



PLANNING PERMIT (SA2022/044)

In accordance with Division 2 of Part 4 section 57 of the *Land Use Planning and Approvals Act 1993*, the Brighton Council (Planning Authority) grants a permit for a discretionary application –

To: JMG Engineers & Planners
Of: 117 Harrington Street
HOBART TAS 7000

For land described as:

203 Old Beach Road, Old Beach & 205 Old Beach Road, Old Beach, and C/T 181742/2
Certificate of Title Volume 12311 Folio 1; Certificate of Title Volume 135401 Folio 7 and and
Certificate of Title Volume 181742 Folio 2

THIS PERMIT ALLOWS FOR:

The land to be and developed by **Subdivision of 4 lots** and ancillary site works in accordance with the information and particulars set out in the development application and the endorsed drawings.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

General

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

Bushfire Hazard Management

4. Prior to the subdivision commencing the developer must submit an amended Bushfire Hazard Report and Bushfire Hazard Management Plan including access to Lots 1 and 2 from Arbie Lane. Once accepted by the General Manager, the amended report and plan will form part of the endorsed documents.
5. Prior to Council sealing the final plan of survey for any stage the developer must provide certification from a suitably qualified person that all requirements of the approved Bushfire Hazard Management Plan have been complied with.

Public Open Space

6. Prior to sealing, an amended plan of survey must be submitted to and approved by Council's Manager Development Services. The amended plan of survey must include all land on Lot 3 located north of the mapped "onshore water body" identified for the purposes of Public Open Space.

Once approved the amended plan of survey shall become part of the endorsed documents of this permit.

7. Notwithstanding condition 7 above, the public open space as indicated on the endorsed plan must be transferred to the Brighton Council by Memorandum of Transfer submitted with the Final Plan of Survey.

Easements

8. Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Council's Municipal Engineer. The cost of locating and creating the easements shall be at the subdivider's full cost.
9. The Right of Way over Lot 4 in favour of Lot 3 is to be a minimum of 5 metres wide and increased to a minimum width of 7 metres at passing bays, or as otherwise required to contain the constructed vehicular access to the satisfaction of Council's Municipal Engineer.
10. The existing Right of Way over proposed Lot 1 must be removed.
11. A Right of Way must be provided over Lot 2 in the benefit of Lot 3 to allow emergency access to the Lottie Mews road reservation to the satisfaction of Council's Municipal Engineer.
12. Drainage easements must be provided over Lots 3 and 4 for the future disposal of stormwater from Lots 1 and 2 to the satisfaction of Council's Municipal Engineer.

Final plan

13. A final approved plan of survey and schedule of easements as necessary, together with two (2) copies, must be submitted to Council for sealing for each stage. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
14. Prior to Council sealing the final plan of survey for each stage, security for an amount clearly in excess of the value of all outstanding works and maintenance required by this permit must be lodged with the Brighton Council. The security must be in accordance with section 86(3) of the Local Government (Building & Miscellaneous Provisions) Council 1993. The amount of the security shall be determined by the Council's Municipal Engineer in accordance with Council Policy 6.3 following approval of any engineering design drawings and shall not to be less than \$5,000.
15. All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals

the final plan of survey for each stage. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied.

16. The subdivider must pay any Titles Office lodgement fees direct to the Recorder of Titles.

Engineering

17. The subdivision must be carried out and constructed in accordance with the:

- a) Tasmanian Subdivision Guidelines
- b) Tasmanian Municipal Standard – Specifications
- c) Tasmanian Municipal Standard – Drawings

as published by the Local Government Association of Tasmania and to the satisfaction of Council's Municipal Engineer.

18. Engineering design drawings, to the satisfaction of the Council's Municipal Engineer, must be submitted to and approved by Council before any works associated with development of the land commence.

19. Engineering design drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by Council's Municipal Engineer, in accordance with the Tasmanian Subdivision Guidelines October 2013, and must show –

- a) all existing and proposed services required by this permit;
- b) all existing and proposed roadwork required by this permit;
- c) measures to be taken to provide sight distance in accordance with the relevant standards of the planning scheme;
- d) measures to be taken to limit or control erosion and sedimentation;
- e) any other work required by this permit.

20. Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.

21. The developer shall appoint a qualified and experienced Supervising Engineer (or company registered to provide civil engineering consultancy services) who will be required to certify completion of subdivision construction works. The appointed Supervising Engineer shall be the primary contact person on matters concerning the subdivision.

Services

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

23. Any existing services shared between lots are to be separated to the satisfaction of Council's Municipal Engineer.

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

Vehicular Access

25. A vehicular access must be provided from the road carriageway to the property boundary of each lot.
26. The existing vehicle access to Lots 3 and 4, within the road reservation, must be upgraded including a sealed surface to comply with Council's minimum construction standards and the approved Bushfire Hazard Report.
27. A shared vehicular access for Lots 1 and 2 must be provided from the Arbie Lane carriageway to the lot boundaries and, unless approved otherwise by Council's Municipal Engineer, include:
- (a) Constructed with a durable all-weather pavement.
 - (b) Drained to the public stormwater system, or contain stormwater on the site, such that stormwater is not concentrated onto adjacent properties.
 - (c) Surfaced with a material to resist abrasion from traffic and to minimise the entry of water. The surfacing material may be asphalt, concrete, or other approved material.
 - (d) A 5.5 metre minimum width crossover in the kerb and channel.
 - (e) A 5.5 metre minimum width concrete apron from the back of kerb/crossover for a distance of no less than 6 metres.
 - (f) A minimum width of not less than 4 metres for the remainder of the access splaying where it meets the lots to create a 4 metre minimum width access onto each lot.
 - (g) In accordance with the approved Bushfire Hazard Management Plan.
28. The vehicular access to Lot 3 must be constructed/upgraded for the entire length of the right of way from Old Beach Road to the lot proper and, unless approved otherwise by Council's Municipal Engineer, include:
- (a) Constructed with a durable all-weather pavement.
 - (b) Drained to the public stormwater system, or contain stormwater on the site, such that stormwater is not concentrated onto adjacent properties.
 - (c) Surfaced with a minimum gravel surface that is designed, constructed and maintained to avoid dust or mud generation, erosion or sediment transfer on or off site;
 - (d) A min trafficable width of 4.0m (with 0.5m clearance either side to the property boundary);
 - (e) Provided with passing bays of 2.0m additional width and 20 metres long (excluding tapers) every 200 metres.
 - (f) In accordance with the approved Bushfire Hazard Management Plan
29. The vehicular access to Lot 4 must be constructed/upgraded and, unless approved otherwise by Council's Municipal Engineer, include:

- (a) Constructed with a durable all-weather pavement.
- (b) Drained to the public stormwater system, or contain stormwater on the site, such that stormwater is not concentrated onto adjacent properties.
- (c) Surfaced with a minimum gravel surface that is designed, constructed and maintained to avoid dust or mud generation, erosion or sediment transfer on or off site.
- (d) A min trafficable width of 4.0m (with 0.5m clearance either side to the property boundary).

Access to Public Road

ADVICE: No works on or affecting any Council road reservation is to be commenced until the Brighton Council has issued a WORKS IN ROAD RESERVATION PERMIT. Application for the issue of the necessary works permit is to be made to the Brighton Council's Asset Services Department prior to the proposed date of commencement of any works. (No application fee will be charged where an Engineering Plan Assessment and Inspection Fee has been paid for the approval of engineering design drawings.)

Stormwater

30. No new stormwater point discharge is allowed to a watercourse as part of this subdivision.

Sewer & Water

- 31. Each lot must be connected to a full water supply service.
- 32. Prior to sealing of the Final Plan of Survey, the onsite wastewater system servicing the existing dwelling at 205 Old Beach Road is to be decommissioned and relocated such that it is contained entirely on proposed Lot 3 in accordance with a Wastewater Report submitted to, and approved by, Council's Senior Environmental Health Officer.

Tas Water

33. The development must meet all required conditions of approval specified by TasWater Amended Submission to Planning Authority Notice TWDA 2022/01712-BTN, dated 02/05/2023.

Telecommunications and electrical reticulation

- 34. Electrical and telecommunications services must be provided to each lot in accordance with the requirements of the responsible authority and to the satisfaction of Council's Municipal Engineer.
 - (a) Prior to sealing the final plan of survey the developer must submit to Council: A "Provisioning of Telecommunications Infrastructure – Confirmation of final payment" or "Certificate of Practical Completion of Developer's Activities" from NBN Co.
 - (b) Written advice from TasNetworks confirming that all conditions of any Agreement between the Owner and authority have been complied with and/or that future lot owners will not be liable for network extension or upgrade costs, other than individual property connections (basic connection) at the time each lot is further developed.

Soil & Water Management

35. Before any work commences install temporary run-off, erosion and sediment controls and maintain these controls at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South and to the satisfaction of Council's General Manager.
36. All disturbed surfaces on the land, except those set aside for roadways, footways and driveways, must be covered with top soil and, where appropriate, re-vegetated and stabilised to the satisfaction of the Council's Municipal Engineer.

Construction Amenity

37. Prior to commencement of works, the road frontage of the development site including road, kerb and channel, footpath and nature strip, should be:
 - (a) Surveyed prior to construction, photographed, documented and any damage or defects be noted in a dilapidation report to be provided to Council's Asset Services Department prior to construction.
 - (b) Be protected from damage, heavy equipment impact, surface scratching or scraping and be cleaned on completion.

In the event a dilapidation report is not provided to Council prior to commencement, any damage on completion will be deemed a result of construction activity requiring replacement prior to approval.

38. Works associated with the subdivision must only be carried out between the following hours unless otherwise approved by the Council's General Manager
 - Monday to Friday 7:00 AM to 6:00 PM
 - Saturday 8:00 AM to 6:00 PM
 - Sunday and State-wide public holidays 10:00 AM to 6:00 PM
39. All subdivision works associated with the development of the land must be carried out in such a manner so as not to unreasonably cause injury to, or unreasonably prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of -
 - (a) emission from activities or equipment related to the use or development, including noise and vibration, which can be detected by a person at the boundary with another property; and/or
 - (b) transport of materials, goods or commodities to or from the land; and/or
 - (c) appearance of any building, works or materials.
40. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the land in an approved manner. No burning of such materials on-site will be permitted unless approved in writing by the Council's General Manager.

41. Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the subdivision during the construction period.

Maintenance and Defects Liability Period

42. The subdivision must be placed onto a twelve (12) month maintenance and defects liability period in accordance with Council Policy following the completion of the works in accordance with the approved engineering plans and permit conditions.
43. Prior to placing the subdivision onto the maintenance and defects liability period the Supervising Engineer must provide certification that the works comply with the Council's Standard Drawings, specification and the approved plans.

As Constructed Drawings

44. Prior to the works being placed on the maintenance and defects liability period "as constructed" drawings and data for all engineering works provided as part of this approval must be provided to Council to the satisfaction of the Council's Municipal Engineer. These drawings and data sheets must be prepared by a qualified and experienced civil engineer or other person approved by the Municipal Engineer in accordance with Council's Guidelines for As Constructed Data.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT: -

- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.
- C. The applicant is advised that an engineering plan assessment and inspection fee of 1% of the value of the approved engineering works (minimum of \$300.00), or as otherwise specified in Council's Schedule of Fees, must be paid to Council prior to the approval of engineering plans.
- D. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application.

Dated 16th May 2023



Jo Blackwell
Acting Director Development Services

Amended Submission to Planning Authority Notice

Council Planning Permit No.	SA 2022 / 00044	Council notice date	19/10/2022
TasWater details			
TasWater Reference No.	TWDA 2022/01712-BTN	Date of response	01/11/2022
		Amendment date	02/05/2023
TasWater Contact	Phil Papps	Phone No.	0474 931 272
Response issued to			
Council name	BRIGHTON COUNCIL		
Contact details	development@brighton.tas.gov.au		
Development details			
Address	203 OLD BEACH RD, OLD BEACH	Property ID (PID)	1888355
Description of development	Subdivision - 4 lots - CT 135401/7 CT181742/2 CT183730/3 CT183730/4		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Leary Cox & Cripps	Plan of Subdivision / 12946	DA1	07/02/2023
JMG	Concept Servicing Plans / P01 & P02	DA1	07/02/2023
Conditions			
<p>TasWater advises the subject land is not located within serviced land for sewerage. Council has advised TasWater there is no specific requirement to install sewerage infrastructure under the current zoning requirements and TasWater will not support the construction of a sewage pump station within the H5 flood inundation area as shown on the Concept Servicing Plans listed in the Schedule of drawings/documents. Accordingly, pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS) Section 56P(1)</i> TasWater imposes the following amended conditions on the permit for this application:</p>			
WATER CONNECTIONS, METERING & BACKFLOW			
<ol style="list-style-type: none"> 1. A suitably sized water supply with metered connections must be designed and constructed to service Lots 1 & 2 to TasWater's satisfaction and be in accordance with any other conditions in this permit. 2. Prior to use of the development, any water connection utilised for the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater. 			
ASSET CREATION & INFRASTRUCTURE WORKS			
<ol style="list-style-type: none"> 3. Plans submitted with the application for Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains. 4. Prior to applying for a Permit to Construct the new infrastructure the developer must obtain from TasWater Engineering Design Approval for new TasWater infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for water to TasWater's satisfaction. 5. Prior to works commencing, a Permit to Construct must be applied for and issued by TasWater. All infrastructure works must be inspected by TasWater and be to TasWater's satisfaction. 6. In addition to any other conditions in this permit, all works must be constructed under the supervision of a suitably qualified person in accordance with TasWater's requirements. 7. Prior to the issue of a Consent to Register a Legal Document all additions, extensions, alterations or upgrades to TasWater's water infrastructure required to service the development, are to be 			

completed in accordance with all permit conditions and are to be constructed at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater.

8. After testing/disinfection, to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
9. At practical completion of the works and prior to TasWater issuing a Consent to a Register Legal Document, the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
 - a. Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved.
 - b. A request for a joint on-site inspection with TasWater's authorised representative must be made.
 - c. Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank guarantee.
 - d. Work As Constructed drawings and documentation must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.

Upon TasWater issuing a Certificate of Practical Completion, the newly constructed infrastructure is deemed to have transferred to TasWater.

10. After the Certificate of Practical Completion has been issued, a 12-month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12-month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". TasWater will release any security held for the defect's liability period.
11. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.
12. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.

FINAL PLANS, EASEMENTS & ENDORSEMENTS

13. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater as evidence of compliance with these conditions when application for sealing is made.
Advice: Council will refer the Final Plan of Survey to TasWater requesting Consent to Register a Legal Document be issued directly to them on behalf of the applicant.
14. Pipeline easement(s), to TasWater's satisfaction, must be created over any existing or proposed TasWater infrastructure where applicable and be in accordance with TasWater's standard pipeline easement conditions and requirements.
15. The Plan of Survey must include private service easements over the proposed private water pipes located on Lot 4 (Balance), servicing Lot 3. The easement must benefit Lot 3 and burden Lot 4.
16. Prior to the issue of a Consent to Register a Legal Document from TasWater, the applicant must submit a copy of the completed Transfer for the provision of Pipeline and Services Easements to

cover existing/proposed TasWater infrastructure where applicable as required by condition 14. All costs and expenses related to the transfer of easement(s) to TasWater are to be paid by the developer.

17. Prior to the issue of a TasWater Consent to Register a Legal Document, the applicant must submit a .dwg file, prepared by a suitably qualified person to TasWater's satisfaction, showing:
- a. the exact location of the existing water/sewerage infrastructure,
 - b. the easement protecting that infrastructure.

The developer must locate the existing TasWater infrastructure and clearly show it on the .dwg file. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost.

DEVELOPMENT ASSESSMENT FEES

18. The applicant or landowner as the case may be, must pay a development assessment fee of \$376.68 and a Consent to Register a Legal Document fee of \$239.90 to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date paid to TasWater.
- The payment is required within 30 days of the issue of an invoice by TasWater.
19. In the event Council approves a staging plan, a Consent to Register a Legal Document fee for each stage, must be paid commensurate with the number of Equivalent Tenements in each stage, as approved by Council.

Advice

General

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

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

Service Locations

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

Declaration

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

TasWater Contact Details

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

JMG Ref: 220401PL
Council Ref: SA 2022/044

10th February 2023

Jo Blackwell
Brighton Council
Via development@brighton.tas.gov.au.

Attention: Jo Blackwell

Dear Jo,

RFI RESPONSE - SA2022/044 - 201,203 & 205 OLD BEACH ROAD, OLD BEACH & LOT 108 LEWIS COURT, OLD BEACH

Please refer to the following with regards to the 'request for additional information letter' **received from** Brighton Council, dated 31st October 2022.

The required additional information is addressed in the sequence below.

1. Future Subdivision Layout

An indicative lot layout for the residential subdivision is provided (Attachment 1), however, this will form part of an S33 application to the Council shortly.

2. Site Plan - Public Open Space

An updated Subdivision Plan is enclosed in Updated Planning Report - Attachment 2 which includes the Public Open Space requested by Council.

3. Road and Railways Asset Code

This is agreed, a new crossover is proposed onto Arbie Lane. We have amended this in the attached report and the application form. We also request Council Consent as Road Authority for the new crossover.

117 Harrington Street
Hobart 7000
Phone (03) 6231 2555
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infohbt@jmg.net.au

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Phone (03) 6334 5548
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Johnstone McGee &
Gandy Pty Ltd
ABN 76 473 834 852
ACN 009 547 139
as trustee for Johnstone
McGee & Gandy
Unit Trust

www.jmg.net.au


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4. Natural Assets Code

C7.6.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area

<p>Objective:</p> <p>That buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Buildings and works within a waterway and coastal protection area must:</p> <ul style="list-style-type: none"> (a) be within a building area on a sealed plan approved under this planning scheme; (b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width; or (c) if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date. 	<p>P1.1</p> <p>Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:</p> <ul style="list-style-type: none"> (a) impacts caused by erosion, siltation, sedimentation and runoff; (b) impacts on riparian or littoral vegetation; (c) maintaining natural streambank and streambed condition, where it exists; (d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation; (e) the need to avoid significantly impeding natural flow and drainage; (f) the need to maintain fish passage, where known to exist; (g) the need to avoid land filling of wetlands; (h) the need to group new facilities with existing facilities, where reasonably practical; (i) minimising cut and fill; (j) building design that responds to the particular size, shape, contours or slope of the land; (k) minimising impacts on coastal processes, including sand movement and wave action; (l) minimising the need for future works for the protection of natural assets, infrastructure and property; (m) the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and (n) the guidelines in the Tasmanian Coastal Works Manual. <p>P1.2</p> <p>Buildings and works within the spatial extent of tidal waters must be for a use that relies</p>

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	<p>upon a coastal location to fulfil its purpose, having regard to:</p> <ul style="list-style-type: none"> (a) the need to access a specific resource in a coastal location; (b) the need to operate a marine farming shore facility; (c) the need to access infrastructure available in a coastal location; (d) the need to service a marine or coastal related activity; (e) provision of essential utility or marine infrastructure; or (f) provisions of open space or for marine-related educational, research, or recreational facilities.
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Re-aligned water and sewer infrastructure is located within Class 4 watercourse or within tidal waters. Therefore, the proposal cannot comply with A1(b) and the performance criteria must be considered.

Works are minimised and relate to the construction of sewerage which will connect to existing infrastructure located within the waterway and coastal protection area.

A Construction Environmental Management Plan will be implemented to ensure impacts caused by erosion, siltation, sedimentation and runoff will be minimised (a). Works will be in accordance with the environmental best practice guidelines in the Wetlands and Waterways Works Manual (m).

Whilst in the waterway and coastal protection area works on riparian vegetation and in-stream natural habitat will be minimised (b) (d) and there will be no impacts to natural streambank, flow, fish passage will be temporary in nature (c) (e) (f).

No cutting or filling is proposed within the wetlands (g) (i).

The proposed infrastructure connects to existing infrastructure (h).

There are no buildings within the waterway (j).

The proposed works will not impact on coastal processes or require future works for the protection of natural assets, infrastructure and property (k) (l) (n).

Therefore, the proposal complies with P1.1.

No works are proposed within the spatial extent of tidal waters. Therefore P1.2 is not applicable.

Acceptable Solutions	Performance Criteria
A2 Buildings and works within a future coastal refugia area must be located within a building area on a sealed plan approved under this planning scheme.	P2 ***

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No works are proposed within a future coastal refugia area. Therefore, A2/P2 is not applicable.

Acceptable Solutions	Performance Criteria
<p>A3</p> <p>Development within a waterway and coastal protection area or a future coastal refugia area must not involve a new stormwater point discharge into a watercourse, wetland or lake.</p>	<p>P3</p> <p>Development within a waterway and coastal protection area or a future coastal refugia area involving a new stormwater point discharge into a watercourse, wetland or lake must avoid or minimise adverse impacts on natural assets, having regard to:</p> <ul style="list-style-type: none"> (a) the need to minimise impacts on water quality; and (b) the need to mitigate and manage any impacts likely to arise from erosion, sedimentation or runoff.

Development within the waterway and coastal protection area does not involve a new stormwater point discharge into a water course, wetland or lake.

As such the proposal complies with A3.

This information is also within the Updated Planning Report.

5. Flood-Prone Areas Hazard Code

As the lots are very large and could easily accommodate residential development outside the flood area. We have attached a Flood Plan in the Updated Planning Report - Attachment 6. The full Flood Report will be available in the S33 application to be lodged with Council shortly.

6. Bushfire Prone Areas Code

An amended Bushfire Hazard Report was lodged with TFS on 9/02. The report will be provided shortly once TFS signed off.

The above is encapsulated in an updated planning report and application form.

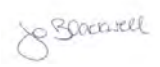
We trust this satisfies Council’s request and we can move swiftly to advertising the proposal, however, if further information or clarification is required with respect to this request, please contact me at 6231 2555 or planning@jmg.net.au.

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Yours faithfully

JOHNSTONE McGEE & GANDY PTY LTD



MINGMING MA
TOWN PLANNER

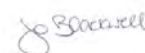
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ATTACHMENT 1

Indicative Subdivision Plan

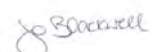
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IMPORTANT NOTE:

This plan was prepared as a proposed subdivision to accompany a subdivision application to the Brighton Council and should not be used for any other purpose. The dimensions, areas and total number of lots shown hereon are subject to field survey and also to the requirements of Council and any other authority which may have requirements under any relevant legislation. In particular, no reliance should be placed on the information on this plan for any financial dealings involving the land. This note is an integral part of this plan.

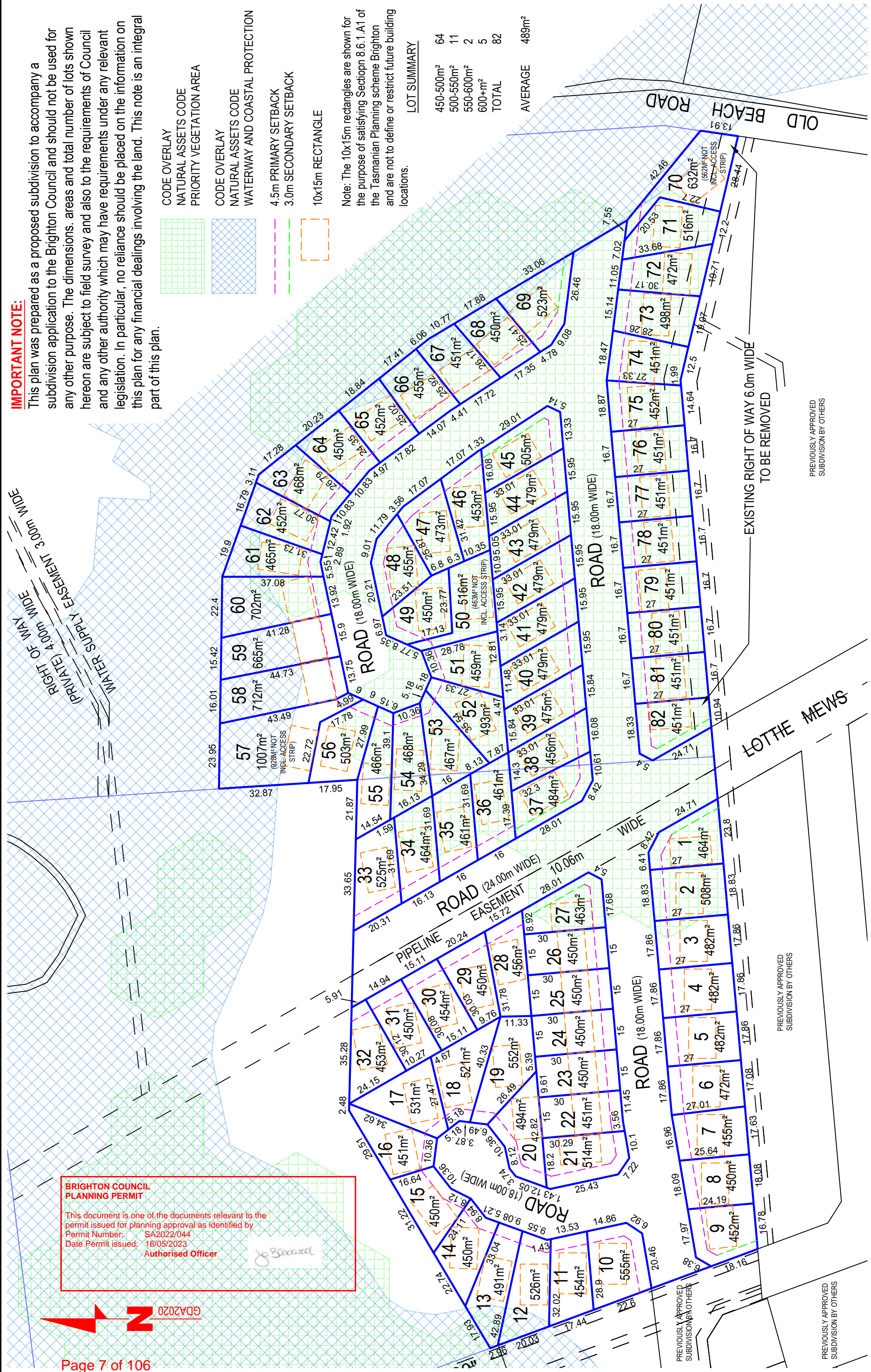
- CODE OVERLAY
NATURAL ASSETS CODE
PRIORITY VEGETATION AREA
- CODE OVERLAY
NATURAL ASSETS CODE
WATERWAY AND COASTAL PROTECTION
- 4.5m PRIMARY SETBACK
3.0m SECONDARY SETBACK
- 10x15m RECTANGLE

Note: The 10x15m rectangles are shown for the purpose of satisfying Section 8.6.1.A1 of the Tasmanian Planning scheme Brighton and are not to define or restrict future building locations.

