent member as a member of Council's Audit Panel.***

2) Officers Report

Meander Valley Council's Audit Panel is a key mechanism for assisting Council to provide a transparent, independent process that ensures accountability to the community in governance, management and allocation of resources.

The Panel meets quarterly to review Council's performance under relevant legislation and report back on its conclusions and recommendations.

It is currently composed of one independent member and one Councillor, following the recent resignation from office by a former elected representative:

- Independent Chair: Andrew Gray (commenced December 2020)
- Council member: Councillor Frank Nott
- Council member: *Vacant*

Councillor John Temple has volunteered to nominate for appointment to the Panel in fulfilment of the current vacancy.

Section 5 of Council’s 2018 Audit Panel Charter provides for a number of different compositions (as provided by the *Local Government (Audit Panels) Order 2014*):

Audit Membership	Panel	Independent	Councillor
Three		One or two	One or two
Four		Minimum two	One or two
Five		Minimum two	One, two or three

Council must retain its independent Chair. An employee, General Manager or Mayor are ineligible for membership on the Panel.

Due to competing commitments, elected representatives are not always able to attend Panel meetings. It is recommended that Council commence recruitment for the appointment of a second independent member, to achieve better coverage of absences, broader oversight of Council functions and operations, and to embed a higher degree of independence in Council’s governance structure.

Council previously had two independent members appointed to the Panel. The second independent member was discontinued by Council upon term expiry in March 2020.

3) Council Strategy and Policy

The recommendation fulfils the requirements outlined in Council’s Audit Panel Charter confirmed at the October 2018 Council Meeting.

Further the objectives of the Council’s Community Strategic Plan 2014 to 2024:

- Future direction (5) - Innovative leadership and community governance

4) Legislation

Sections 85, 85A and 85B of the *Local Government Act 1993* and the *Local Government (Audit Panels) Order 2014*.

5) Risk Management

Not applicable

6) Government and Agency Consultation

Not applicable

7) Community Consultation

Not applicable

8) Financial Consideration

The estimated cost of an additional independent Audit Panel member is \$3,000.

9) Alternative Recommendations

1. Council can approve the appointment of an alternative or additional Councillor as member of the Panel.
2. Council can resolve not to recruit an additional independent member to the Panel.

10) Voting Requirements

Simple Majority

DECISION:

ITEMS FOR CLOSED SECTION OF THE MEETING:

Councillor xx moved and Councillor xx seconded ***“that pursuant to Regulation 15(2) of the Local Government (Meeting Procedures) Regulations 2015, Council close the meeting to the public to discuss the following items.”***

Voting Requirements

Absolute Majority

Council moved to Closed Session at x.xxpm

GOVERNANCE 2 CONFIRMATION OF MINUTES

(Reference Part 2 Regulation 34(2) Local Government (Meeting Procedures) Regulations 2015)

GOVERNANCE 3 LEAVE OF ABSENCE

(Reference Part 2 Regulation 15(2)(h) Local Government (Meeting Procedures) Regulations 2015)

GOVERNANCE 4 RECEIPT OF LEGAL ADVICE

(Reference Part 2 Regulation 15(2)(a) Local Government (Meeting Procedures) Regulations 2015)

Council returned to Open Session at x.xxpm

Cr xxx moved and Cr xxx seconded ***“that the following decisions were taken by Council in Closed Session and are to be released for the public’s information.”***

The meeting closed at

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Wayne Johnston

Mayor