LOT SUMMARY

450-500m ²	64
500-550m ²	11
550-600m ²	2
600+m ²	5
TOTAL	82

AVERAGE 489m²



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AMENDMENTS		Project Name and Address		Drawing Title		SCALE		FILE REF:	
No.	Revision/Issue	203-205 OLD BEACH RD OLD BEACH TAS 7017		PLAN OF SUBDIVISION PROPOSED BOUNDARIES		0 10 25 35 50 1:1250 at A3		12946	
		Unit G04 40 Malle Street, HOBART TAS 7000 P 03 6118 2030 E admin@ccsurvey.com		Client KUNAMA CONSTRUCTIONS PTY LTD		Date 29-7-2022		Geocall Ref 1294602 1294602	
		Leary Cox & Cripps Logo.png		DRAWN MC		Contour Interval 1.00 m		DATUM GDA 2020	
				PREVIOUSLY APPROVED SUBDIVISION BY OTHERS		SHEET 1 of 2		Ver. AHJ 83	
				PREVIOUSLY APPROVED SUBDIVISION BY OTHERS		CHECKED TC			

1. Site, Location & Context

The proposed development site (site) consists of five parcels:

- 203 Old Beach Road, Old Beach (CT 123119/1)
- 205 Old Beach Road, Old Beach (CT 135401/7)
- Lottie Mews, Old Beach (CT181742/2)
- Part of Lot 3 Lewis Court, Old Beach (CT183730/3)
- Part of Lot 4 Lewis Court, Old Beach (CT183730/4).

The land at 203 Old Beach Road, Old Beach (CT 123119/1) has a total area of 6.676ha with approximately 320m frontage to Old Beach Road and Lottie Mews. The land at 205 Old Beach Road, Old Beach (CT 135401/7) has a total area of 5.885ha.

Two rights of way (4m and 6m) burden the land at 203 Old Beach Road in favour of the land at 205 Old Beach Road via Old Beach Road. Lot 7 has a 10.06m wide pipeline easement. A 3m wide water supply easement is within Lot 1 and extended to Lot 7. There are existing dwellings and sheds on the subject site (Lot 1 and Lot 7) (See Figure 1). Land to the south and south-west of 203 and 205 Old Beach Road has been subdivided into residential lots. Vacant land lies directly to the north of Gage Brook with residential lots beyond. To the west of Old Beach Road are agricultural uses. Title Information is provided in Attachment 1.



Figure 1. Aerial View of Subject Site and Surrounding land (Source LISTmap - 30.08.2022).

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2. Proposal

The proposal seeks approval for 2 two-lot subdivisions at 203 & 205 Old Beach Road, Old Beach.

Lot 7 will be subdivided into Lot 3 (Balance Lot) with an area of 2.261ha and Lot 2 with an area of 2.624ha.

Lot 1 will be subdivided into Lot 4 (Balance Lot) with an area of 2.881ha and Lot 1 with an area of 3.795ha.

Details of the proposed subdivision are within the Subdivision Plan (Attachment 2).

The proposed lots 1 and 2 will use a new driveway access via Lottie Mews.

A new DN150 TasWater Sewer Main in a 2.5m wide easement will be constructed on the proposed Lot 3 and proposed Lot 2 connecting the existing sewer manhole at Lot 4 Lewis Court, Old Beach. Further details of the proposed services and infrastructure are within the Concept Services Plans (Attachment 3).

3. Planning Assessment

The applicable planning instrument in the assessment of the application is the *Tasmanian Planning Scheme - Brighton Local Provisions Schedule* (**'the Planning Scheme'**). The site is zoned Future Urban as shown in Figure 2.

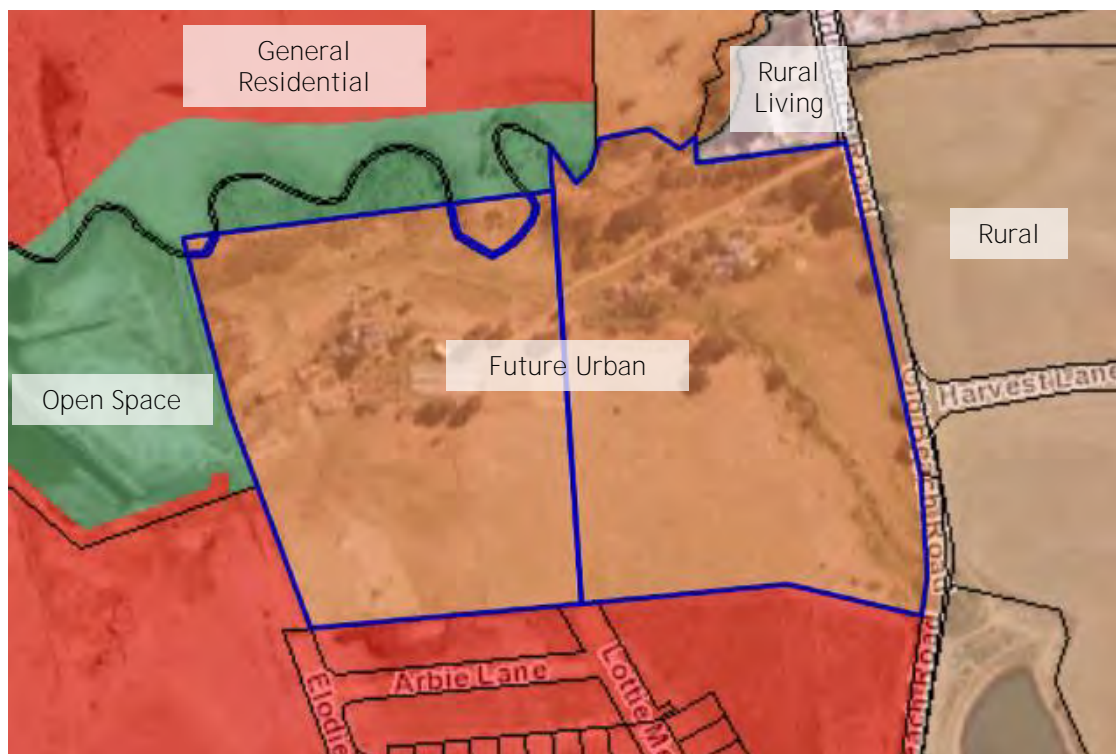


Figure 2: Zoning Map of the Site and Surrounding Area (Source from LISTmap - 30.08.2022).

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The site is subject to Bushfire-prone Areas overlay and partially within Priority Vegetation Area overlay (Figure 3), and Waterway and Coastal Protection Area (Figure 4). Therefore, provisions under Natural Assets Code [C7.0] and Bushfire-Prone Areas Code [C13.0] need to be considered.



Figure 3: Priority Vegetation Area overlay (Source from LISTmap - 30.08.2022).

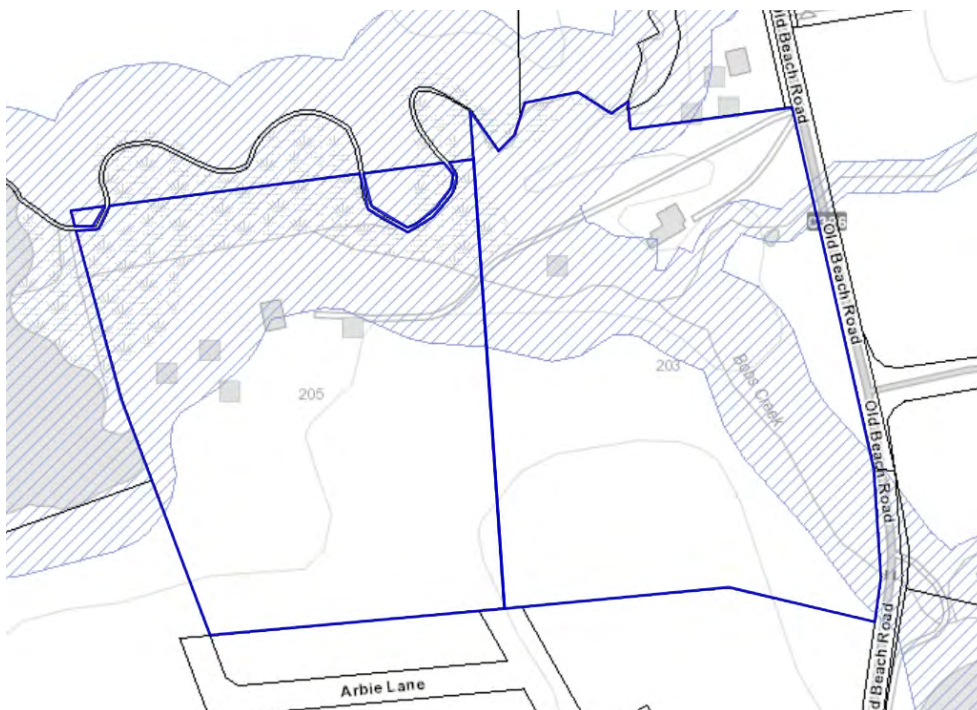


Figure 4: Waterway and Coastal Protection Area (Source from LISTmap - 30.08.2022).

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Zone - Future Urban Zone [30.0]

The proposal is for two 2-lot subdivisions within the Future Urban Zone, therefore provisions under Section 30.5 Development Standards for Subdivision need to be considered.

30.5.1 Lot design

Objective: That subdivision of land not in accordance with a specific area plan does not prejudice the efficient future utilisation of land for urban development.	
Acceptable Solutions	Performance Criteria
A1 Each lot, or a lot proposed in a plan of subdivision, must be: (a) required for public use by the Crown, a council or a State authority; (b) be required for the provision of Utilities; or (c) be for the consolidation of a lot with another lot provided each lot is within the same zone.	P1 Each lot, or a lot proposed in a plan of subdivision, must be for the excision of an existing dwelling provided that the lot design and layout does not preclude or hinder the effective and efficient future subdivision and development of the land to urban densities, having regard to: (a) any existing access arrangements; and (b) the location of any services.

As the proposed subdivision is not for public use by the Crown, a Council or a State authority, therefore, it cannot meet the Acceptable Solution, thus the Performance Criteria needs to be considered.

The proposed subdivision is to excise the two existing dwellings from the subject site. The proposed layout of new lots will not preclude or hinder the effective and efficient future subdivision by avoiding interactions with the Waterway and Coastal Protection overlay and Bobs Creek and keeping the proposed new lots to enable future development. There is one 4m right of way on the proposed Lot 4 to provide access to balance Lot 3. The proposed Lot 2 will use the new access from the proposed Lot 1. In addition, the proposed Lot 1 and Lot 2 also connects to the existing subdivision road (Lottie Mews) on the north side of the subject site (a).

Services have been considered within the lot design and will not hinder the future development of land, see Attachment 2 (b).

As such, the proposal complies with 30.5.1 P1.

4. Code and Overlay

The site is subject to Bushfire-prone Areas overlay and partially within Priority Vegetation Area overlay (Figure 3), and Waterway and Coastal Protection Area (Figure 4). Therefore, provisions under Natural Assets Code [C7.0] and Bushfire-Prone Areas Code [C13.0] need to be considered.

As there are no exemptions to Parking and Sustainable Transport Code [C2.0] and Road and Railway Assets Code [C3.0], the provisions under both codes need to be considered.

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C2.0 Parking and Sustainable Transport Code

The proposal is for two 2-lot subdivisions within a Future Urban Zone, therefore, a number of provisions are not considered applicable listed below:

- C2.5.1 Car parking numbers
- C2.5.2 Bicycle parking numbers
- C2.5.3 Motorcycle parking numbers
- C2.5.4 Loading bays
- C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone
- C2.6.1 Construction of parking areas
- C2.6.2 Design and layout of parking areas
- C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone
- C2.6.5 Pedestrian access
- C2.6.6 Loading bays
- C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone
- C2.6.8 Siting of parking and turning areas

C2.6.3 Number of accesses for vehicles

Objective:	
That:	
(a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses;	
(b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and	
(c) the number of accesses minimise impacts on the streetscape.	
Acceptable Solutions	Performance Criteria
A1 The number of accesses provided for each frontage must: (a) be no more than 1; or (b) no more than the existing number of accesses, whichever is the greater.	P1 ***

Each proposed lot has one access; therefore, the proposal complies with C2.6.3 A1.

Acceptable Solutions	Performance Criteria
A2 Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.	P2 ***

The subject site is not within Central Business Zone or in a pedestrian priority street, therefore, C2.6.3 A2 is not applicable.

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C2.7.1 Parking precinct plan

The subject site is not within a parking precinct plan, therefore, C2.7.1 A1 is not applicable.

C3.0 Road and Railway Assets Code

C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction

<p>Objective: To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.</p>	
Acceptable Solutions	Performance Criteria
<p>A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing.</p> <p>A1.2 For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.</p> <p>A1.3 For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.</p> <p>A1.4 Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than: (a) the amounts in Table C3.1; or (b) allowed by a licence issued under Part IVA of the Roads and Jetties Act 1935 in respect to a limited access road.</p> <p>A1.5 Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>	<p>P1 Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to: (a) any increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature of the road; (d) the speed limit and traffic flow of the road; (e) any alternative access to a road; (f) the need for the use; (g) any traffic impact assessment; and (h) any advice received from the rail or road authority.</p>

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Old Beach Road is not a Category 1 or 2 roads, accordingly, A1.1 is considered as not applicable.

No new junction is proposed, thus A1.2 is not applicable.

No railway crossing is proposed, thus A1.3 is not applicable.

The vehicle traffic will be able to enter and leave the site or a major road in a forward direction based on the site having sufficient space for vehicle movements (A1.5).

As the vehicular traffic of the site will increase by more than 10% or 10 vehicle movements per day, the proposed development cannot meet C3.5.1 A1.4, therefore P1 must be considered.

The site traffic will increase by 200% as the dwellings on the site will increase from two to four (approximately an additional 16-20 vmpd (a).

The nature of the traffic is mostly light vehicles as the site is for future residential use (b).

Most traffic from the development will be on Lottie Mews and Old Beach Road. Both of the streets are not category 1 or 2 roads (c).

The speed limit is 50kmph (d).

No alternative access will be provided on-site (e).

The access is for private vehicle movement to access residential dwellings (f).

The proposed lots are for future residential use, no traffic impact assessment will be provided at this stage (g).

No written advice has been received from the road authority (h).

On the basis above, the proposal complies with C3.5.1 P1.

C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area

No buildings and works are proposed within a road or railway attenuation area, therefore, C3.6.1 is not applicable.

C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area

The subject site is not within a road or railway attenuation area, therefore, provision C3.7.1 is not applicable.

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C7.0 Natural Assets Code

As the proposal is for subdivision within the Waterway and Coastal Protection Area and a Priority Vegetation Area, the provisions under the Natural Assets Code need to be considered.

A Natural Values Assessment (Attachment 4) is provided which found no threatened vegetation communities, threatened species or threatened species habitat present. Development on this site will not impact on any significant natural values.

C7.6.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area

Objective: That buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets.	
Acceptable Solutions	Performance Criteria
A1 Buildings and works within a waterway and coastal protection area must: (a) be within a building area on a sealed plan approved under this planning scheme; (b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width; or (c) if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date.	P1 Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to: (a) impacts caused by erosion, siltation, sedimentation and runoff; (b) impacts on riparian or littoral vegetation; (c) maintaining natural streambank and streambed condition, where it exists; (d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation; (e) the need to avoid significantly impeding natural flow and drainage; (f) the need to maintain fish passage, where known to exist; (g) the need to avoid land filling of wetlands; (h) the need to group new facilities with existing facilities, where reasonably practical; (i) minimising cut and fill; (j) building design that responds to the particular size, shape, contours or slope of the land; (k) minimising impacts on coastal processes, including sand movement and wave action; (l) minimising the need for future works for the protection of natural assets, infrastructure and property; (m) the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and (n) the guidelines in the Tasmanian Coastal Works Manual. P1.2 Buildings and works within the spatial extent of

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	<p>tidal waters must be for a use that relies upon a coastal location to fulfil its purpose, having regard to:</p> <ul style="list-style-type: none"> (a) the need to access a specific resource in a coastal location; (b) the need to operate a marine farming shore facility; (c) the need to access infrastructure available in a coastal location; (d) the need to service a marine or coastal related activity; (e) provision of essential utility or marine infrastructure; or <p>provisions of open space or for marine-related educational, research, or recreational facilities.</p>
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Re-aligned water and sewer infrastructure is located within Class 4 watercourse or within tidal waters. Therefore, the proposal cannot comply with A1(b) and the performance criteria must be considered.

Works are minimised and relate to the construction of sewerage which will connect to existing infrastructure located within the waterway and coastal protection area.

A Construction Environmental Management Plan will be implemented to ensure impacts caused by erosion, siltation, sedimentation and runoff will be minimised (a). Works will be in accordance with the environmental best practice guidelines in the Wetlands and Waterways Works Manual (m).

Whilst in the waterway and coastal protection area works on riparian vegetation and in-stream natural habitat will be minimised (b) (d) and there will be no impacts to natural streambank, flow, fish passage will be temporary in nature (c) (e) (f).

No cutting or filling is proposed within the wetlands (g) (i).

The proposed infrastructure connects to existing infrastructure (h).

There are no buildings within the waterway (j).

The proposed works will not impact on coastal processes or require future works for the protection of natural assets, infrastructure and property (k) (l) (n).

Therefore, the proposal complies with P1.1.

No works are proposed within the spatial extent of tidal waters. Therefore P1.2 is not applicable.

Acceptable Solutions	Performance Criteria
<p>A2</p> <p>Buildings and works within a future coastal refugia area must be located within a building area on a sealed plan approved under this planning scheme.</p>	<p>P2</p> <p>***</p>

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There is no future coastal refugia area within the subject site, therefore, the clause under C7.6.1 A2 is not considered applicable.

Acceptable Solutions	Performance Criteria
A3 Development within a waterway and coastal protection area or a future coastal refugia area must not involve a new stormwater point discharge into a watercourse, wetland or lake.	P3 Development within a waterway and coastal protection area or a future coastal refugia area involving a new stormwater point discharge into a watercourse, wetland or lake must avoid or minimise adverse impacts on natural assets, having regard to: (a) the need to minimise impacts on water quality; and (b) the need to mitigate and manage any impacts likely to arise from erosion, sedimentation or runoff.

There is no new stormwater point discharge into a watercourse, wetland or lake within a waterway and coastal protection area, therefore, C7.6.1 A3 is not applicable.

Acceptable Solutions	Performance Criteria
A4 Dredging or reclamation must not occur within a waterway and coastal protection area or a future coastal refugia area.	P4 ***

There are no dredging or reclamation works proposed on site, therefore, C7.6.1 A4 is not applicable.

Acceptable Solutions	Performance Criteria
A5 Coastal protection works or watercourse erosion or inundation protection works must not occur within a waterway and coastal protection area or a future coastal refugia area.	P5 ***


There are no coastal protection works or watercourse erosion or inundation protection works proposed on site, therefore, C7.6.1 A5 is not applicable.

C7.6.2 Clearance within a priority vegetation area

As there are no clearance works proposed within the priority vegetation area, the sub-clauses under C7.6.2 are not considered applicable.

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

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<p>Objective: That:</p> <p>(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</p> <p>(b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on natural assets.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>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:</p> <p>(a) be for the creation of separate lots for existing buildings;</p> <p>(b) be required for public use by the Crown, a council, or a State authority;</p> <p>(c) be required for the provision of Utilities;</p> <p>(d) be for the consolidation of a lot; or</p> <p>(e) not include any works (excluding boundary fencing), building area, services, bushfire hazard management area or vehicular access within a waterway and coastal protection area or future coastal refugia area.</p>	<p>P1</p> <p>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:</p> <p>(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</p> <p>(b) future development likely to be facilitated by the subdivision.</p>

As the proposed lots are unable to meet the requirements of the acceptable solutions the performance criteria need to be considered.

The proposed subdivision minimises adverse impacts on natural assets including:

- locating building areas and associated bushfire hazard management areas are outside of the waterway and coastal protection area (a). A Bushfire Hazard Report has been prepared and is with the Tasmania Fire Service for assessment.
- The subdivision will facilitate future residential development which will be able to minimise impacts on the waterway (b).

As such, the proposal complies with C7.7.1 P1.

C7.7.2 Subdivision within a priority vegetation area

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

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Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must:</p> <p>(a) be for the purposes of creating separate lots for existing buildings;</p> <p>(b) be required for public use by the Crown, a council, or a State authority;</p> <p>(c) be required for the provision of Utilities;</p> <p>(d) be for the consolidation of a lot; or</p> <p>(e) not include any works (excluding boundary fencing), building area, bushfire hazard management area, services or vehicular access within a priority vegetation area.</p>	<p>P1.1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must be for:</p> <p>(a) subdivision for an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmania Fire Service or an accredited person;</p> <p>(b) subdivision for the construction of a single dwelling or an associated outbuilding;</p> <p>(c) subdivision in the General Residential Zone or Low Density Residential Zone;</p> <p>(d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design;</p> <p>(e) subdivision involving clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or</p> <p>(f) subdivision involving clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.</p> <p>P1.2</p> <p>Works association with subdivision within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:</p> <p>(a) the design and location of any works, future development likely to be facilitated by the subdivision, and any constraints such as topography or land hazards;</p> <p>(b) any particular requirements for the works and future development likely to be facilitated by the subdivision;</p> <p>(c) the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of any future habitable buildings;</p> <p>(d) any mitigation measures implemented to minimise the residual impacts on priority vegetation</p> <p>(e) any on-site biodiversity offsets; and</p> <p>(f) any existing cleared areas on the site.</p>


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As the proposed lots are unable to meet the requirements of the Acceptable Solutions the Performance Criteria need to be considered.

A Natural Values Assessment is provided in Attachment 4, indicating there is no priority vegetation within the proposed Lots. Therefore, the proposed works associated with subdivision will not have an unnecessary or unacceptable impact on priority vegetation; and future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on priority vegetation (P1).

C12.0 Flood-Prone Areas Code

As the lots are very large and could easily accommodate residential development outside the flood area. We have attached a Flood Plan in Attachment 4. The full report will be available in the S33 application to be lodged with Council shortly.

C13.0 Bushfire-Prone Areas Code

The subject site is fully covered by the Bushfire-prone Area overlay, therefore provisions under the Bushfire-Prone Areas Code need to be considered.

As the proposal is not for vulnerable or hazardous uses, therefore, clauses under C13.5.1 and C13.5.2 are not considered applicable.

C13.6.1 Provision of hazard management areas

Objective: That subdivision provides for hazard management areas that:	
<ul style="list-style-type: none"> (a) facilitate an integrated approach between subdivision and subsequent building on a lot; (b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and (c) provide protection for lots at any stage of a staged subdivision. 	
Acceptable Solutions	Performance Criteria
A1	P1
<ul style="list-style-type: none"> (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or (b) The proposed plan of subdivision: <ul style="list-style-type: none"> (i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision; (ii) shows the building area for each lot; (iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances 	***

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<p>required for BAL 19 in Table 2.6 of Australian Standard AS3959:2018 Construction of buildings in bushfire-prone areas; and</p> <p>(iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than the separation distances required for BAL 19 in Table 2.6 of Australian Standard AS3959:2018 Construction of buildings in bushfire-prone Areas; and</p> <p>(c) if hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.</p>	
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The proposal complies with A1(b)(i) of C13.6.1 Subdivision: Provision of hazard management areas of the planning scheme as the attached proposed plan of subdivision includes both the lots that are proposed within a bushfire-prone area. The proposed subdivision would not be staged. The proposal complies with A1(b)(ii) and (iii) as the plan of subdivision shows building areas for each lot and hazard management areas between the building areas and bushfire-prone vegetation greater than the separation distances required for BAL-19 in AS3959:2018.

A1(b)(iv) is also met as the attached BHMP also shows hazard management areas between the building areas and bushfire-prone vegetation equal to or greater than the separation distances required for BAL-19 in AS3959:2018 and is certified by an accredited person. A1(c) is not relevant as hazard management areas would not be located on land external to the proposed subdivision.

Throughout construction and until lots are sold and settled all vegetation within the hazard management area must be maintained to a Low Threat Level in accordance with AS3959-2018 by the developer.

A Bushfire Hazard Report has been prepared and is with the Tasmania Fire Service for assessment.

As such, the proposal complies with C13.6.1 A1.

C13.6.2 Public and fire fighting access

<p>Objective: That access roads to, and the layout of roads, tracks and trails, in a subdivision:</p> <p>(a) allow safe access and egress for residents, fire fighters and emergency service personnel;</p>

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<p>(b) provide access to the bushfire-prone vegetation that enables both property to be defended when under bushfire attack, and for hazard management works to be undertaken;</p> <p>(c) are designed and constructed to allow for fire appliances to be manoeuvred;</p> <p>(d) provide access to water supplies for fire appliances; and</p> <p>(e) are designed to allow connectivity, and where needed, offering multiple evacuation points.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or</p> <p>(b) A proposed plan of subdivision showing the layout of roads, fire trails and the location of property access to building areas, is included in a bushfire hazard management plan that:</p> <p>(i) demonstrates proposed roads will comply with Table C13.1, proposed property accesses will comply with Table C13.2 and proposed fire trails will comply with Table C13.3 and</p> <p>(ii) is certified by the TFS or an accredited person.</p>	<p>P1</p> <p>***</p>

The proposal complies with sub-clause (b) under A1 as the attached Bushfire Hazard Report shows the layout of fire tanks and building areas with a bushfire hazard management plan and is compliant with the standards contained within Table C13.1, C13.2 and C13.3.

As such, the proposal complies with C13.6.2 A1.


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5. Summary

The proposal seeks to obtain a planning permit for two 2-lot subdivisions at 203 & 205 Old Beach Road, Old Beach.

A new crossover will be constructed for proposed Lot 1 along the south boundary via Old Beach Road. A 6m right of way is proposed on proposed Lot 1 to enable vehicle movement and access to proposed Lot 2.

The lots are capable of being serviced.

The application generates the following discretions under the *Tasmanian Planning Scheme - Brighton Local Provisions Schedule*:

- 30.5 Development Standards for Subdivision
 - 30.5.1 Lot Design P1;
- C7.0 Natural Assets Code
 - C7.7.1 Subdivision within a waterway and coastal protection area or a future coastal refugia area P1;
 - C7.7.2 Subdivision within a priority vegetation area.
- C3.0 Road and Railway Assets Code
 - C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction.

The proposal has been assessed against the relevant performance criteria and found to comply. In conclusion, the application is considered to meet the relevant Planning Scheme standards and therefore should be supported by the Planning Authority.

If Council requires any further information or clarification with respect to this application, please contact me at 6231 2555 or planning@jmg.net.au.

Yours faithfully

JOHNSTONE MCGEE & GANDY PTY LTD



Mingming Ma
Town Planner

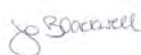
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ATTACHMENT 2
Subdivision Plan


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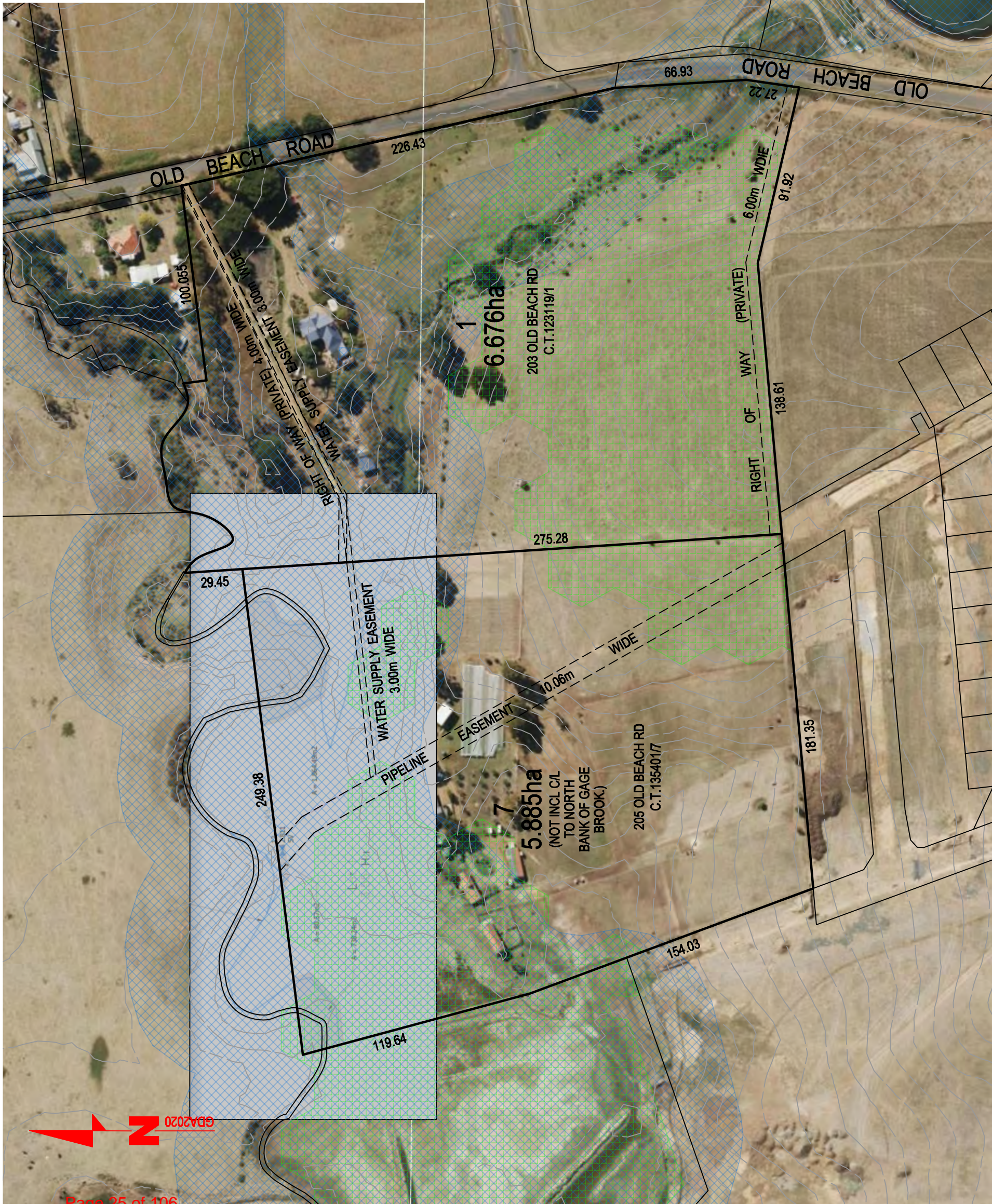
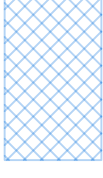
This plan was prepared as a proposed subdivision to accompany a subdivision application to the Brighton Council and should not be used for any other purpose. The dimensions, areas and total number of lots shown hereon are subject to field survey and also to the requirements of Council and any other authority which may have requirements under any relevant legislation. In particular, no reliance should be placed on the information on this plan for any financial dealings involving the land. This note is an integral part of this plan.

DTM and contours are derived from LIDAR data and are approximate only.

CODE OVERLAY
NATURAL ASSETS CODE
PRIORITY VEGETATION AREA



CODE OVERLAY
NATURAL ASSETS CODE
WATERWAY AND COASTAL PROTECTION



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J. Scazzell



AMENDMENTS	
No.	Revision/Issue
A	UPDATE TITLE INFO
B	Code overlays added



Unit G04 40 Mollie Street,
 HOBART TAS 7000
 P 03 6118 2030
 E admin@lccsurvey.com

Project Name and Address
203-205 OLD BEACH RD
OLD BEACH
TAS 7017

Drawing Title
PLAN OF SUBDIVISION
CURRENT BOUNDARIES
 Client
KUNAMA CONSTRUCTIONS PTY LTD

SCALE
 0 10 20 40 80
 1:2000 at A3
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Contour Interval	1.00 m	FILE REF:	12946
Date	5-7-2022	Geocoid Ref	1294601
SHEET	1 of 4	Abscissa Ref	1294601
DRAWN	MC	NO:	GDA 2020
CHECKD	TC	DATE:	AHD 83

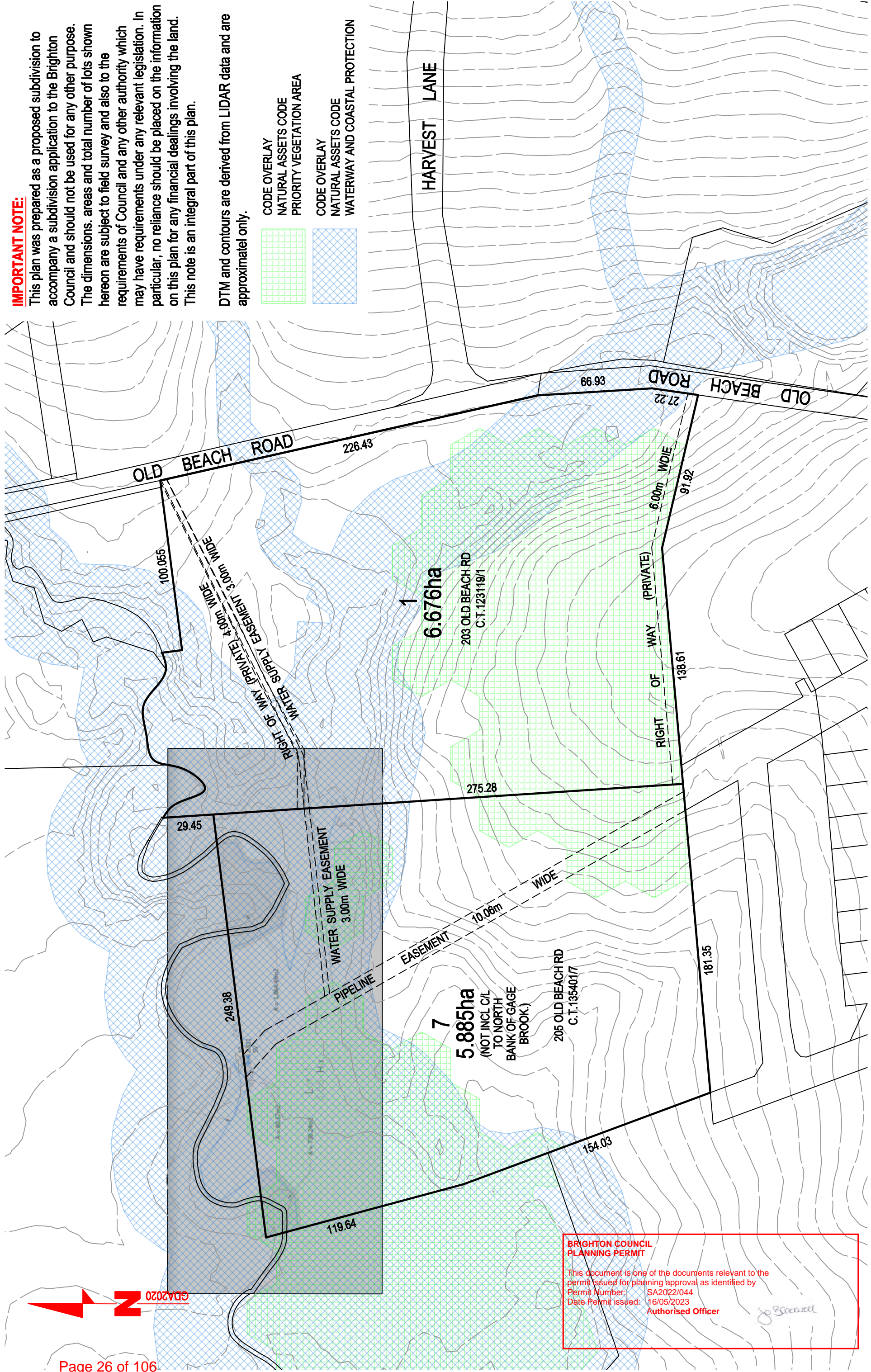
IMPORTANT NOTE:

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DTM and contours are derived from LIDAR data and are approximate only.

CODE OVERLAY
NATURAL ASSETS CODE
PRIORITY VEGETATION AREA

CODE OVERLAY
NATURAL ASSETS CODE
WATERWAY AND COASTAL PROTECTION



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J. Stenzel

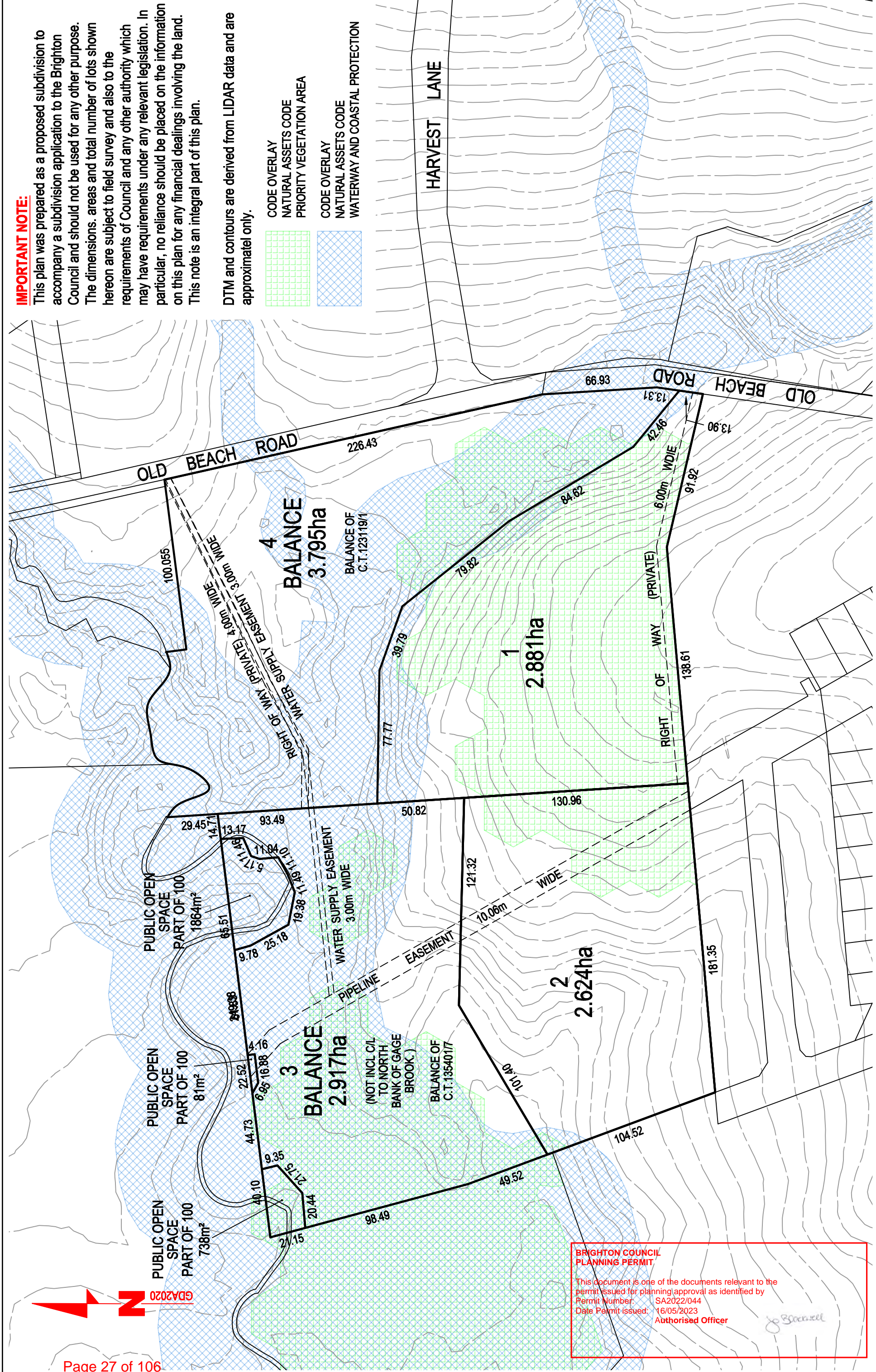
AMENDMENTS		Project Name and Address		Drawing Title		SCALE		FILE REF:	
No.	Revision/Issue	203-205 OLD BEACH RD OLD BEACH TAS 7017		PLAN OF SUBDIVISION CURRENT BOUNDARIES		1:2000 at A3		Contour Interval	12946
A	UPDATE TITLE INFO	Unit G04 40 Mollie Street, HOBART TAS 7000 P 03 6118 2030 E admin@ccsurvey.com		Client KUNAMA CONSTRUCTIONS PTY LTD		0 10 20 40 80		Date	1.00 m
B	Code overlays added					1:2000 at A3		5-7-2022	2 of 4
								SHEET	1294601
								DRAWN	1294601
								CHECKED	DATE
									MC
									TC
									GDA 2020
									AHD 83

IMPORTANT NOTE:

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DTM and contours are derived from LIDAR data and are approximate only.

- 
CODE OVERLAY
 NATURAL ASSETS CODE
 PRIORITY VEGETATION AREA
- 
CODE OVERLAY
 NATURAL ASSETS CODE
 WATERWAY AND COASTAL PROTECTION



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AMENDMENTS	
No.	Revision/Issue
A	UPDATE TITLE INFO
B	Code overlays added
C	POS LOTS ADDED



Unit G04 40 Mollie Street,
 HOBART TAS 7000
 P 03 6118 2030
 E admin@lccsurvey.com

Project Name and Address
**203-205 OLD BEACH RD
 OLD BEACH
 TAS 7017**

Drawing Title
**PLAN OF SUBDIVISION
 PROPOSED BOUNDARIES**

Client
KUNAMA CONSTRUCTIONS PTY LTD

Scale
 0 10 20 40 80
 1:2000 at A3

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Date	5-7-2022	Geocoid Ref	1294601
SHEET	4 of 4	ABCAD Ref	1294601
DRAWN	MC	NOZ	GDA 2020
CHECKD	TC	DATE	AHD 83

ATTACHMENT 3

Concept Services Plans


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SIGNATURE: _____

TITLE: _____

COMPANY: _____

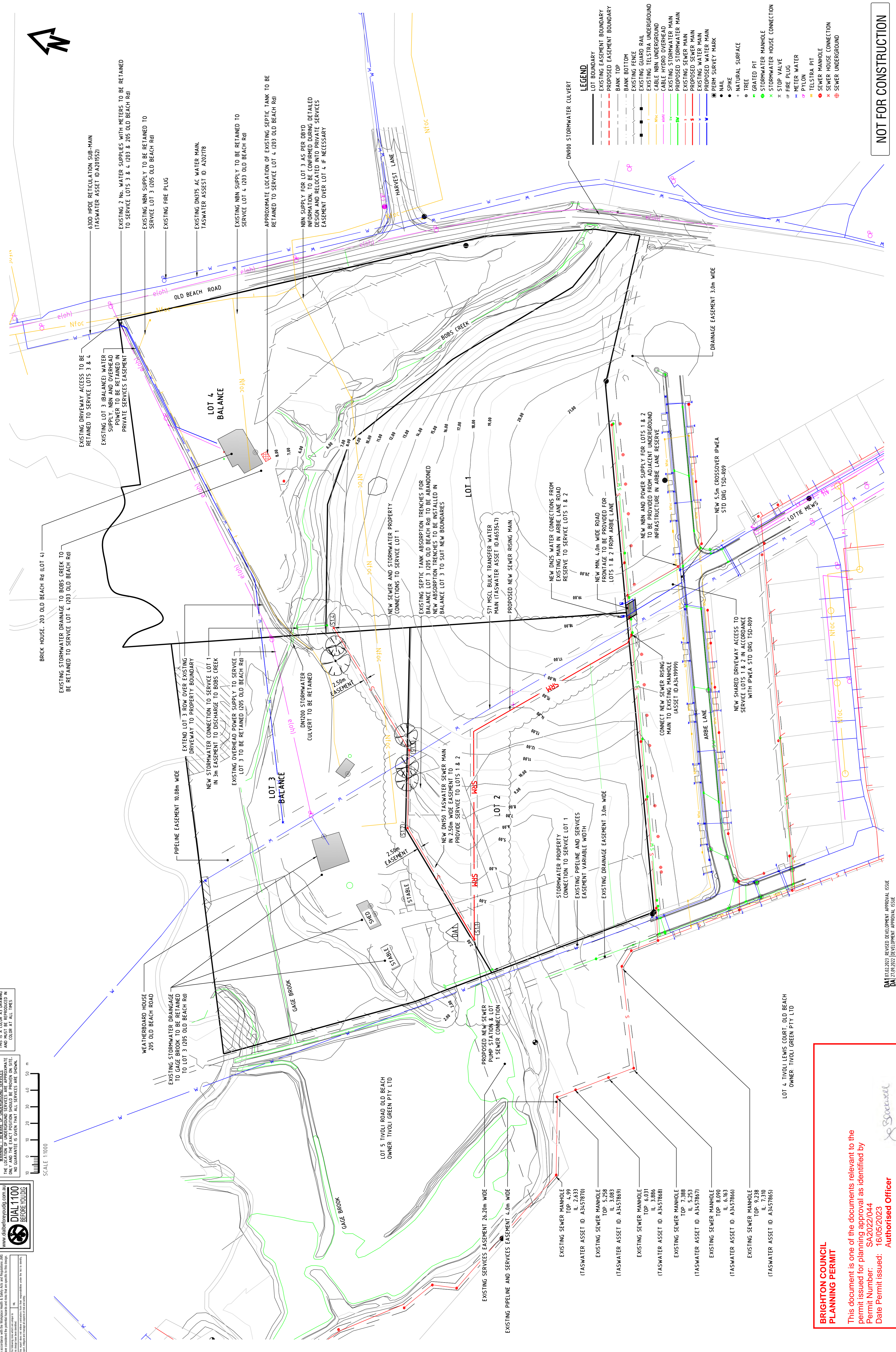
DATE: _____

SCALE: 1:1000

WARNING: BEWARE OF UNDERGROUND SERVICES. THE LOCATION AND DEPTH OF THESE SERVICES ARE APPROXIMATE. ONLY THE EXACT POSITION SHOULD BE GIVEN ON SITE. NO GUARANTEE IS GIVEN THAT ALL SERVICES ARE SHOWN.

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Signature

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NO.	REVISION	DATE	BY	CHKD.	APPROVED.	SCALE	DATE	DESCRIPTION
1								

APPROVED: _____

DATE: _____

SCALE: 1:1000

PROJECT: J220401PL
CONCEPT SERVICES PLAN

TITLE: 203 & 205 OLD BEACH ROAD

CLIENT: TIVOLI GREEN PTY LTD

DESIGNED BY: _____

DRAWN BY: _____

CHECKED BY: _____

APPROVED BY: _____

DATE: _____

SCALE: 1:1000

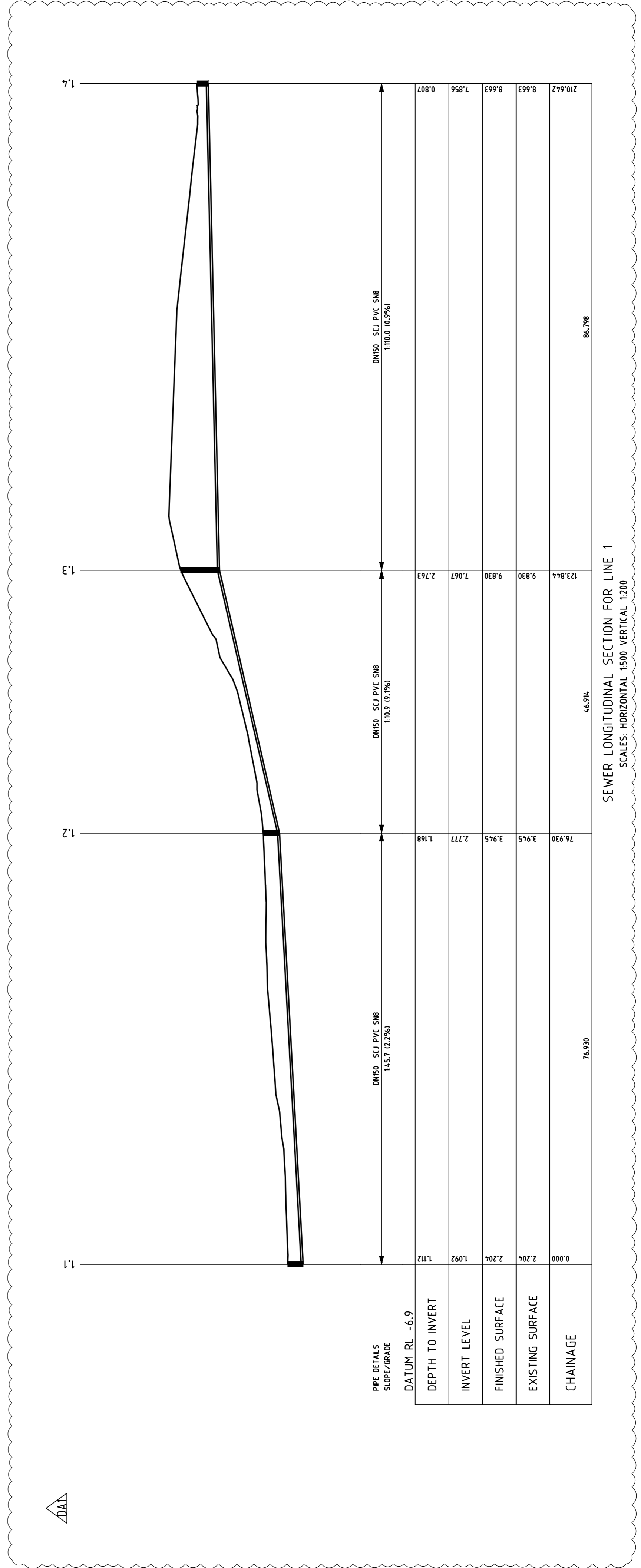
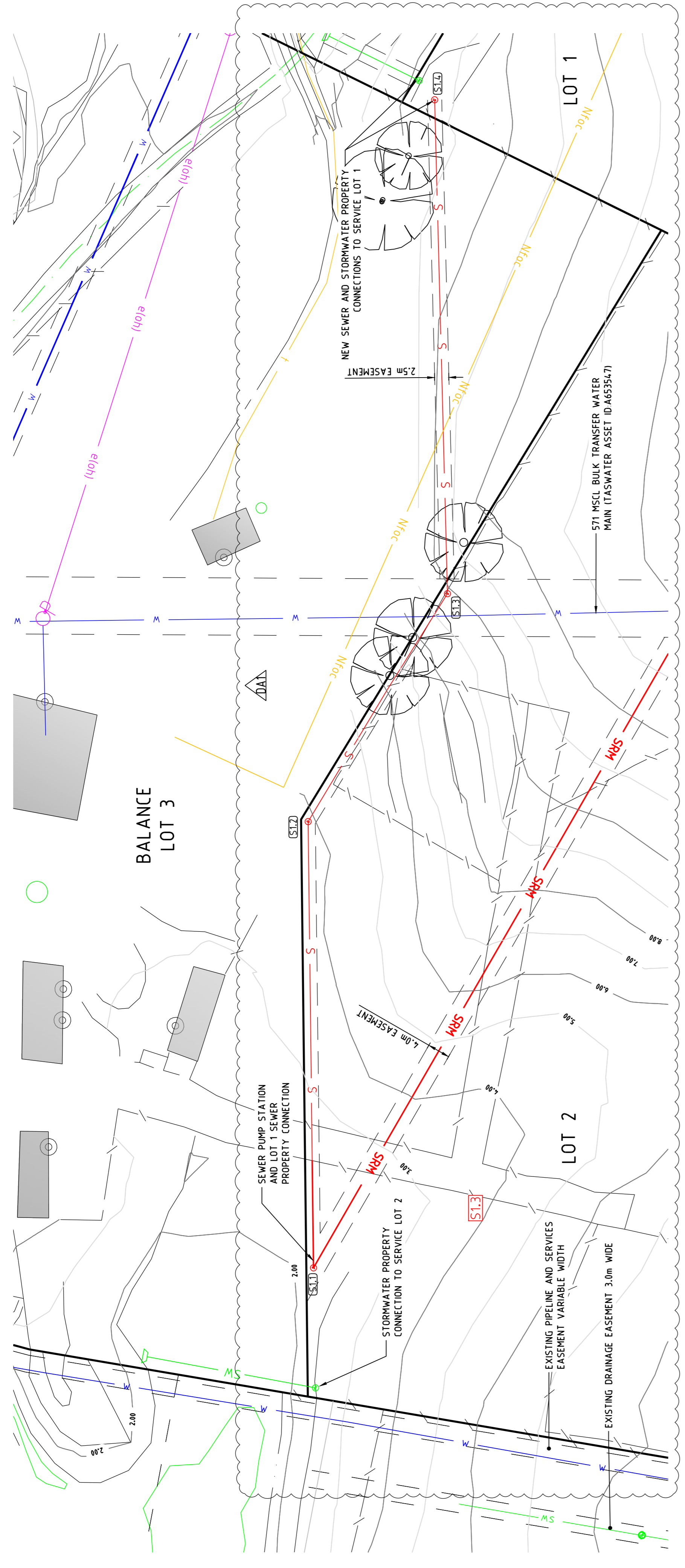
PROJECT NO.: J220401PL

DWG NO.: P01

REVISION: DA1

PLUT DETAILS: 4220401PL - CONCEPT SERVICES PLAN

Johnstone McGee & Gandy Pty. Ltd.
ACH 0005 547 139 ABR 76 473 834 852
117 Harrington Street, Ascot, WA
6040
(08) 9331 5555
www.jmg.com.au info@jmg.com.au



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J. Stowell

NOT FOR CONSTRUCTION

PROJECT NO. J220401PL
 TITLE: CONCEPT SERVICES SEWER PROFILE
 DWG NO. P02
 REVISION: DA1
 PLAT DETAILS: 220401PL - CONCEPT SITE PLANNING

PROJECT: **Johnstone McGee & Gandy Pty. Ltd.**
 203 & 205 OLD BEACH ROAD
 ACH-000-047-139
 117 Harrington Street, Hobart, Tas (03) 6231 1555
 49-51 Elizabeth Street, Launceston, Tas (03) 6331 7044
 www.jmg.net.au info@jmg.net.au

JMG
 Engineers & Planners

SAFETY IN DESIGN REPORT
 In accordance with the Workplace Health & Safety Act and Regulations 2017
 This drawing is a design report and is not a construction drawing. It is intended to provide information to the client and other stakeholders. It is not intended to be used as a basis for construction. The client is responsible for ensuring that the design is safe and that the construction is carried out in accordance with the design. The designer is not responsible for any accidents or injuries that may occur as a result of the design or construction.

DATE: 16/05/2023
 REVISION: 01
 DRAWN BY: EGF
 CHECKED BY: MUR
 APPROVED BY: MUR
 SCALE: 1:500
 DATE: 16/05/2023
 TITLE: CONCEPT SERVICES SEWER PROFILE
 PROJECT: 203 & 205 OLD BEACH ROAD

ATTACHMENT 4
Natural Values Assessment


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Natural Values Assessment of 203 and 205 Old Beach Road, Old Beach

Property: **203 and 205 Old Beach Road, Old Beach**
Date: 12 September 2022
Attention: Sam Chedid, Kunama C/- Matt Clark, JMG Engineers

Enviro-dynamics has been engaged by the proponent to provide a natural values assessment of 203 and 205 Old Beach Road, Old Beach. Part of the site is covered a Priority Vegetation Area and a Waterway and Coastal protection Area overlay, under the *Tasmanian Planning Scheme – Brighton*.

Priority Vegetation Area Overlay

As can be seen in Figure 1, LISTmap shows part of the site as having a Priority Vegetation Area (PVA) and a Waterway and Coastal Protection Area (WPCA) overlay. Generally, PVA overlays correspond with a listed threatened vegetation community under the *Nature Conservation Act 2002*, or an area with a significant amount of recorded threatened species.

A site visit was carried out on the 6th of September 2022 which confirmed that the area which falls under the overlay is Agricultural land (TASVEG 4.0 - FAG). The paddocks at 205 Old Beach Road are currently maintained as horse paddocks (Plate 1). Those at 203 Old Beach Road are maintained horse paddocks within the northern part of the site closest to the house, and overgrown paddocks in the remainder (Plate 2).

Natural Assets Code

Parts of the site are subject to the Natural Assets Code (C7.0) due to the PVA and WPCA overlays. Requirements relating to natural values are addressed below.

Within the definition of terms in the planning scheme 'Priority Vegetation' means native vegetation where any of the following apply:

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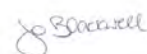
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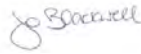
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- (a) it forms an integral part of a threatened native vegetation community as prescribed under Schedule 3A of the Nature Conservation Act 2002;

Response: No native vegetation is present.

- (b) is a threatened flora species;

Response: No threatened flora was observed on the site.

- (c) it forms a significant habitat for a threatened fauna species; or

Response: No significant habitat for threatened fauna species were observed on site.

- (d) it has been identified as native vegetation of local importance.

Response: No natural values were identified at the site that would qualify the vegetation as locally significant (eg native vegetation with limited bioregional reservation and extent).

As the vegetation on site does not meet any of the definitions of 'priority vegetation', there are no considerations to be made in relation to the Natural Assets Code (C7.0)

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

Response: Acceptable solutions cannot be met; therefore, performance criteria must be addressed.

P1.1 - Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area of 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: The riparian zone of Bobs Creek at this site and downstream of the site is largely covered by exotic species - as a result, the development will have no direct impacts on natural assets, potential indirect impacts of the development on water quality, hydrological processes, or any natural values downstream of the site can largely be managed through appropriate sewer and stormwater design and engineering.



Figure 1: Priority Vegetation Area Overlay and Waterway and Coastal Protection Area Overlay covering part of the site in which development is proposed.

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Plate 1: Southern boundary of 205 Old Beach Road



Plate 2: Overgrown paddock at 203 Old Beach Road

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Enviro-dynamics | 16 Collins Street, Hobart | (03) 6295 3262 | enviro-dynamics.com.au

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Conclusion

The area of the subject land which is subject to the Priority Vegetation Area Overlay and Waterway and Coastal Protection Area Overlay is comprised of agricultural land. There are no threatened vegetation communities, threatened species or threatened species habitat present.

Any development on this site will not impact any significant natural values.

Should you require any further information please don't hesitate to contact me.

Fiona Walsh

Botanist / Environmental Consultant

Enviro-dynamics

fiona.walsh@enviro-dynamics.com.au

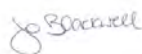
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ATTACHMENT 6

Flood Plan

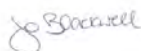
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PRE 1% AEP + CC @2100



Legend

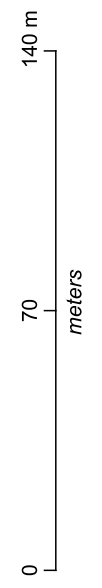
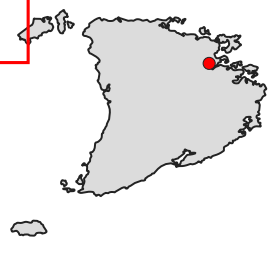
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- Boundary Lines
- Existing Building Areas
- Pre 1% AEP + CC @2100**

Depth (m)

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- 0.02 - 0.05
- 0.05 - 0.10
- 0.10 - 0.30
- 0.30 - 0.60
- 0.60 - 0.80
- 0.80 - 1.00
- > 1.00

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 Authorised Officer *J. Stewart*



flussig
ENGINEERS

admin@flussig.com.au
 (03) 6288 7704
 www.flussig.com.au
 1.16 Bathurst St, Level 4 Hobart, 7000,
 TASMANIA

PRE 1% AEP + CC @2100



Legend

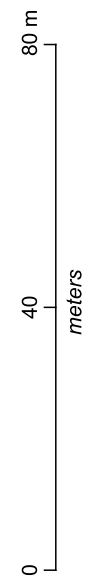
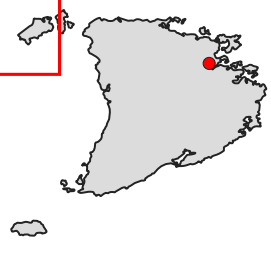
- 203 Old Beach Road
- 1.00m Contours
- Boundary Lines
- Existing Building Areas
- Pre 1% AEP + CC @2100

- Depth (m)
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 - 0.02 - 0.05
 - 0.05 - 0.10
 - 0.10 - 0.30
 - 0.30 - 0.60
 - 0.60 - 0.80
 - 0.80 - 1.00
 - > 1.00

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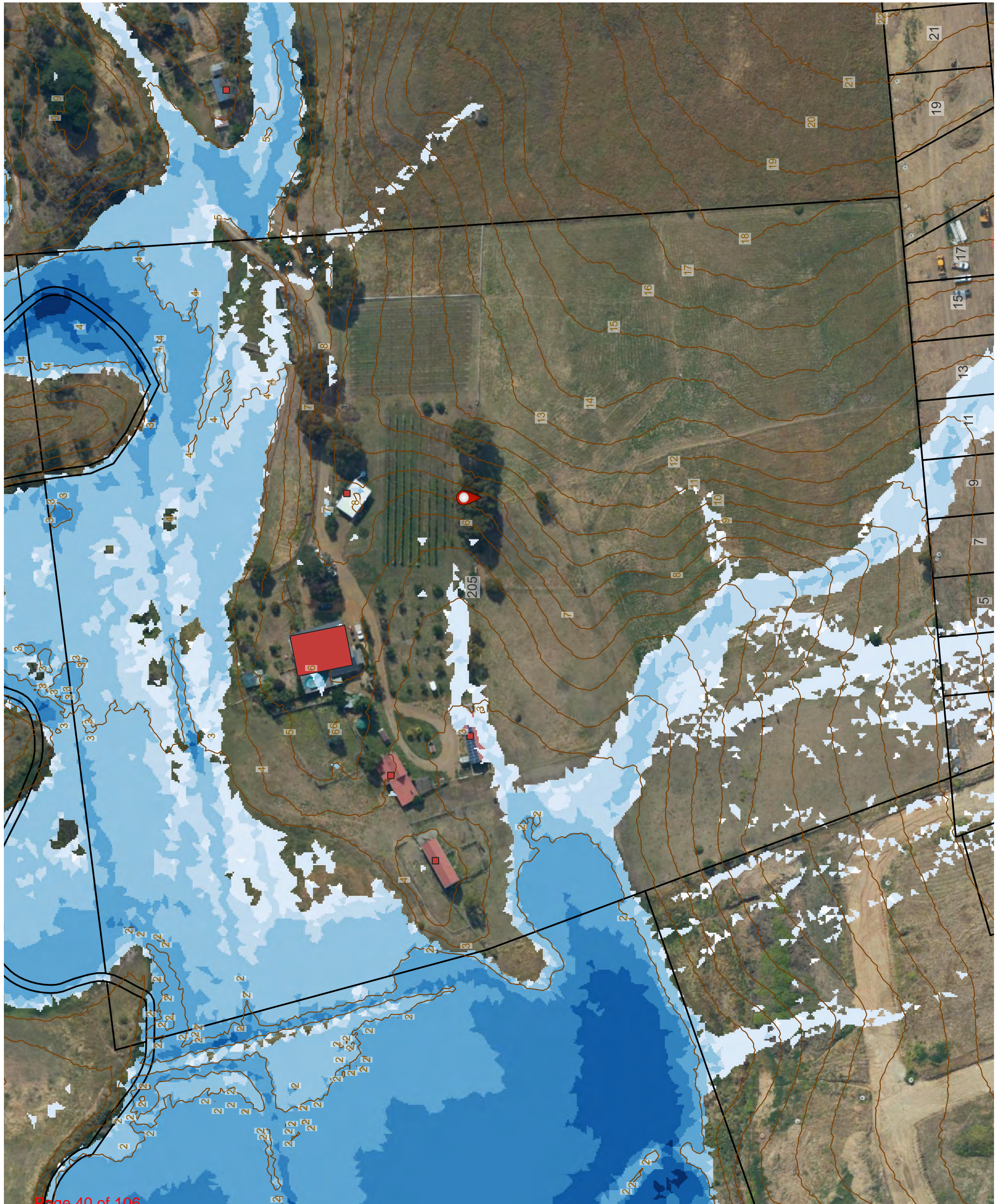
J. B. [Signature]



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 1.16 Bathurst St, Level 4 Hobart, 7000,
 TASMANIA

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Legend

- 205 Old Beach Road
- 1.00m Contours
- Boundary Lines
- Existing Building Areas
- Pre 1% AEP + CC @2100**

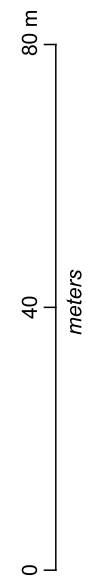
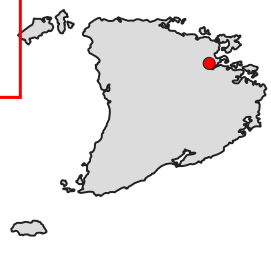
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- 0.80 - 1.00
- > 1.00

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PRE 1% AEP + CC @2100



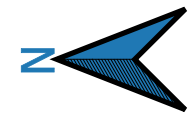
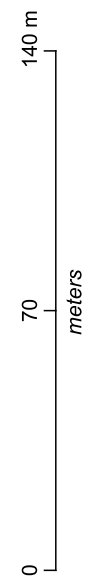
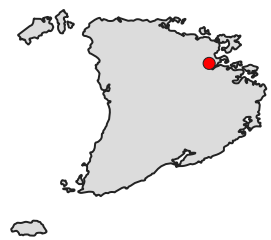
Legend

- 203 & 205 Old Beach Road
- Boundary Lines
- Existing Building Areas
- Pre 1% AEP + CC @2100
- Hazard**
- H1
- H2
- H3
- H4
- H5
- H6

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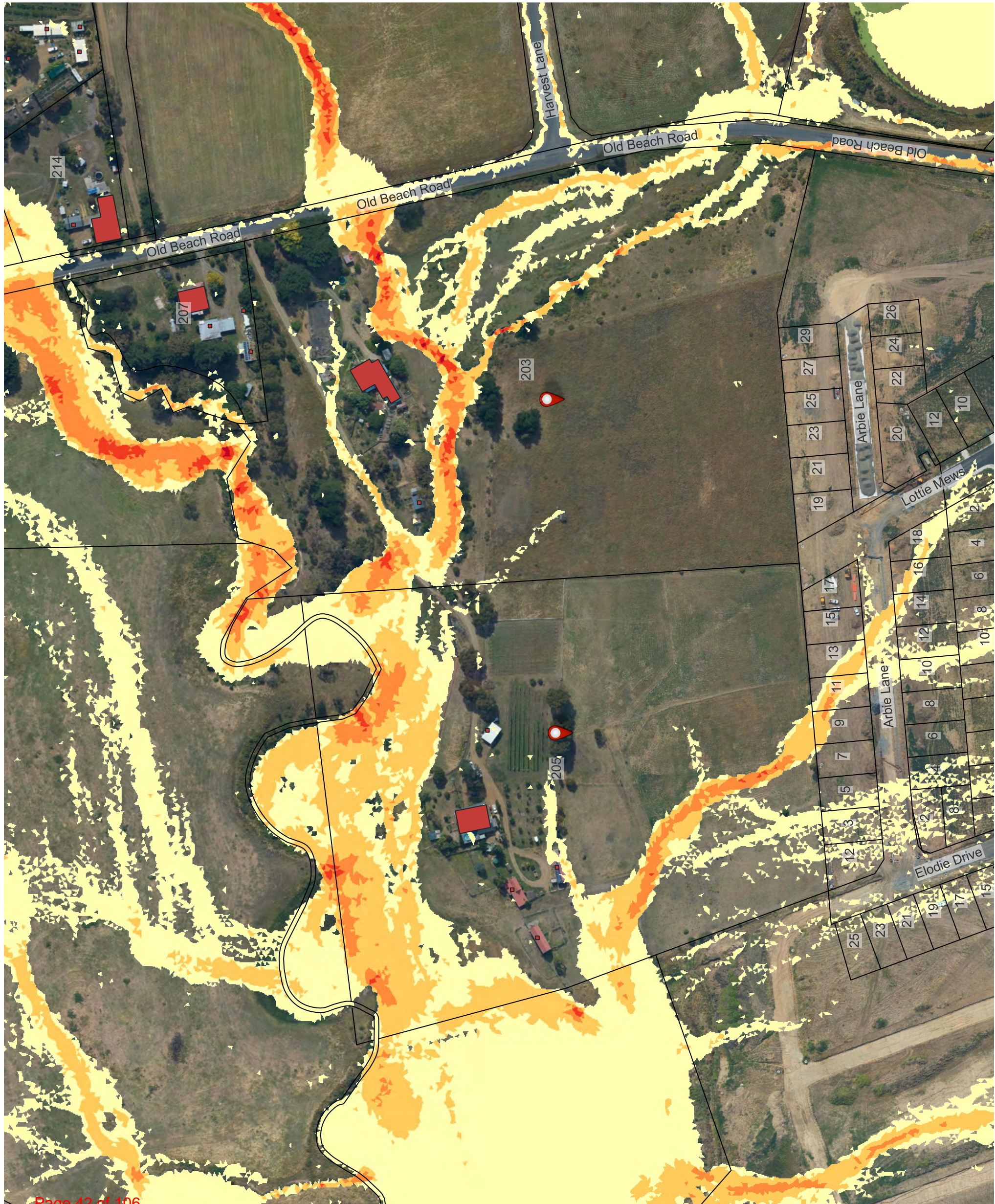
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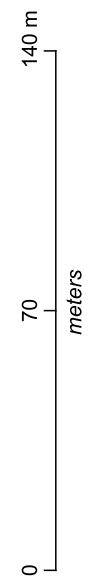
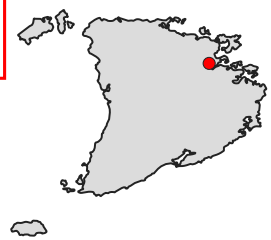
Legend

- 203 & 205 Old Beach Road
- Boundary Lines
- Existing Building Areas
- Pre 1% AEP + CC @2100
- Velocity (m/s)
 - <= 0.50
 - 0.50 - 1.00
 - 1.00 - 1.50
 - 1.50 - 2.00
 - > 2.00

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JMG Ref: 220401PL
Council Ref: SA 2022/044

17th March 2023

Jo Blackwell
Brighton Council
Via development@brighton.tas.gov.au.

Attention: Jo Blackwell

Dear Jo,

RFI RESPONSE - SA2022/044 - 201,203 & 205 OLD BEACH ROAD, OLD BEACH & LOT 108 LEWIS COURT, OLD BEACH

Please refer to the following with regards to the 'request for additional information letter' **received from** Brighton Council, dated 22nd February 2023.

The required additional information is addressed in the sequence below.

1. Natural Assets Code

C7.6.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area

Acceptable Solutions	Performance Criteria
<p>A3</p> <p>Development within a waterway and coastal protection area or a future coastal refugia area must not involve a new stormwater point discharge into a watercourse, wetland or lake.</p>	<p>P3</p> <p>Development within a waterway and coastal protection area or a future coastal refugia area involving a new stormwater point discharge into a watercourse, wetland or lake must avoid or minimise adverse impacts on natural assets, having regard to:</p> <p>(a) the need to minimise impacts on water quality; and</p> <p>(b) the need to mitigate and manage any impacts likely to arise from erosion, sedimentation or runoff.</p>

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Re-aligned water and sewer infrastructure is located within a Class 4 watercourse or within tidal waters. Therefore, the proposal cannot comply with A3 and the performance criteria must be considered.

A Construction Environmental Management Plan will be implemented to ensure impacts on water quality and the impacts caused by erosion, siltation, sedimentation and runoff will be minimised (a)&(b).

As such the proposal complies with P3.

2. Flood-Prone Areas Hazard Code

Flood Management Report is provided and enclosed in Attachment 1.

3. Bushfire Prone Areas Code

A Bushfire Hazard Report is provided and enclosed in Attachment 2.

We trust this satisfies Council's request and we can move swiftly to advertising the proposal, however, if further information or clarification is required with respect to this request, please contact me at 6231 2555 or planning@jmg.net.au.

Yours faithfully

JOHNSTONE MCGEE & GANDY PTY LTD

MINGMING MA
TOWN PLANNER

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ATTACHMENT 1

Flood Management Report

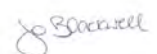
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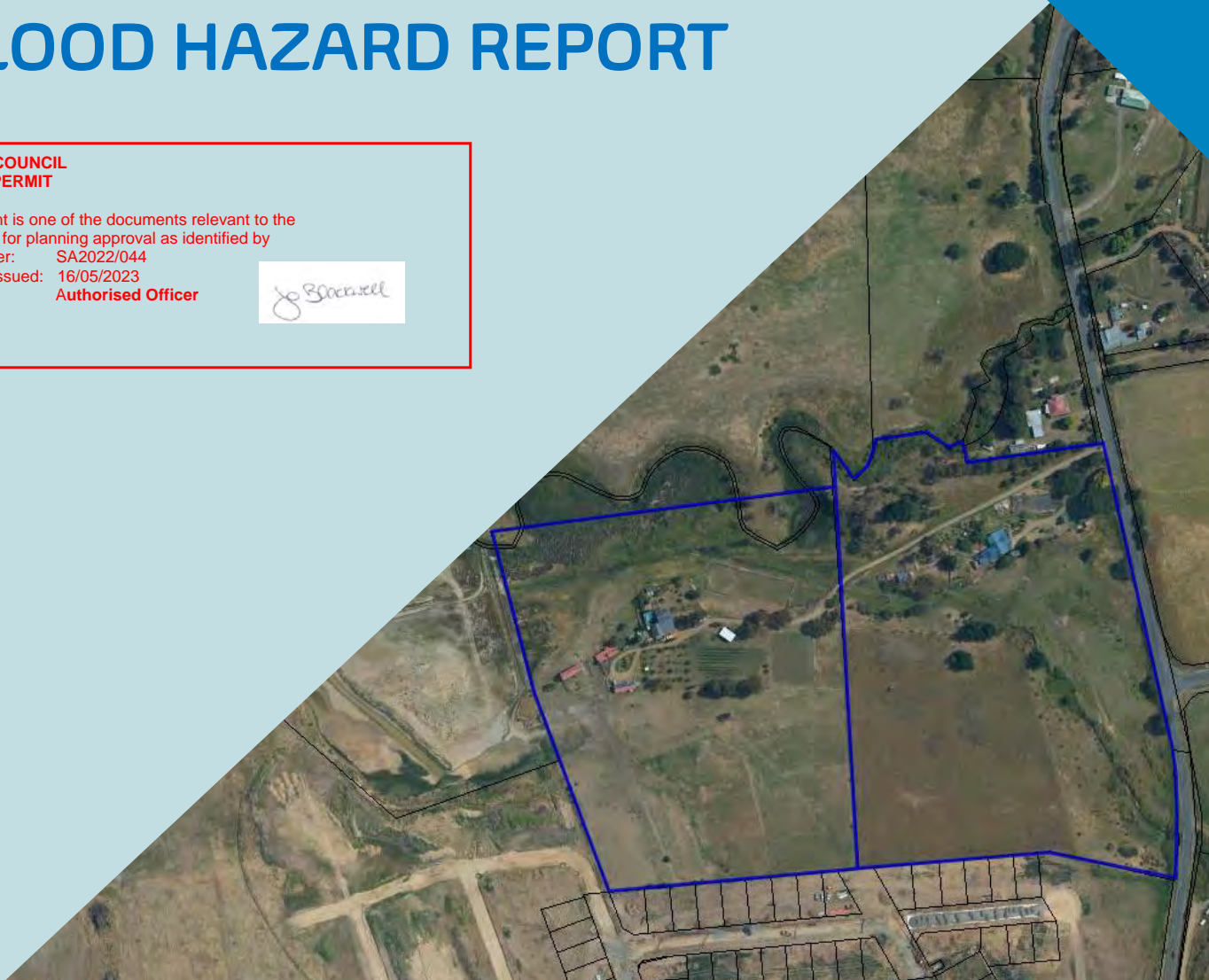
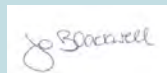


16th March 2023
FE_22144

203-205 Old Beach Road, Old Beach FLOOD HAZARD REPORT

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Prepared for: JMG Engineers & Planners

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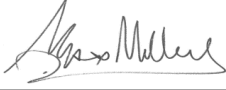




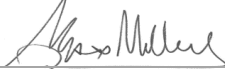
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ABN 16 639 276 181

Document Information

Title	Client	Document Number	Project Manager
203-205 Old Beach Rd, Old Beach, Flood Hazard Report	JMG Engineers & Planners	FE_22144	Max W. Möller <i>BEng, FIEAust, EngExec, CPEng, NER, APEC Engineer, IntPE (Aus.)</i> Managing Director / Principal Hydraulic Engineer

Document Initial Revision

REVISION 00	Staff Name	Signature	Date
Prepared by	Max W. Moller <i>Principal Hydraulic Engineer</i>		02/03/2023
Prepared by	Ash Perera <i>Civil Engineer</i>		15/03/2023
Prepared by	Christine Keane <i>Water Resources Analyst</i>		16/03/2023
GIS Mapping	Damon Heather <i>GIS Specialist</i>		13/03/2023
Reviewed by	John Holmes <i>Senior Engineer</i>		16/03/2023
Authorised by	Max W. Moller <i>Principal Hydraulic Engineer</i>		17/03/2023

Document Revision History

Rev No.	Description	Prepared by	Authorised by	Date

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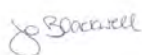
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1. Introduction

Flüssig Engineers has been engaged by **JMG Engineers and Planners** to undertake a site-specific Flood Hazard Report for the potential development at number 203-205 Old Beach Road, Old Beach in the **Brighton Council** municipality. The purpose of this report is to determine the flood characteristics on the existing and post-development hazard scenarios for the 1% AEP plus climate change, for the purpose of subdivision.

1.1 Development

The proposal relates to a proposed subdivision of land at 203 – 205 Old Beach Road, Old Beach. The site titled 123119/1 and 135401/7 respectively has a combined area of approximately 12.5 ha which is intended to be subdivided into multiple lots in the future. There are currently single residential dwellings on each lot including various sheds and outbuildings. This proposal triggers the inundation code as the development falls within Brighton Council, flood prone area.

1.2 Objectives and Scope

This report is in response to a request for further information under C12.0 Flood Prone Areas Hazard Code (C12.7.1) under the Tasmanian Planning Scheme 2021 (TPS 2021). The objectives of this study are:

- Provide an assessment of the site's flood characteristics under the combined 1% AEP plus climate change (CC) scenario.
- Provide comparison of flooding for post-development against acceptable solution and performance criteria.
- Provide flood mitigation recommendations for a potential future development, where appropriate.

1.3 Limitations

This study is limited to the objectives of the engagement by the clients, the availability and reliability of data, and including the following:

- The post development subdivision layout is an overlay for concept purposes only. It has not been modelled in 3D terrain.
- The flood model is limited to a 1% AEP + CC worst case temporal design storm.
- All parameters have been derived from best practice manuals and available relevant studies (if applicable) in the area.
- All provided data by the client or government bodies for the purpose of this study is deemed fit for purpose.
- The study is to determine the effects of the new development on flooding behaviour and should not be used as a full flood study outside the specified area without further assessment.

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1.4 Relevant Planning Scheme Requirements

Table 1. Tasmanian Planning Scheme (Brighton) Requirements

Planning Scheme Code	Objective	Document Reference
C12.7.1 Subdivision within a flood prone hazard area	That subdivision within a flood-prone hazard area does not create an opportunity for use or development that cannot achieve a tolerable risk from flood.	Refer Section 3.1

2. Model Build

2.1 Overview of Catchment

The contributing catchment to the east of 203-205 Old Beach Road, Old Beach is approximately 860 ha encompassing Bobs Creek and Gage Brook and its contributing tributaries originating towards Quoin Ridge at an elevation of approximately 350 mAHD. The overland flow path flows in a westerly direction towards the development site which ranges from 5 – 22 mAHD.

The land use of the catchment contains zones Landscape Conservation and Rural Living in the upper reaches of Quoin Ridge, with the majority of the catchment zoned Rural and the specific site being zoned Future Urban.

Figure 1 below outlines the approximate contributing catchment for the site at 203-205 Old Beach Road.

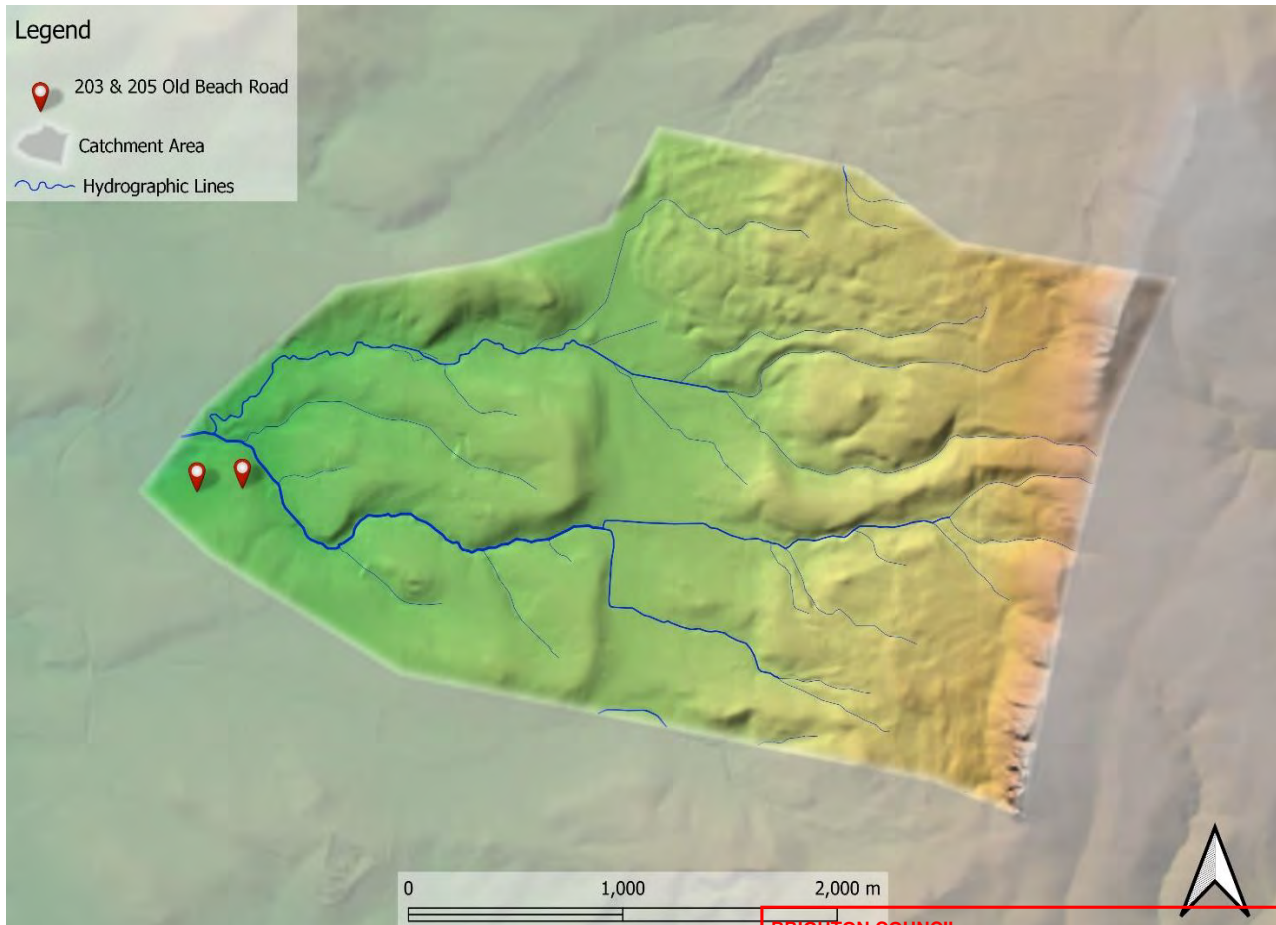


Figure 1. Contributing Catchment, 203-205 Old Beach Road, Old Beach

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2.2 Hydrology

The following Table 2 states the adopted hydrological parameters for the RAFTS catchment, as per best practice guidelines.

Table 2. Parameters for RAFTS catchment

Catchment Area (ha)	Initial Loss Perv/imp (mm)	Continuing Loss Perv/imp (mm/hr)	Manning's N pervious	Manning's N impervious	Non-linearity factor
860	27/1	3.8/0.0	0.045	0.02	-0.285

2.2.1 Design Rainfall Events

The Tasmanian Planning Scheme 2021 requires modelling of flood events of 1% AEP (100yr ARI) for the life of the development. Therefore, the design events assessed in this analysis are limited to the 1% AEP + CC design events. Due to the size and grade of the catchment the peak rainfall time was restricted to between 10 min – 36 hrs.

The model ran each duration for the 1% AEP design event against 10 temporal patterns sourced from the ARR data hub. ARR 2019 advises the use of the worst-case duration median temporal pattern to ensure the event is not too conservative. These events were run through a hydrologic model to determine the required storm event. Figure 2 shows the box and whisker output of the model run. The model shows that the 1% AEP 4.5 hrs storm temporal pattern 1 was the worst-case median storm. Therefore, this storm event was used within the hydraulic model.

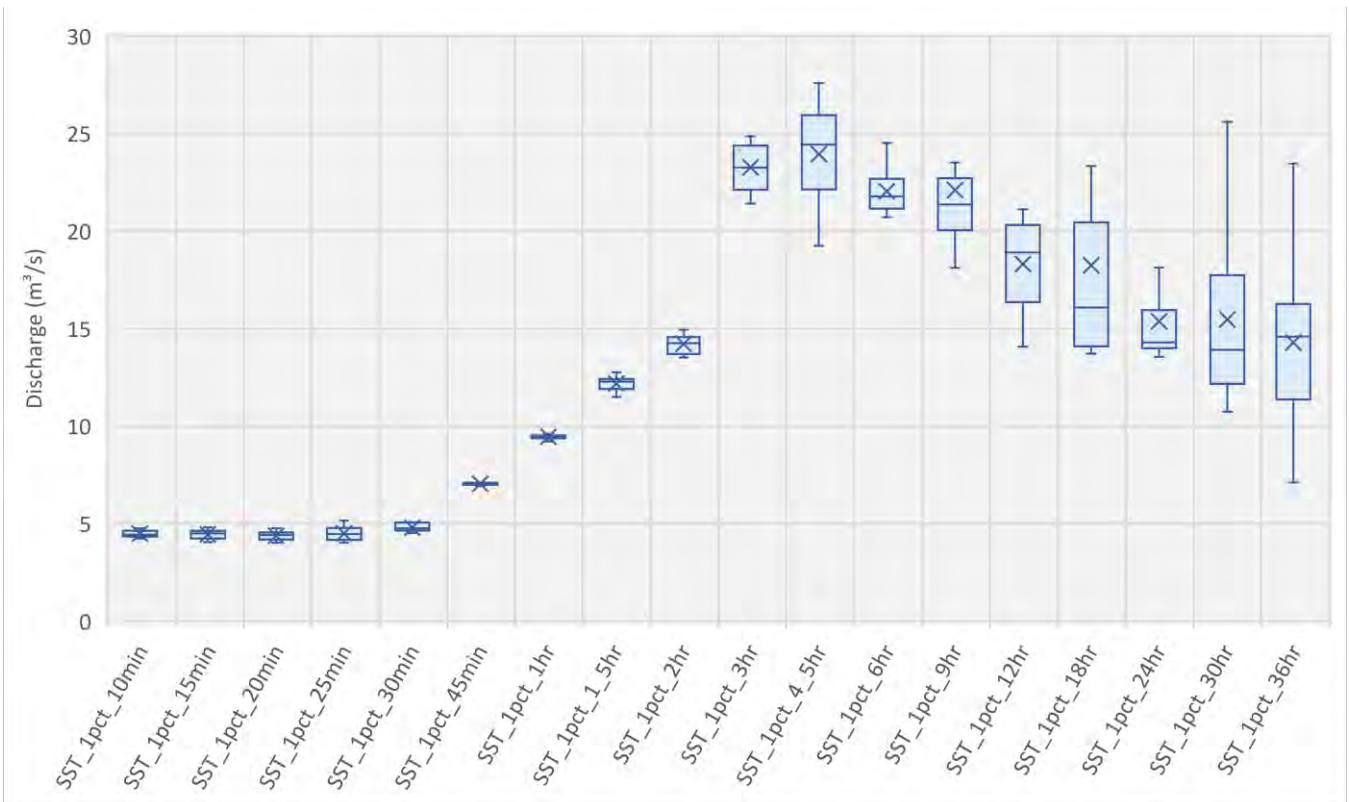


Figure 2. 1% AEP Flood Event Model, Box and Whisker Plot

2.2.2 Climate Change

As per ARR 2019 Guidelines, for an increase in rainfall of 10% due to climate change at 2100, it is recommended the use of RCP 8.5. Table 3 shows the ARR 8.5 increase.

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J. B. [Signature]

Table 3. Climate Change Increases

Catchment	ARR 8.5 increase @ 2100
Southeast Tasmania	16.3%

2.2.3 Calibration/Validation

This catchment has no stream gauge to calibrate the model against a real-world storm event. Similarly, there is little historical information available, and limited available past flood analysis undertaken to validate against the flows obtained in the model.

2.3 Hydraulics

2.3.1 Survey

The 2D surface model was taken from a combination of a site survey undertaken by Survey Plus Tasmania and Greater Hobart LiDAR 2013 (Geoscience Australia) to create a 1m cell size DEM. For the purposes of this report, 1m cells are enough to capture accurate flow paths. The DEM with hill shading can be seen below (Figure 3).

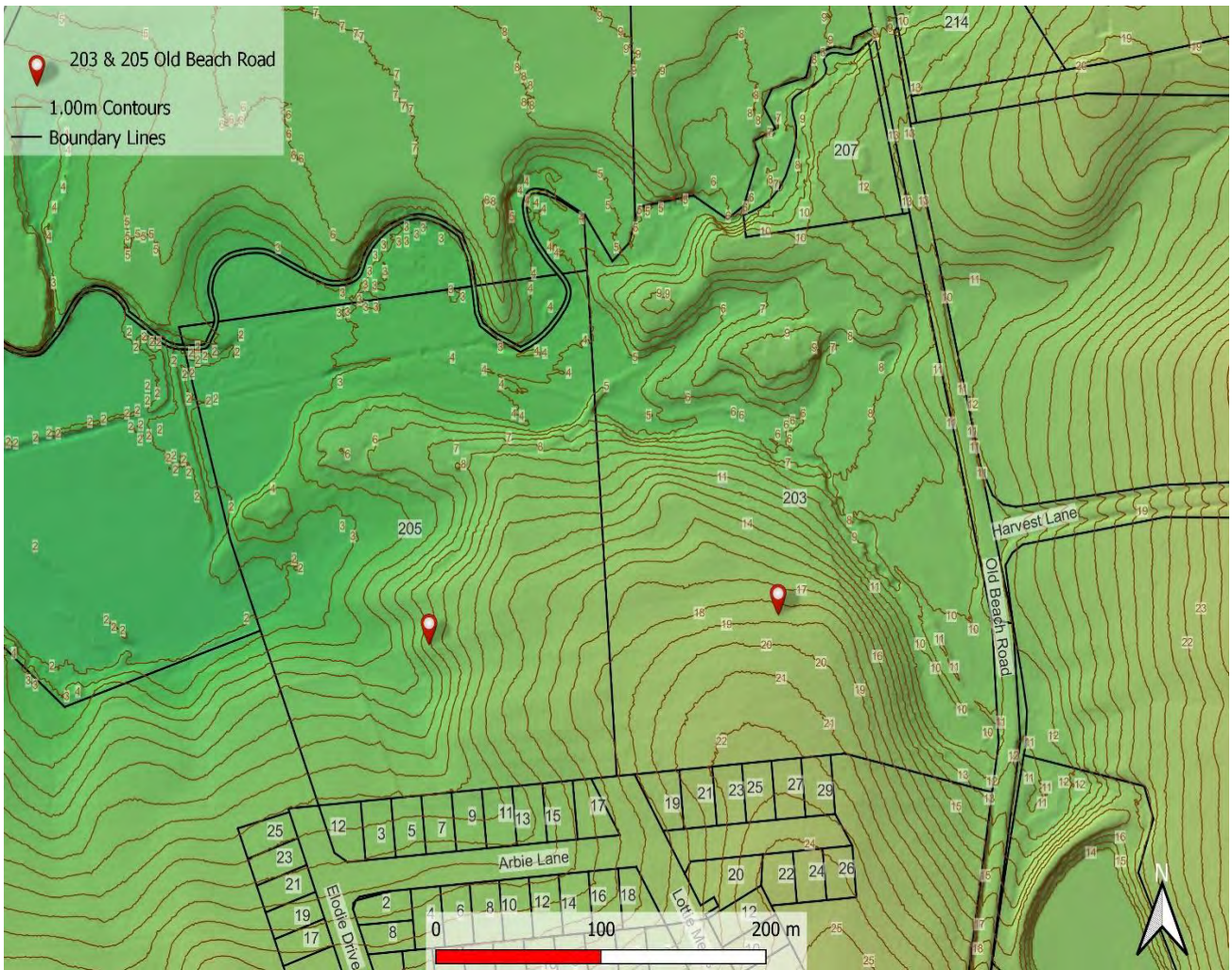


Figure 3. 1m DEM (Hill shade) of Lot Area

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2.3.2 Roughness (Manning’s n)

Roughness values for this model were derived from the ARR 2019 Guidelines. The Manning’s values are listed in Table 4.

Table 4. Manning's Coefficients (ARR 2019)

Land Use	Roads	Open Channel	Rural	Residential	Parks	Buildings	Piped Infrastructure
Manning’s n	0.018	0.035	0.04	0.045	0.05	0.3	0.013

2.3.3 Walls

Wall structures were included as base linear structures (walls) within the 2D model.

2.3.4 Buildings

Existing buildings were represented as mesh polygons with a high Manning’s n value within the model. Buildings with unknown floor levels were set with a minimum 300mm above ground.

3. Model Results

The result of 1% AEP + CC were run through the existing pre-development model scenarios to determine the flood behaviour on site. The subdivision layout is indicative only as a concept and has not been modelled as a 3D terrain.

3.1 Flood depths and extents

It can be seen in Figure 4, that the site slopes from south to west with Bobs Creek intersecting lot 203 from the south-east before joining with Gage Brook and flowing along the northern lot boundaries. Furthermore, another two overland flow paths from Bobs Creek run from the eastern boundary from a series of culverts under Old Beach Road. The combination of two overland flow paths contributes to a flood depth of 2.55 m and a velocity of 1.00 m/s at the western side of lot 205's boundary and inside the naturally designated Gage Brook channel. There is also a minor overland flow path originating from the residential area at the southern lot boundary of lot 205 that discharges into the ponded area of Gage Brook.

Lot 205 is more significantly affected by flooding with Gage Brook and Bobs Creek discharging into a pond area in the north-western area of the lot. Any future land development of this lot will need to ensure that areas with high hazard ratings (H2 and above) are avoided for development and that access to other lots is not compromised.

Figure 5 and Figure 6 show various points within lots 203 & 205 of flood depths at specific locations including a non-3D terrain overlay of a proposed subdivision layout.

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J. Barnett

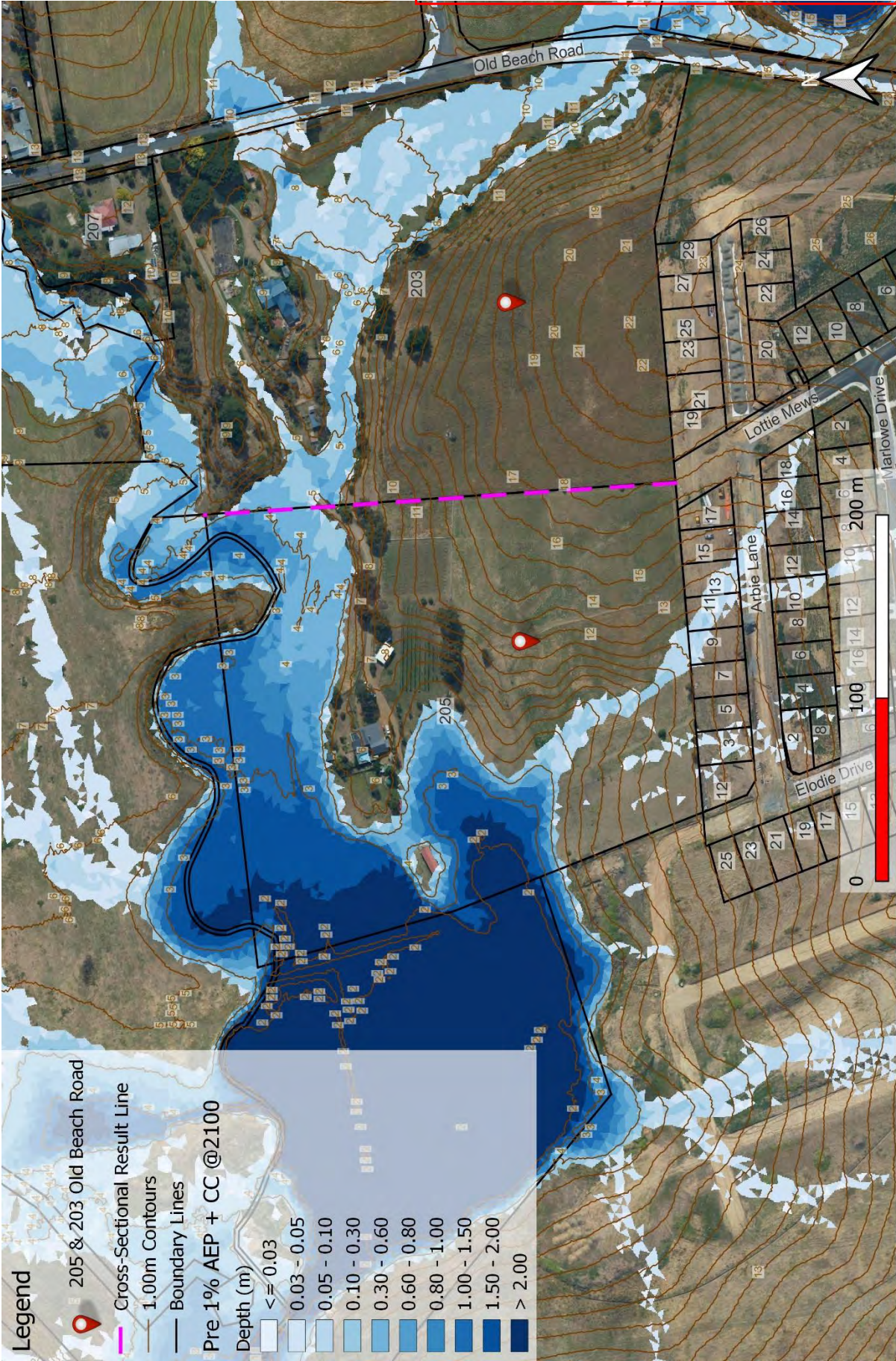


Figure 4. Pre-Development 1% AEP + CC Depth

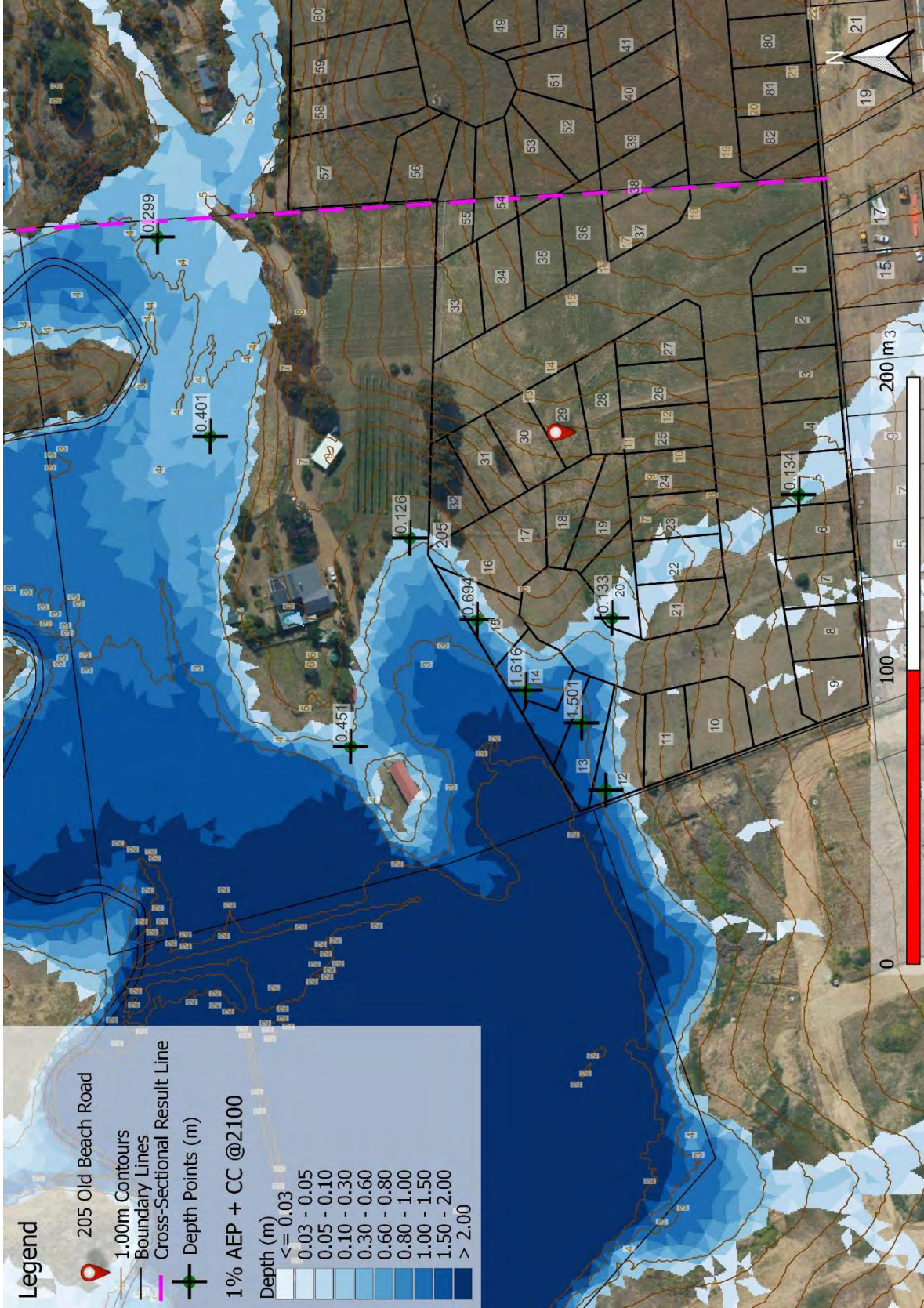


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J. Stowell

Figure 5. 1% AEP + CC overland flow path Lot 203 with various depth points



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J. Blackwell

Figure 6. 1% AEP + CC overland flow path Lot 205 with various depth points

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J. Sweeney

3.2 Development Effects on Flooding

Figure 7 below shows the discharge hydrograph from the property boundary for the overland flow through the development area. The graph was captured in the model for the existing conditions to demonstrate the current discharge across the lot boundary. It is a requirement of the C12.0 Flood Prone Areas Hazard Code that the overland flow path and discharge does not change significantly from pre to post development to cause increased risk to people, property or reliance on public infrastructure.

The model demonstrates a discharge of 5.50 m³/s, and velocity of 1.02 m/s across the cross-sectional result line between the two lot boundaries (Figure 4). Due to the relatively high volume of flow discharging into Gage Brook, it is imperative that any future development of these lots avoids development in areas of high flood depth and velocity, and that the natural overland flood path remains relatively unimpeded.

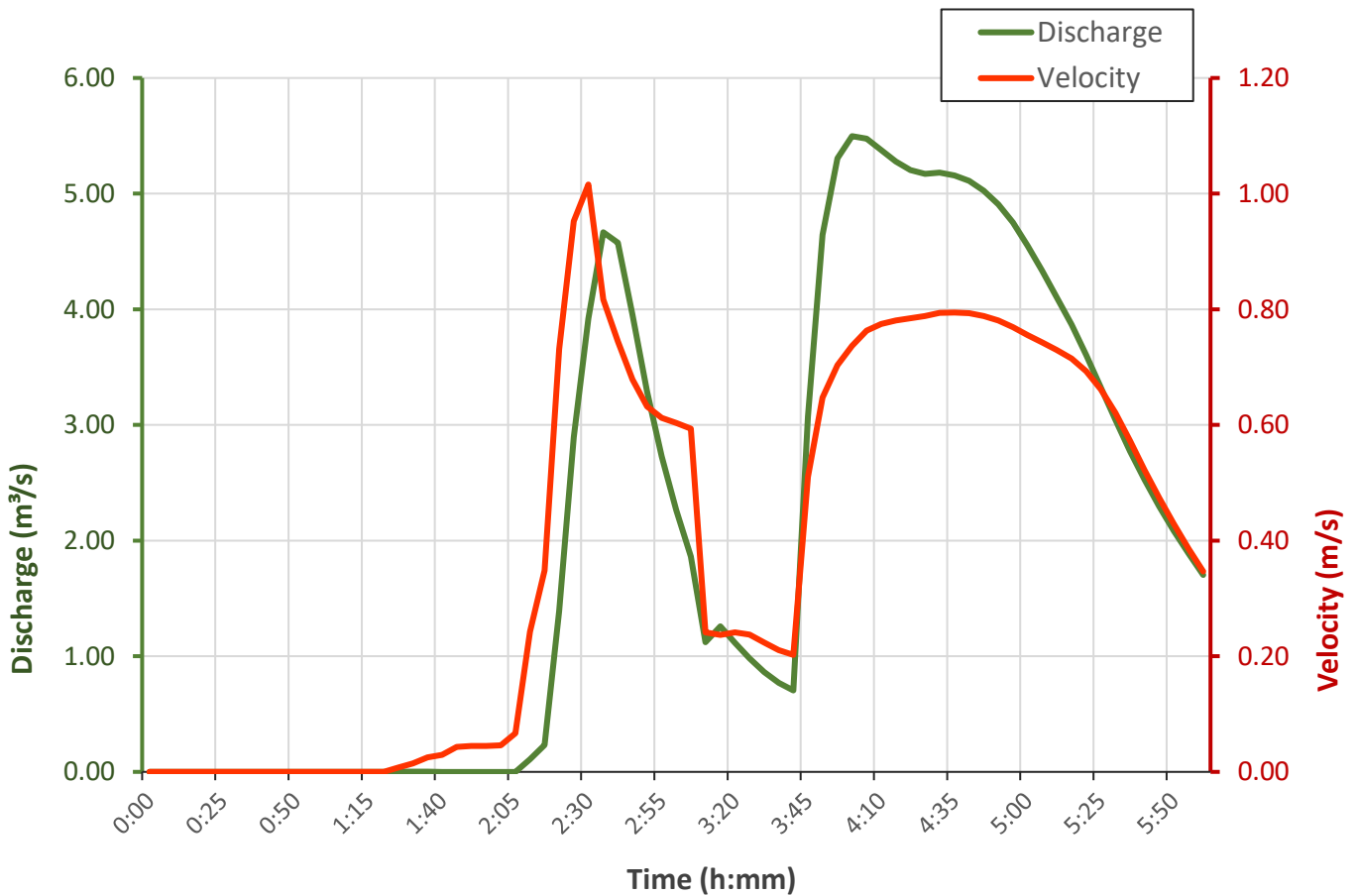


Figure 7. Pre-development net discharge and velocity 1% AEP + CC at cross-sectional result line

4. Flood Hazard

Appendix A shows the velocity and depth maps across the two lots. In the current conditions, the velocity and depth at the cross-sectional result line are 1.02 m/s and 0.84 m respectively. This places the hazard rating at this particular point at the confluence of Gage Brook and Bobs Creek at **H4 – Unsafe for people and vehicles** as adopted by Australian Flood Resilience and Design Handbook as shown in Figure 8.

However, the area that follows the existing driveway access to the current residence on lot 205 ranges between **H1 – Generally safe for people, vehicles and buildings, to H2 - unsafe for small vehicles**. Therefore, access to the internal lot 205 could be via this existing route, or alternatively from the southern side of the lot as shown in the concept plan (Figure 6). The proposed subdivision layout may

pose an unacceptable risk for development of lots on the northern edge that encroaches Gage Brook where areas are evident up to **H5 – Unsafe for vehicles and people. All buildings vulnerable to structural damage.**

Lot 203 is less affected by hazard ratings greater than **H3** with the majority of the affected areas, particularly on the eastern side of the lot, affected predominantly by **H1**. Therefore, the risk to people and buildings from any future development of lot 203 may be acceptable. The current subdivision layout is mostly outside the affected flood areas.

As this study does not extend to the public access roads we cannot comment on the accessibility to the site, only within the site. A summary of the hazard ratings is shown in Figure 8.

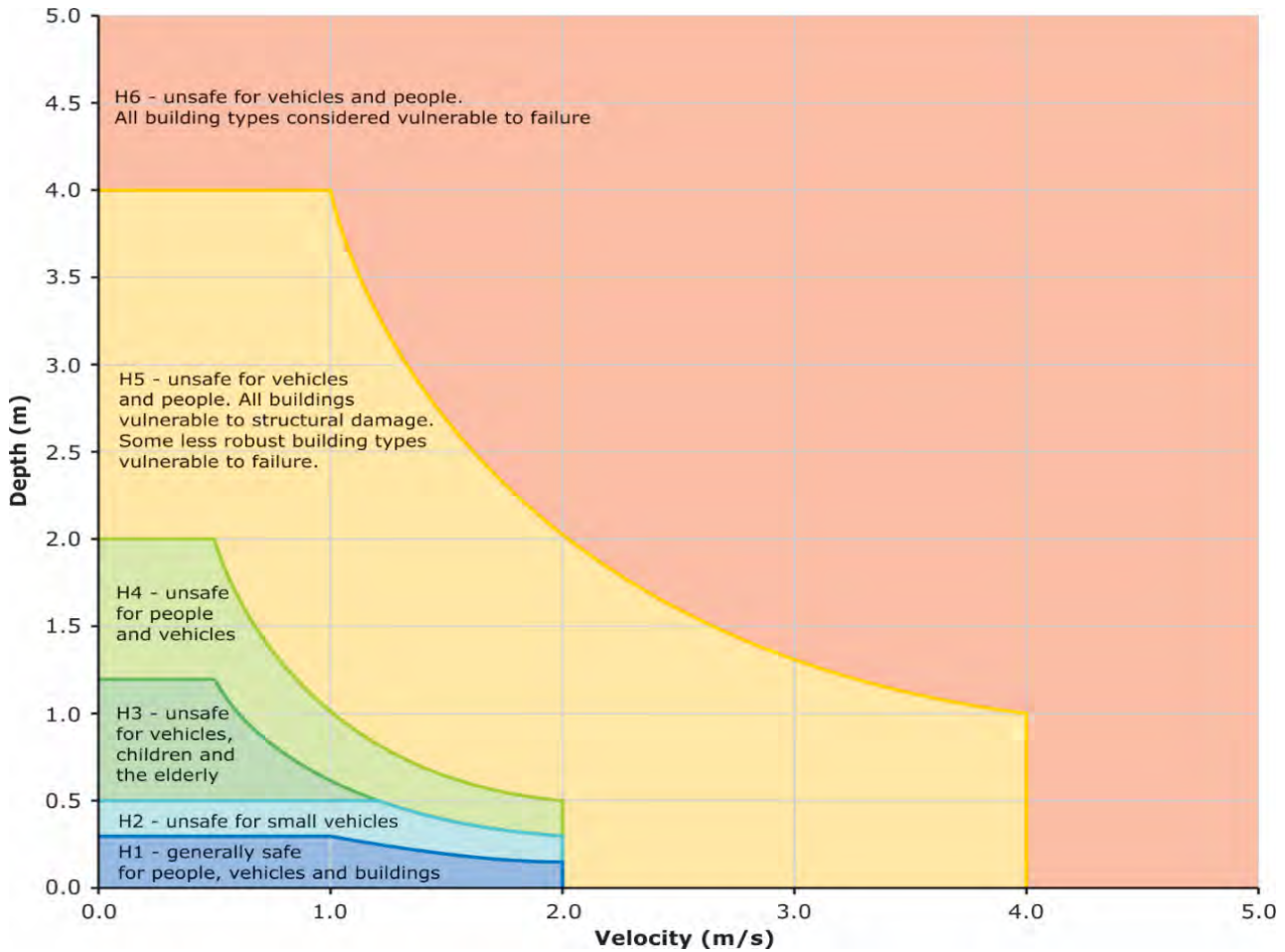


Figure 8. Hazard Categories Australian Disaster and Resilience Handbook

4.1 Tolerable Risk

The lot at 203-205 Old Beach Road Brighton, is susceptible to a deep flood plain flow at moderate velocity affecting mostly the northern area of the lots. Most of lot 203 is classified low (H1) hazard rating in the 1 % AEP + climate change event, while lot 205 is affected by greater hazard ratings as the overland flow from Bobs Creek and Gage Brook form a ponding area in the north west side of the lot.

Even at minor velocity and depths during a storm event, erosion and debris movement nevertheless pose a threat. To ensure suitability, all structures that are built in any area affected by overland flow should be subjected to a hydrostatic/hydrodynamic analysis.

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Table 5. Tasmanian Planning Scheme summary

C12.7.1 Subdivision within a flood-prone hazard area			
Objective: That subdivision within a flood-prone hazard area does not create an opportunity for use or development that cannot achieve a tolerable risk from flood.			
Performance Criteria			
P1.1		P1.1	
Each lot, or a lot proposed in a plan of subdivision, within a flood-prone hazard area, must not create an opportunity for use or development that cannot achieve a tolerable risk from flood, having regard to:		Response from flood report	
(a)	Any increase in risk from flood for adjacent land;	(a)	Currently, the additional risk to adjacent land and properties would be minimal if areas in the southern sections of the lots 203 & 205 are subdivided.
(b)	The level of risk to use or development arising from an increased reliance on public infrastructure;	(b)	The overland flow discharges into a natural channel (Gage Brook) which, if relatively unimpeded in the post-development scenario would not place increased reliance on public infrastructure.
(c)	The need to minimise future remediation works;	(c)	Future remediation works would be minimal.
(d)	Any loss or substantial compromise by flood of access to the lot, on or off site.	(d)	Access to the lots is achievable from the southern end of the lots, or alternatively following the existing driveway to lot 205, or via Old Beach Road to the east of lot 203.
(e)	The need to locate building areas outside the flood-prone hazard area.	(e)	The majority of lots proposed in the concept plan are outside the flood prone hazard area, with the exception of some lots on the north-western side of the concept that encroaches on Gage Brook extent.
(f)	Any advice from a state authority, regulated entity or a council; and	(f)	N/A
(g)	The advice contained in a flood hazard report.	(g)	Recommendations provided within.

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J. B. Brownell

5. Conclusion

The Flood Hazard Report for 203-205 Old Beach Road, Old Beach development site has reviewed the potential development flood scenario.

The following conclusions were derived in this report:

1. Peak flows for the 1% AEP at 2100 were undertaken against C12.7.1 of the TPS Flood Prone Areas Hazard code.
2. Peak discharge sees at the cross sectional result line is 5.50 m³.
3. Velocity at the cross-sectional result line is 1.02 m/s.
4. The hazard rating within lot 203 is predominantly H1 – H2, with small areas of higher ratings in the vicinity of Bobs Creek and Gage Brook to the north. Hazard ratings within lot 205 range from H1 to H5, particularly in the north-west corner of the lot.

6. Recommendations

Flüssig Engineers therefore recommends the following engineering design be adopted for the development and future use to ensure the works meets the Inundation Code:

1. Any future structures, located in the inundation area, are to be designed to resist flood forces including debris for the given flood conditions.
2. Future use of the subdivision, to be limited to areas deemed safe under the ARR Disaster manual categories.
3. Recommendations for future buildings will vary based on their specific layout and must be assessed separately.
4. Consideration should be given for an easement to allow unimpeded overland flow from the southern lot boundary of lot 205 towards Gage Brook.
5. Building lots that are impacted by hazard ratings H3 or greater should be minimized or designed to allow safe areas for building envelopes under the Australian Flood Resilience and Design Handbook.
6. Final subdivision concept is to be reassessed against this model by incorporating the post-development scenario in a 3D model terrain to ensure compliance with the TPS 2021.

Under the requirements of this Flood Hazard Report, subdivision of lots 203 and 205 Old Beach Road, Old Beach will meet current acceptable solutions and performance criteria under the Tasmanian Planning Scheme 2021.


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7. Limitations

Flüssig Engineers were engaged by **JMG Engineers and Planners**, for the purpose of a site-specific Flood Hazard Report for 203-205 Old Beach Road, Old Beach as per C12.0 of the Tasmanian Planning Scheme 2021. This study is deemed suitable for purpose at the time of undertaking the study. If the conditions of the site should change, the report will need to be reviewed against all changes.

This report is to be used in full and may not be used in part to support any other objective other than what has been outlined within, unless specific written approval to do otherwise is granted by Flüssig Engineers.

Flüssig Engineers accepts no responsibility for the accuracy of third-party documents supplied for the purpose of this Flood Hazard Report.

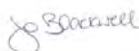
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8. References

1. Australian Disaster Resilience Guideline 7-3: Technical flood risk management guideline: Flood hazard, 2014, Australian Institute for Disaster Resilience CC BY-NC
2. Ball J, Babister M, Nathan R, Weeks W, Weinmann E, Retallick M, Testoni I, (Editors), 2019, Australian Rainfall and Runoff: A Guide to Flood Estimation, Commonwealth of Australia
3. Grose, M. R., Barnes-Keoghan, I., Corney, S. P., White, C. J., Holz, G. K., Bennett, J. & Bindoff, N. L. (2010). Climate Futures for Tasmania: General Climate Impacts Technical Report.
4. T.A. Remenyi, N. Earl, P.T. Love, D.A. Rollins, R.M.B. Harris, 2020, Climate Change Information for Decision Making –Climate Futures Programme, Discipline of Geography & Spatial Sciences, University of Tasmania.

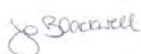
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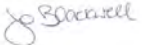
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Appendices

Appendix A Flood Study Maps

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1% AEP + CC @2100



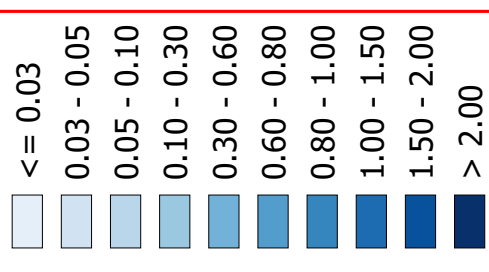
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 203 Old Beach Road

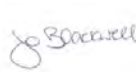
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-  1.00m Contours

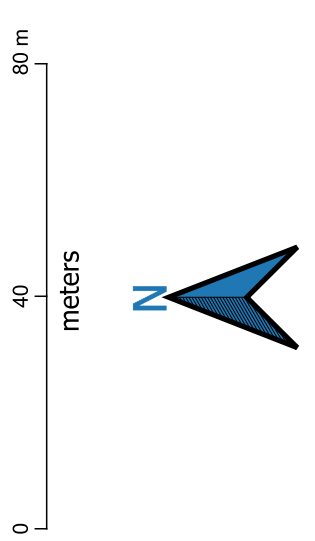
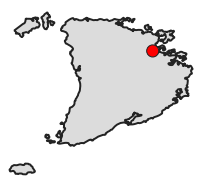
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Depth (m)



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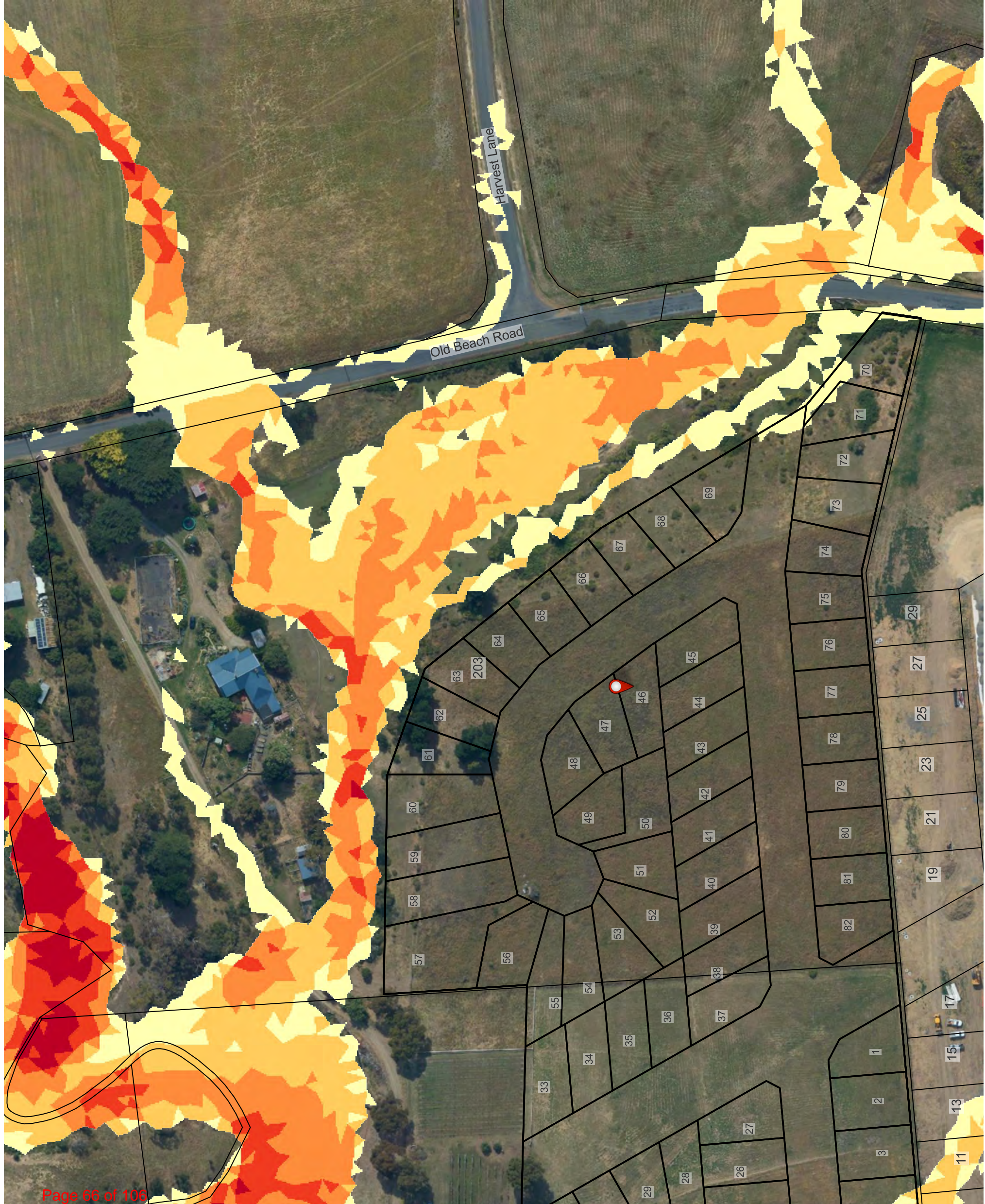
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Legend

📍 203 Old Beach Road

— Boundary Lines

1% AEP + CC @2100

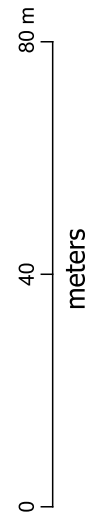
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- 1.50 - 2.00
- > 2.00

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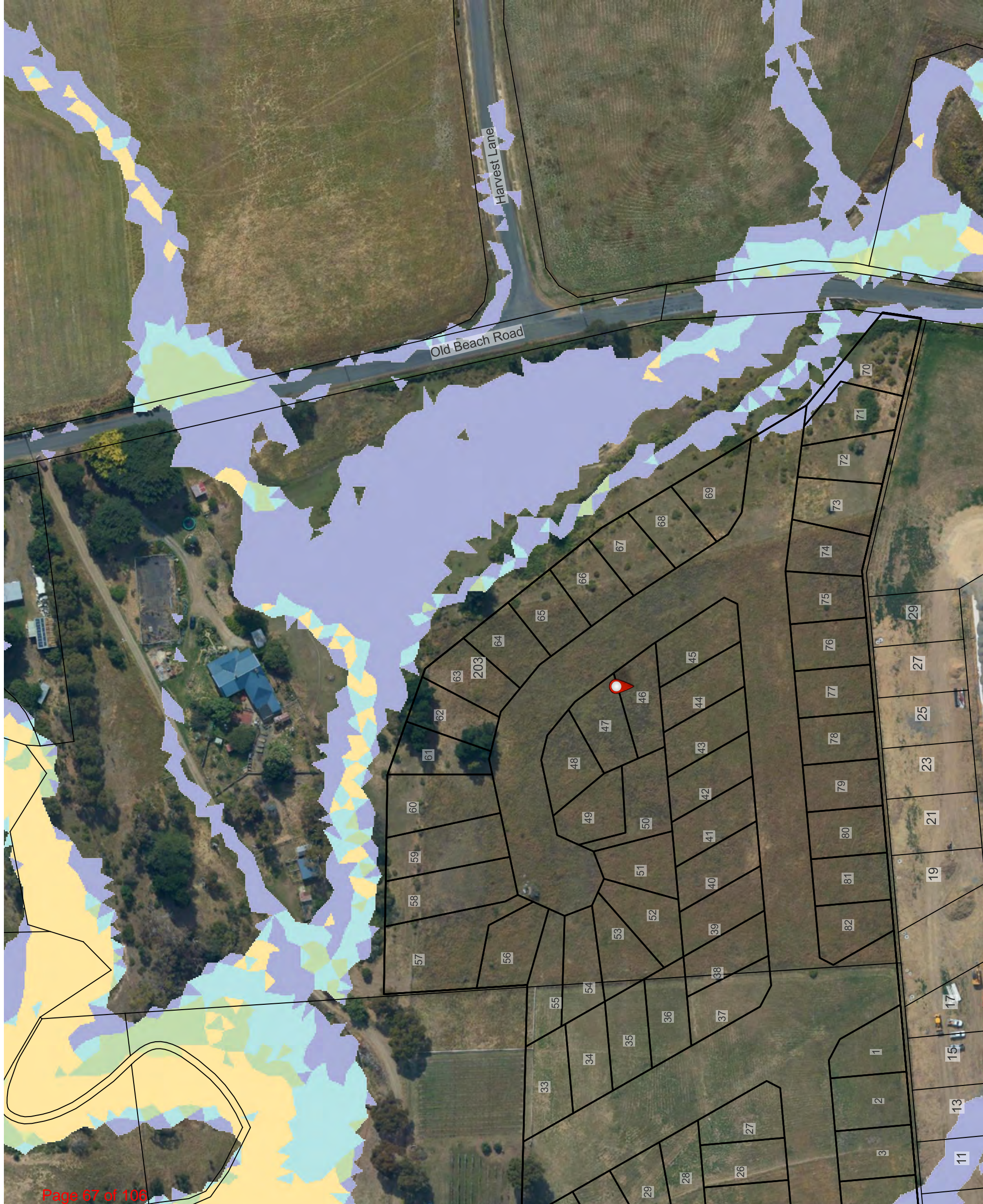


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Legend

📍 203 Old Beach Road

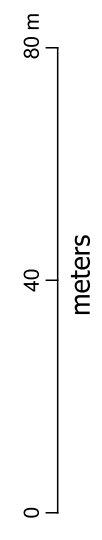
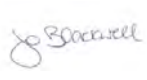
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- Hazard
- H1
 - H2
 - H3
 - H4
 - H5
 - H6

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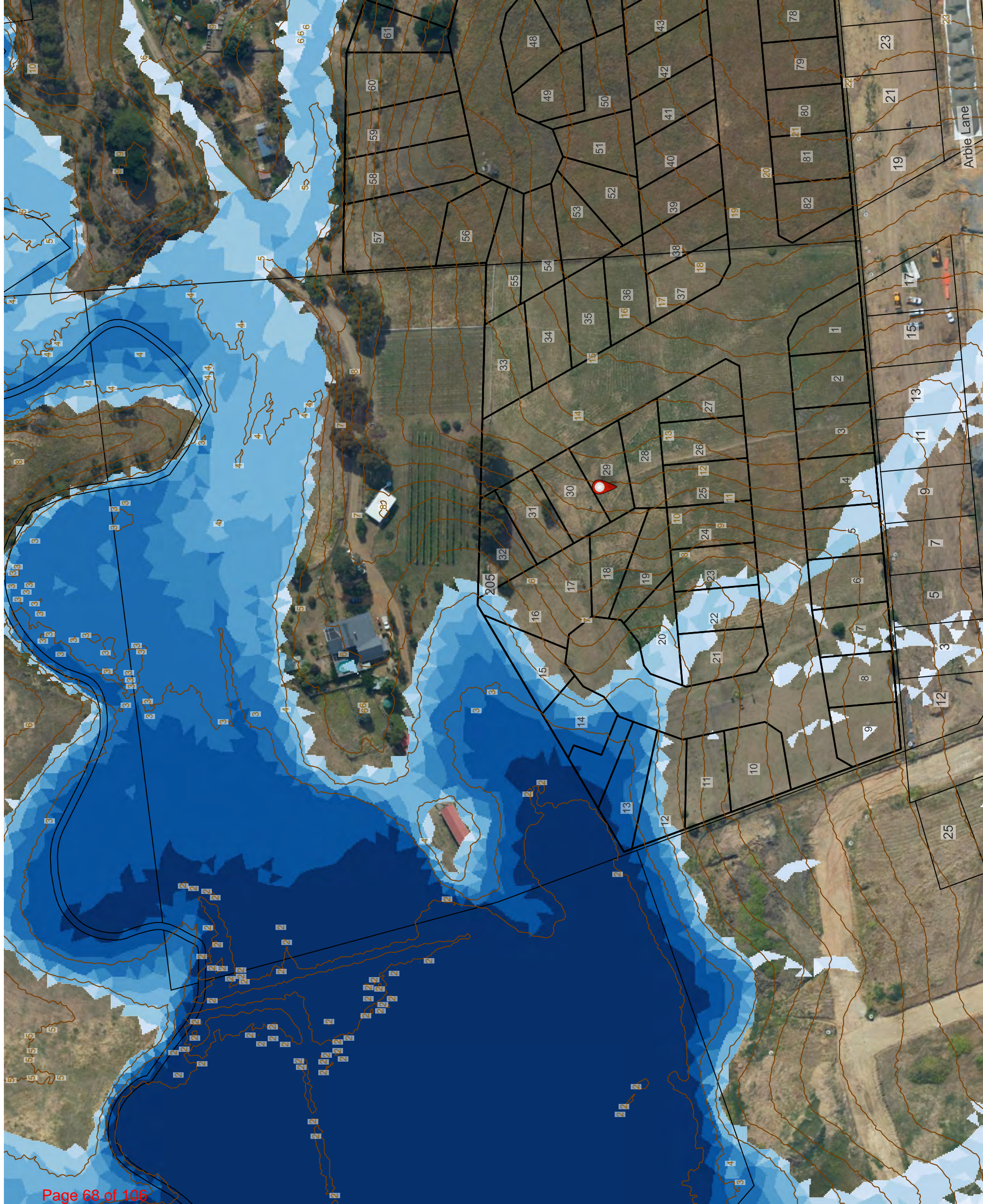
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Legend

205 Old Beach Road

1.00m Contours

Boundary Lines

1% AEP + CC @2100

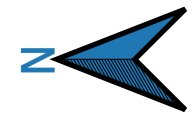
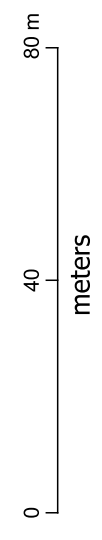
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- 0.10 - 0.30
- 0.30 - 0.60
- 0.60 - 0.80
- 0.80 - 1.00
- 1.00 - 1.50
- 1.50 - 2.00
- > 2.00

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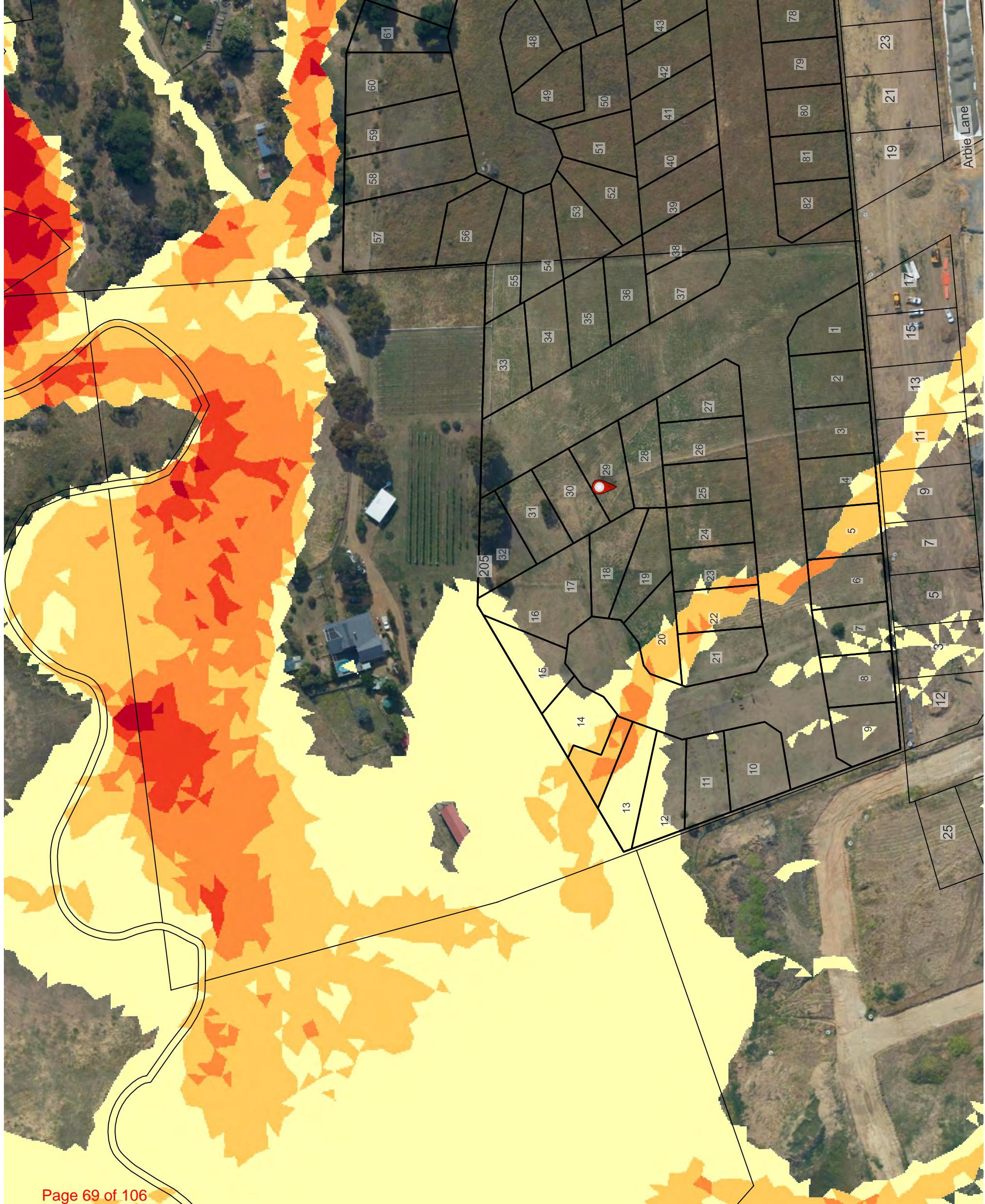


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Legend

205 Old Beach Road

Boundary Lines

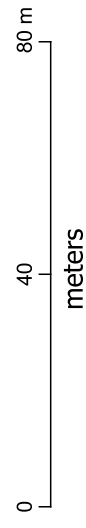
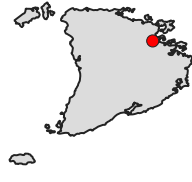
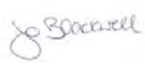
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Velocity (m/s)

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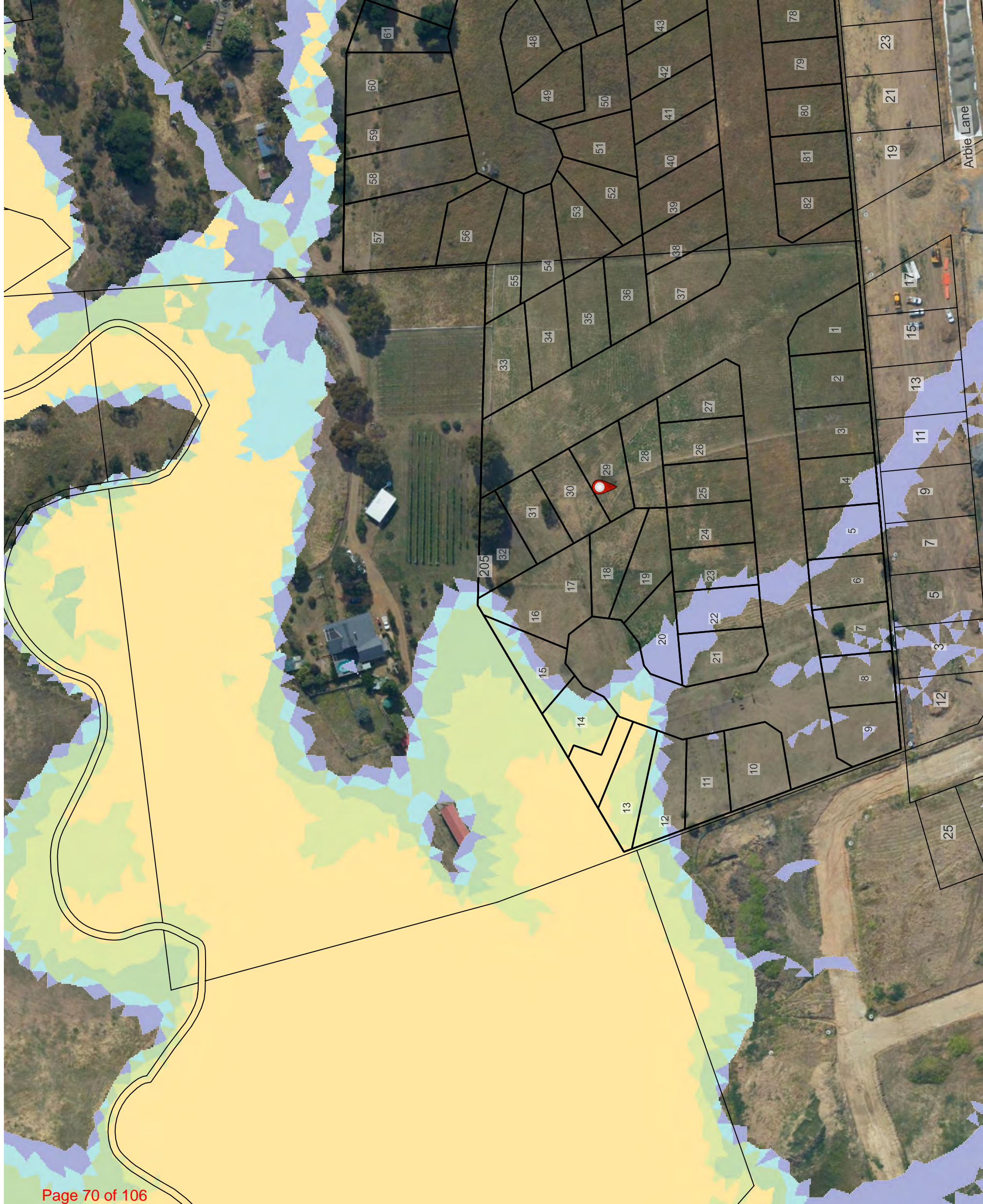


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Legend

205 Old Beach Road

Boundary Lines

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Hazard

H1

H2

H3

H4

H5

H6

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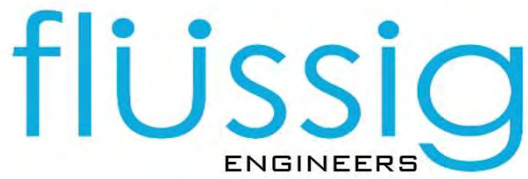
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ATTACHMENT 2

Bushfire Hazard Report


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BUSHFIRE HAZARD REPORT

FOR GREAT DIVIDE DEVELOPMENTS

203 & 205 Old Beach Road - Subdivision

Version 2.0

FEBRUARY 2023


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JMG Project No. J220401PL							
Document Issue Status							
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- This report presents information and opinions which are to the best of our knowledge accurate. JMG accepts no responsibility to any purchaser, prospective purchaser, or mortgagee of the property who relies in any way on this report.
- JMG have no pecuniary interests in the property or sale of the property.
- This report presents information provided by others. JMG do not claim to have checked, and accept no responsibility for, the accuracy of such information.
- The effectiveness of the measures and recommendations in this report are dependent on their implementation and maintenance for the life of the development. Should the site characteristics that this assessment has been measured from alter from those identified, the BAL classification may differ and cause this report to be void. No liability can be acceptable for actions by lot owners, Council or government agencies which compromise the effectiveness of this report.
- Whilst compliance with the recommendations of this report will enhance the likelihood of the development surviving a bushfire hazard, no guarantee is made that the development will survive every bushfire hazard event.

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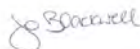


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Appendix A - Proposed Subdivision Plan

Appendix B - Bushfire Hazard Management Plan

Appendix C - Site Photos

Appendix D - Certificate of Compliance

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1 Introduction

JMG have been engaged by Great Divide Developments Pty. Ltd. to prepare a bushfire hazard assessment for a subdivision. The address of the property is 203 & 205 Old Beach Road. The author, Matthew Clark, is a provisionally Accredited Person under Part 4A of the *Fire Service Act 1979*.

The proposed development involves the subdivision of land located within a bushfire-prone area necessitating an assessment against the Bushfire-Prone Areas Code of the *Tasmanian Planning Scheme - Brighton*.

This report considers:

- Whether the site is within a bushfire-prone area;
- The characteristics of the site and surrounding land;
- The proposed use and development that may be threatened by bushfire hazard;
- The applicable Bushfire Attack Level (BAL) rating;
- Appropriate bushfire hazard mitigation measures; and
- Compliance with planning requirements pertaining to bushfire hazard.

In order to demonstrate compliance with the Bushfire-Prone Areas Code this report includes a Certificate of Compliance (for planning purposes).

2 Site Description

The proposed development site is a roughly rectangular-shaped parcel of land within a **'Future Urban'** area to the Northern end of Old Beach. The subject site is identified by CT 123119/1 & 135401/7 and PID 1888355 & 2282435. The properties have an area of 6.676ha for 203 Old Beach Road (Lot 1), and 5.885ha for 205 Old Beach Road (Lot 7). There is frontage to Old Beach Road along the eastern boundary of number 203 with a right of way through this property to access number 205.

There are existing residential buildings located on both lots to the northern sides of both sites, with the remaining property used for grazing. The surrounding buildings to the North, South, East and West are predominately single-storey residential dwellings. The majority of properties within close proximity have been cleared of native vegetation. There is an existing rivulet to the east of this property.

Planning Context

The relevant planning instrument for the assessment of use and development on the site is the *Tasmanian Planning Scheme - Brighton* ("**Planning Scheme**"). The site is within the **Planning Scheme's Future Urban zone and the subject site is also within the Planning Scheme's Bushfire-Prone Areas** overlay.

Natural Values

The onsite vegetation is agricultural land and within 100m to all directions is a mix of established dwellings with some unmanaged grassland vegetation. A Natural Values Assessment (NVA) by EnviroDynamics is provided for the proposal.

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J. Stowell

205 Old Beach Road Old Beach •
February 2023



Figure 1: Aerial view of site (outlined in blue) and surrounding land (source: thelist map accessed 02/09/2022).

3 Proposed Use & Development

The proposal is to subdivide the two subject properties into four allotments. Lot 1 will be 2.881ha; Lot 2 will be 2.624ha; Lot 3 will be a balance lot containing an existing residential dwelling and will be 2.261ha; and Lot 4 also contains an existing residential dwelling and will also be a balance lot 3.795ha in size.

4 Bushfire Hazard Assessment

The subject site is located within the **Planning Scheme's** Bushfire-Prone Areas overlay. Therefore, the site is **within a 'bushfire prone area' as defined in the Planning Scheme.**

The key factors affecting bushfire behaviour are fuel, weather conditions and topography. This section of the report considers these factors in the context of the Australian Standard *AS3959-2018 - Construction of buildings in bushfire-prone areas*, which is required in order to determine compliance with planning and building requirements for bushfire protection.

AS:3959-2018 provides categories for classifying vegetation based on structural characteristics. **'Effective Slope' refers to the slope of land underneath bushfire-prone vegetation relative to the subject site. Effective Slope affects a fire's rate of spread and flame length and is accordingly a critical aspect affecting bushfire behaviour.** AS3959-2018 refers to five categories of Effective Slope and these have been used for the purpose of this analysis. Figure 2 shows land within 100m of the site.


The process for determining BAL ratings is outlined in AS:3959-2018. This assessment has relied on Method 1, which considers vegetation type, distance from hazardous vegetation and effective slope.

A site visit was conducted on the 4th of October 2022.

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Vegetation

The land to all directions of the site has been mostly cleared of native vegetation, with the south currently generally open paddocks. There is also some riparian vegetation following Bobs Creek that runs from the eastern boundary of 203 Old Beach Road, through to the north-western end of 205 Old Beach Road; as well as along Gage Brook which runs along the northern boundary of both properties. There are established well-managed gardens in close proximity to the existing dwellings on both lots. Therefore, the vegetation to all directions of the site is classified as Class G Grassland; the vegetation directly surrounding the existing dwellings is classified as low threat; and the vegetation beyond the managed gardens/low threat vegetation is classified as Class G Grassland in accordance with Table 2.3 of AS 3959-2018.

Effective Slope

For the site, the land to the south has a gently rising slope to it rising further from the south to the east, whilst to the north and west the land falls away from the site. Therefore, the effective slope to the south and east is upslope; 4° downwards to the north; and downslope 3° to the west.



Figure 2: Site Analysis (Google Maps base image accessed 26/09/2022).

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J. Bloomfield

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February 2023

4.1 Required Separation

This section sets out the required separation distances from bushfire-prone vegetation to achieve the required BAL. It should be noted that AS3959 Table 2.6 only provides BAL ratings for separation distance up to and including 50m from grassland. Therefore, grassland less than 100m but greater than 50m separation from the site has been excluded from assessment.

Table 1 - Lot 1

Direction from site:	North	East	South	West
Vegetation Type:	Class G Grassland	Class G Grassland	Class G Grassland	Class G Grassland
Relationship to site:	Downslope	Downslope	Upslope	Downslope
Effective Slope	-4°	-3°	0°	-3°
Required Separation Distance BAL-12.5:	16-<50m	16-<50m	14-<50m	16-<50m
Required Separation Distance BAL-19:	11-<16m	11-<16m	10-<14m	11-<16m
Observed separation:	0m	0m	0m	0m
Assessed BAL:	BAL-FZ	BAL-FZ	BAL-FZ	BAL-FZ
Proposed BAL:	BAL-12.5 and BAL-19			
Separation Distance required:	Establish and maintain HMA to 14m on the southern side, and 16m to all other directions.			

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Table 2 - Lot 2

Direction from site:	North	East	South	West
Vegetation Type:	Class G Grassland	Class G Grassland	Class G Grassland	Class G Grassland
Relationship to site:	Downslope	Upslope	Upslope	Downslope
Effective Slope	-2°	0°	0°	-4°
Required separation Distance: BAL-12.5	16-<50m	14-<50m	14-<50m	16-<50m
Required Separation Distance BAL-19:	11-<16m	10-<14m	10-<14m	11-<16m
Observed separation:	0m	0m	0m	0m
Assessed BAL:	BAL-FZ	BAL-FZ	BAL-FZ	BAL-FZ
Proposed BAL:	BAL-12.5 and BAL-19			
Separation Distance required:	Establish and maintain HMA to 16m on the northern and western sides, and 14m on the southern and eastern sides.			

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Table 3 - Balance Lot 3

Direction from site:	North	East	South	West
Vegetation Type:	Class G Grassland	Class G Grassland	Class G Grassland	Class G Grassland
Relationship to site:	Downslope	Upslope	Upslope	Downslope
Effective Slope	-2°	0°	0°	-2°
Required separation Distance BAL-12.5:	16-<50m	14-<50m	14-<50m	16-<50m
Required Separation Distance BAL-19:	11-<16m	10-<14m	10-<14m	11-<16m
Observed separation:	17m	87m	35m	29m
Assessed BAL:	BAL-12.5	BAL-LOW	BAL-12.5	BAL-12.5
Proposed BAL:	BAL-12.5 and BAL-19			
Separation Distance required:	Establish and maintain HMA to 16m on the northern and western sides, and 14m on the southern and eastern sides.			

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Table 4 - Balance Lot 4

Direction from site:	North	East	South	West
Vegetation Type:	Class G Grassland	Class G Grassland	Class G Grassland	Class G Grassland
Relationship to site:	Upslope	Upslope	Upslope	Downslope
Effective Slope	0°	0°	0°	-3°
Required separation Distance BAL-12.5:	14-<50m	14-<50m	14-<50m	16-<50m
Required separation Distance BAL-19:	10-<14m	10-<14m	10-<14m	11-<16m
Observed separation:	24m	91m	27m	63m
Assessed BAL:	BAL-12.5	BAL-LOW	BAL-12.5	BAL-LOW
Proposed BAL:	BAL-12.5 and BAL-19			
Separation Distance required:	Establish and maintain HMA to 14m on the north, east and southern sides; and 16m on the west side.			

BAL Rating Lot Schedule - Building areas shown on lots 1 & 2 are indicative only and are shown for planning purposes. These areas are flexible in they may change position as long as setbacks and HMAs are achieved and adhered to.

Lot Number	Achievable BAL Rating
1, 2, 3, 4	BAL-12.5 & BAL-19

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5 Bushfire Protection Measures

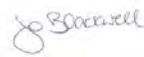
During a bushfire event, a number of bushfire attack mechanisms may threaten buildings and occupants, including:

- Radiant heat;
- Direct flame contact;
- Ember attack; and
- Wind.

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A range of bushfire protection measures are recommended to improve the resilience of the proposed development and achieve a tolerable level of residual risk for occupants. The protection measures outlined in this section have been consolidated in a Bushfire Hazard Management Plan (BHMP - see Appendix B).

Additional measures to improve resilience are also recommended but are at the discretion of the developer and future developers within the subdivision.

5.1 Hazard Management Areas

The Hazard Management Area ('HMA') refers to land that is managed in a minimum fuel condition so as to reduce the potential exposure of habitable buildings and occupants to radiant heat and flames and to provide defensible space. The effectiveness of the hazard management areas are reliant on ongoing maintenance by landowners.

The minimum extents of the HMA are demonstrated on the BHMP. Lots 1 & 2 must be continually maintained as grassland until such time as development occurs. Management prescriptions for the proposed HMA are provided in Table 5.

Table 5 - Bushfire Hazard Management Plan - Vegetation Management Requirement

Zone Name	Ongoing Maintenance Requirements
Within the nominated Hazard Management Area (HMA)	<p>Vegetation is to be continually managed to a low threat in accordance with AS3959-2018. In this case, low threat vegetation can be a combination of :</p> <ul style="list-style-type: none"> • Non-vegetated areas, including waterways, roads, footpaths, buildings and rocky outcrops; and • Low threat vegetation, including grassland managed in a minimal fuel condition, maintained lawns and cultivated gardens. <p>NOTE: Minimal fuel condition means there is insufficient fuel available to significantly increase the severity of the bushfire attack (recognisable as short-cropped grass for example, to a nominal height of 100 mm).</p> <p>Maintenance shall include (but is not limited to): Removal of fallen limbs, leaf and bark litter;</p> <ul style="list-style-type: none"> • Cut grasses short (less than 100mm) and maintain; • Remove vegetation debris; • Complete under-brushing and thin out the understorey; • Cut tree limbs within 2 metres of the ground; • Maintain horizontal and vertical canopy separation; • Prevent encroachment of Bushfire Prone Vegetation into the HMA.

The proposal complies with A1(b)(i) of C13.6.1 Subdivision: Provision of hazard management areas of the planning scheme as the attached proposed plan of subdivision includes the lots that are proposed within a bushfire-prone area. The proposed subdivision would not be staged.

The proposal complies with A1(b)(ii) and (iii) as the plan of subdivision shows building areas for each lot and hazard management areas between the building areas and bushfire-prone vegetation greater than the separation distances required for BAL-12.5 in AS3959:2018.

A1(b)(iv) is also met as the attached BHMP also shows hazard management areas between the building areas and bushfire-prone vegetation equal to or greater than the separation distances required for BAL-12.5 in AS3959:2018 and is certified by an accredited person. The HMA has been designed to provide BAL-12.5 separation. A1(c) is not relevant as hazard management areas would not be located on land external to the proposed subdivision.

5.2 Construction Standards

Future habitable buildings located within the specified building areas and provided with the requisite hazard management areas are to be designed and constructed to a minimum of BAL-12.5 and BAL-19 under AS3959-2018. Refer to section 4.2 above for specific BAL ratings for the subdivision lots. The building areas for each lot are shown on the attached BHMP. The minimum setbacks from bushfire-prone vegetation are demonstrated on the BHMP.

Building areas shown on lots 1 & 2 are indicative only. The resultant allotments have been proposed to be further subdivided, and as such will be subject to a separate bushfire hazard report. These areas are flexible in they may change position as long as setbacks and HMAs are achieved and adhered to.

The HMA must be verified by the assessing building surveyor prior to occupancy.

Subject to the implementation of the BHMP and compliant detailed design, the proposal will comply with clause 4.1 of the Determination.

5.3 Access

The existing access from Old Beach Road into Lot 3 is currently 4m in width in certain sections that end at the existing dwelling with a large turning circle. There are currently no passing bays installed along this road, which is close to 400m total in length, and constructed and finished in gravel. The 4m wide **ROW over lot 4 doesn't allow for the 0.5m clearance**. There is room along the northern end of the road (Lot 3) that would allow the existing road to be upgraded and at least one passing bay at 200m along be installed with little effort - see attached BHMP for the proposed location.

As shown on the BHMP both ROWs are in excess of 200m so both need to accommodate a 6m passing bay for 20m of their length. Both passing bays also need 0.5m clearance on either side. To accommodate the ROW over lot 4 it needs to be widened to 5m to ensure 0.5m clearance on either side. Both ROWs should be widened as required to 7m to allow for the passing bays as well. Note that these passing bays need to be within lots 1 and 4 to ensure the 200m limit is not exceeded.

Access to all lots is to be made compliant prior to issuing of titles.

The building areas shown are not within 30m of the public road, and as such the access and driveway are subject to the construction standards set out in Table C13.2 of the code. The primary hardstand for fire appliance connection to the static fire tanks would need to be compliant with Table C13.2, and the newly formed internal road would suffice in this instance. Alteration to the layout of building envelopes or the provision of a static water supply for firefighting would require a reassessment of the access requirements for lots.

Roads are to be developed in accordance with Table C13.1 of the Bushfire-Prone Areas Code, as there are no new public roads proposed for this stage of the development this is not applicable.

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Figure 3: view of existing access looking from the existing house on 203 Old Beach Road towards the main road.



Figure 4: view of access towards dwelling on 205 Old Beach Road from main access.

The proposed access arrangements for the subdivision must comply with C13.6.2 Subdivision: Public and firefighting and access. The proposal complies with the performance criteria for this standard because the layout of accesses is only the first stage of development for this subdivision, there is a future stage proposed where the access will change position and the newly created lots are divided into multiple residential allotments - refer to the proposed subdivision plan (Appendix A).

This proposal includes an upgraded internal road and property access and no new public roads, so Table C13.2 is addressed in the attached subdivision plan and Table C13.1 is not applicable. A fire trail is not proposed nor considered necessary, so the standards contained within Table C13.3 are not relevant.

The implementation of the access will need to occur prior to receiving a certificate of occupancy for any buildings on the relevant allotments. Lots 3 and 4 will need implementation prior to the sealing of titles and lots 1 and 2 prior to construction.

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Table C13.1: Standards for Roads		
Element		Requirement
<u>A.</u>	<u>Roads</u>	<p>Unless the development standards in the zone require a higher standard, the following apply:</p> <p>(a) two-wheel drive, all-weather construction;</p> <p>(b) load capacity of at least 20t, including for bridges and culverts;</p> <p>(c) minimum carriageway width is 7m for a through road, or 5.5m for a dead-end or cul-de-sac road;</p> <p>(d) minimum vertical clearance of 4m;</p> <p>(e) minimum horizontal clearance of 2m from the edge of the carriageway;</p> <p>(f) cross falls of less than 3 degrees (1:20 or 5%);</p> <p>(g) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads;</p> <p>(h) curves have a minimum inner radius of 10m;</p> <p>(i) dead-end or cul-de-sac roads are not more than 200m in length unless the carriageway is 7 metres in width;</p> <p>(j) dead-end or cul-de-sac roads have a turning circle with a minimum 12m outer radius; and</p> <p>(k) carriageways less than 7m wide have 'No Parking' zones on one side, indicated by a road sign that complies with Australian Standard AS1743-2001 Road signs-Specifications.</p>

Table C13.2: Standards for Property Access		
Element		Requirement
<u>A.</u>	Property access length is less than 30m; or access is not required for a fire appliance to access a fire fighting water point.	There are no specified design and construction requirements.
<u>B.</u>	Property access length is 30m or greater; or access is required for a fire appliance to a fire fighting water point.	<p>The following design and construction requirements apply to property access:</p> <p>(a) all-weather construction;</p> <p>(b) load capacity of at least 20t, including for bridges and culverts;</p> <p>(c) minimum carriageway width of 4m;</p> <p>(d) minimum vertical clearance of 4m;</p> <p>(e) minimum horizontal clearance of 0.5m from the edge of the carriageway;</p> <p>(f) cross falls of less than 3 degrees (1:20 or 5%);</p> <p>(g) dips less than 7 degrees (1:8 or 12.5%) entry and exit angle;</p> <p>(h) curves with a minimum inner radius of 10m;</p> <p>(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;</p> <p>(j) terminate with a turning area for fire appliances provided by one of the following:</p> <p>(i) a turning circle with a minimum outer radius of 10m; or</p>

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		(ii) a property access encircling the building; or (ii) a hammerhead "T" or "Y" turning head 4m wide and 8m long.
<u>C.</u>	Property access length is 200m or greater.	The following design and construction requirements apply to property access: (a) the requirements for B above; and (b) passing bays of 2m additional carriageway width and 20m length provided every 200m.
<u>D.</u>	Property access length is greater than 30m, and access is provided to 3 or more properties.	Not applicable to this development.

5.4 Water

Arrangements for fire-fighting water supply for the proposed lots must comply with Table C13.5 of the Bushfire Prone Areas Code.

At this stage there is a reticulated water supply available for the lots, but not within the required 120m hose lay. As such it is a requirement that a static water supply be provided for each lot of this subdivision. For Lots 3 & 4, the title is not to be sealed unless they are served by a firefighting tank compliant with C13.6 of the Code as specified below. For the Balance lot, however, as there are future plans for further subdivision, the water supply will only be required prior to occupancy if the future plans are not completed.

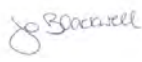
Acceptable Solutions	Performance Criteria
<p>A2</p> <p>In areas that are not serviced by reticulated water by the water corporation:</p> <p>(a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire fighting purposes;</p> <p>(b) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire fighting, will be provided and located compliant with Table C13.5; or</p> <p>(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</p>	<p>P2</p> <p><i>No Performance Criterion.</i></p>

The proposal complies with A2(b) as the attached proposed plan of subdivision shows the layout of fire tanks and building areas and is compliant with the standards contained within Table C13.5.

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Element		Requirement
<u>A.</u>	Distance between building area to be protected and water supply.	The following requirements apply: (a) the building area to be protected must be located within 90m of the fire fighting water point of a static water supply; and (b) the distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.
<u>B.</u>	Static water supplies.	The static water supply: (a) may have a remotely located offtake connected to the static water supply; (b) may be a supply for combined use (fire fighting and other uses) but the specified minimum quantity of fire fighting water must be available at all times; (c) must be a minimum of 10,000L per building area to be protected. This volume of water must not be used for any other purpose including fire fighting sprinkler or spray systems; (d) must be metal, concrete or lagged by non-combustible materials if above ground; and (e) if a tank can be located so it is shielded in all directions in compliance with Section 3.5 of <i>Australian Standard AS3959-2018 Construction of buildings in bushfire-prone areas</i> , the tank may be constructed of any material provided that the lowest 400mm of the tank exterior is protected by: (i) metal; (ii) non-combustible material; or (iii) fibre-cement a minimum of 6mm thickness
<u>C.</u>	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 of <i>Australian Standard AS 2304-2011 Water storage tanks for fire protection systems</i> ; or (b) <i>Water Supply Signage Guideline, version 1.0</i> , Tasmanian Fire Service, February 2017.
<u>C.</u>	Hardstand	A hardstand area for fire appliances must be: (a) no more than 3m from the firefighting water point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like); (b) no closer than 6m from the building area to be protected; (c) a minimum width of 3m constructed to the same standard as the carriageway; and (d) connected to the property access by a carriageway equivalent to the standard of the property access.

A Certificate of Compliance confirming compliance with the above provisions is attached as Appendix D.

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5.5 Optional Protection Measures

The following recommendations are not specifically regulated under any planning or building standards at present hence do not form part of the Bushfire Hazard Management Plan. If implemented, however, they will improve bushfire protection for future occupants.

Electrical Infrastructure

Overhead power lines are a common source of unplanned fires, particularly during high wind conditions. Where practicable, electricity connections to properties should be provided underground to remove this potential fire source.

Building Design

Building configuration can be used to improve building resilience. It is recommended that future developers of buildings within the subdivision consider adopting the following design features:

- Simple roof shapes with roof pitch at 18° or greater, to reduce the potential for ember accumulation. This measure ought to be combined with non-combustible gutter guards to prevent accumulation within the guttering;
- Simple building shapes are preferable, as they reduce the opportunity for embers and debris to be trapped against the building within re-entrant corners;
- Keep walls as low as possible. Large expansive walls present greater surface area to wind turbulence and to radiant heat;
- Slab-on-ground construction is generally more resilient than suspended slab construction.

6 Conclusion & Recommendations

The proposed subdivision site is located in a bushfire-prone area. The attached Bushfire Hazard Management Plan prepared for the subdivision outlines the required protection measures for the proposed lots including hazard management areas, building siting and construction, access, and water supply standards. Protection measures will reduce bushfire risk to future residents, developments and to firefighters, as outlined in this report and the associated bushfire hazard management plan.

The Bushfire Hazard Management Plan is certified as being compliant with the Bushfire-Prone Areas Code C13.0 of the *Tasmanian Planning Scheme - Brighton*.

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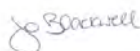
APPENDIX A
Subdivision Plan

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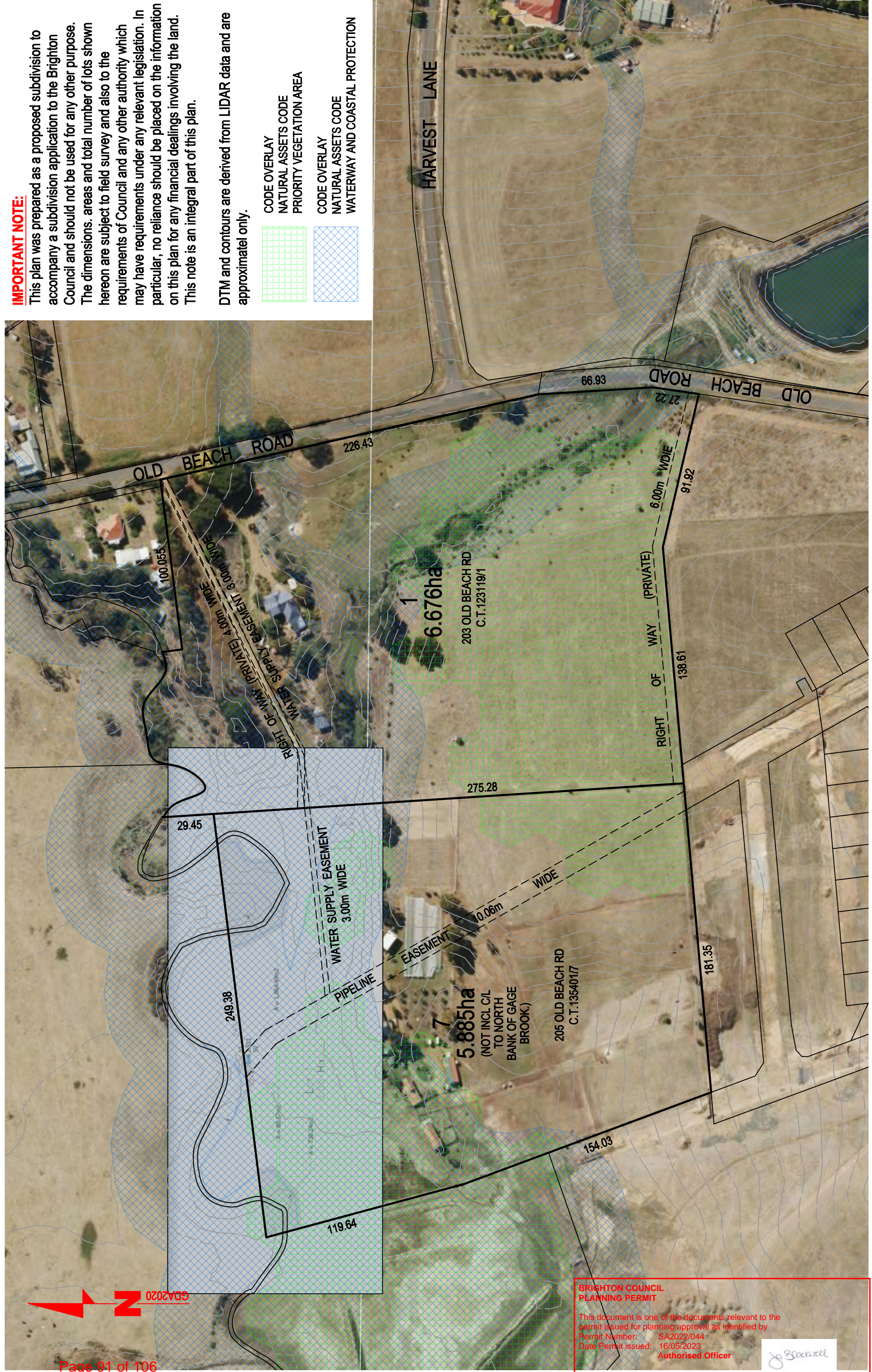
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DTM and contours are derived from LIDAR data and are approximate only.

CODE OVERLAY
NATURAL ASSETS CODE
PRIORITY VEGETATION AREA

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AMENDMENTS	
No.	Revision/Issue
A	UPDATE TITLE INFO
B	Code overlays added

LEARYCOX & CRIPPS
LAND & ENGINEERING SURVEYORS

Unit G04 40 Mollie Street,
HOBART TAS 7000
P 03 6118 2030
E admin@lccsurvey.com

Project Name and Address
**203-205 OLD BEACH RD
OLD BEACH
TAS 7017**

Drawing Title
**PLAN OF SUBDIVISION
CURRENT BOUNDARIES**

Client
KUNAMA CONSTRUCTIONS PTY LTD

SCALE	0 10 20 40 80	1:2000 at A3
Contour Interval	1.00 m	
Date	5-7-2022	
SHEET	1 of 4	
DRAWN	MC	
CHECKED	TC	
FILE REF:	12946	
Geocoid Ref	1294601	
Ascoid Ref	1294601	
HAZ	GDA 2020	
DATE	AHD 83	

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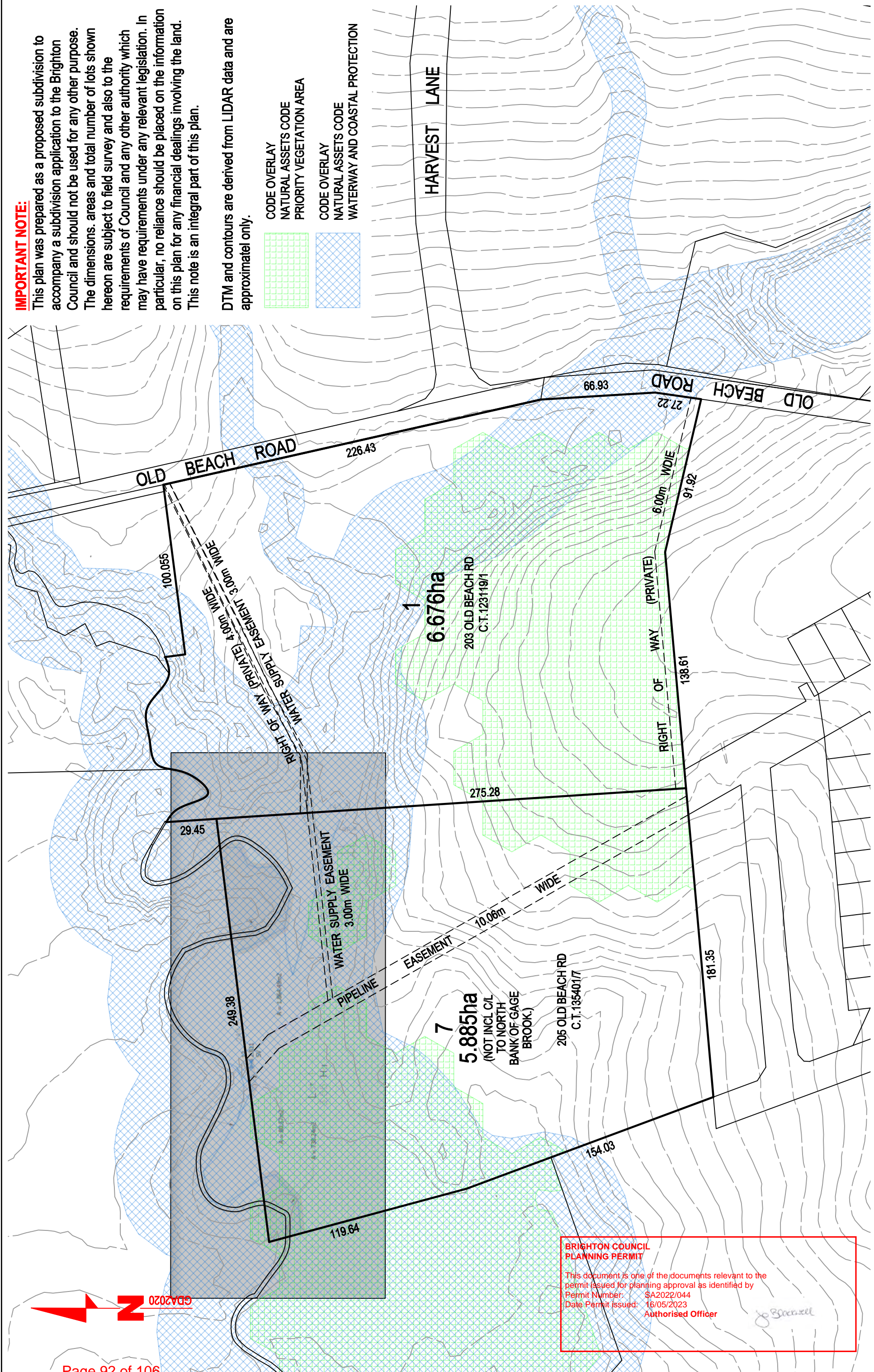
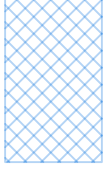
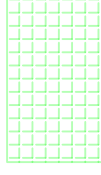
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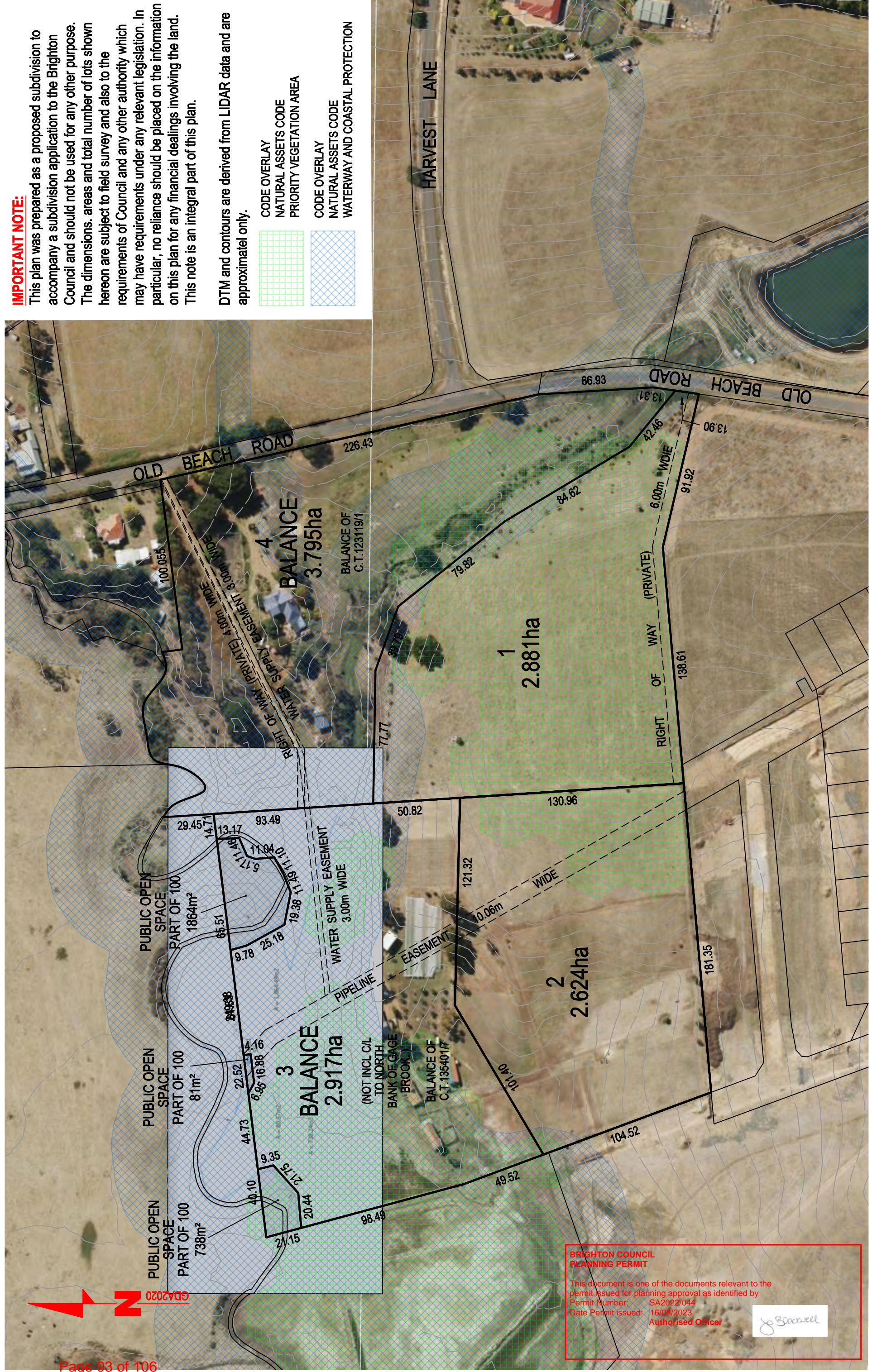
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B	Code overlays added	25-07-2022	Unit G04 40 Mollie Street, HOBART TAS 7000 P 03 6118 2030 E admin@ccsurvey.com		KUNAMA CONSTRUCTIONS PTY LTD		5-7-2022	1294601	
								GDA 2020	
								AHD 83	

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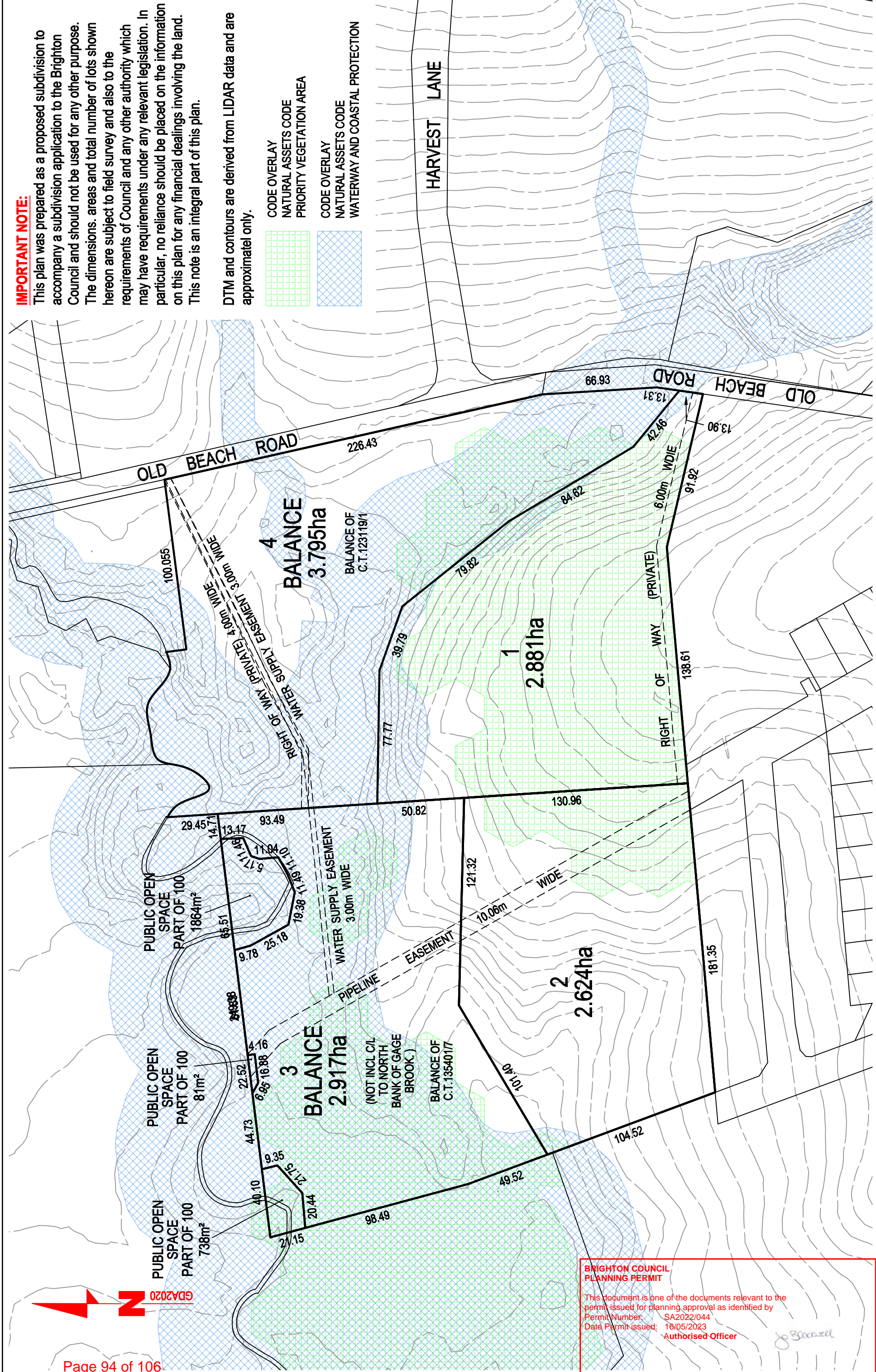
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								5-7-2022	1294601
								SHEET	GDA 2020
								3 of 4	AHD 83
								DRAWN	
								CHKD	
								MC	
								TC	

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 Date Permit issued: 18/05/2023
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 LEARY COX & CRIPPS LAND & ENGINEERING SURVEYORS Unit G04 40 Mollie Street, HOBART TAS 7000 P 03 6118 2030 E admin@lccsurvey.com		Project Name and Address 203-205 OLD BEACH RD OLD BEACH TAS 7017	Drawing Title PLAN OF SUBDIVISION PROPOSED BOUNDARIES Client KUNAMA CONSTRUCTIONS PTY LTD	SCALE 0 10 20 40 80 1:2000 at A3 THIS DOCUMENT IS, AND SHALL REMAIN, THE PROPERTY OF LEARY COX & CRIPPS LAND & ENGINEERING SURVEYORS. THE DOCUMENT MAY ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED AND IN ACCORDANCE WITH THE TERMS OF THE ENGAGEMENT FOR THE WORK. UNAUTHORIZED USE OF THE DOCUMENT IN ANY WAY IS PROHIBITED.	FILE REF: 12946 Contour Interval 1.00 m Date 5-7-2022 SHEET 4 of 4 DRAWN MC CHECKED TC
AMENDMENTS No. Revision/Issue Date A UPDATE TITLE INFO 6-7-2022 B Code overlays added 25-07-2022 C POS LOTS ADDED 4-11-2022	GDA2020				

APPENDIX B

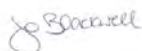
Bushfire Hazard Management Plan

**BRIGHTON COUNCIL
PLANNING PERMIT**

This document is one of the documents relevant to the permit issued for planning approval as identified by
Permit Number: SA2022/044
Date Permit issued: 16/05/2023


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Authorised Officer



203 & 205 Old Beach Road Old Beach •
February 2023

LEGEND

- BAL-19 SETBACK
- BAL-12.5 SETBACK
- BUILDING AREA
- HAZARD MANAGEMENT AREA
- ASSUMED POSITION OF STATIC FIREFIGHTING TANK

HAZARD MANAGEMENT AREAS - HMA
 Hazard Management Area includes the area to protect the Building as well as the access and water supplies. Vegetation in the Hazard Management area for each lot (as dimensioned and shown) is to be managed and maintained by the respective lot owners in a minimum fuel condition prior to the sealing of titles. Timing for HMA's should ensure lots 3 & 4 have been established prior to sealing of titles, and lots 1 & 2 are completed prior to construction.

- MAINTENANCE SCHEDULE**
- Removal of fallen limbs, leaf and bark litter;
 - Cut lawns short (less than 100mm) and maintain;
 - Remove pine bark and other garden mulch;
 - Complete under-brushing and thin out the under storey;
 - Prune low hanging trees to ensure separation from ground litter;
 - Prune larger trees to establish and maintain horizontal and vertical canopy separation;
 - Remove fallen limbs, leaf and bark litter from roofs, gutters and around the building;
 - Ensure that 10,000 litres of dedicated water supply for fire fighting purposes is available at all times.

CONSTRUCTION STANDARD
 Separation distances shown on this plan allow for design of BAL-12.5. Habitable buildings and any associated outbuildings located within 6m are to be designed, constructed and maintained in accordance with the relevant construction sections of AS3959-2018 for the determined BAL for each lot as shown on this plan.

PUBLIC & FIRE FIGHTING ACCESS
 Design and construction of access to the building areas and to the fire fighting water supply in accordance with Part C13.6.2 of the Bushfire-Prone Areas Code of the *Tasmanian Planning Scheme - Brighton* - refer to section 5.3 of the Bushfire Hazard Report.

WATER SUPPLY FOR FIREFIGHTING
 Water supply to be in accordance with Section 5.4 of the associated Bushfire Hazard Report. Timing for water supply should ensure lots 3 & 4 have an established water supply prior to sealing of titles, and lots 1 & 2 supplies are completed prior to construction.

REVISED PLAN

05	09.02.2023	REVISED PLAN
04	03.02.2023	REVISED PLAN
03	02.11.2022	REVISED ISSUE FOR APPROVAL
02	14.10.2022	REVISED ISSUE FOR APPROVAL
01	12.10.2022	DEVELOPMENT APPROVAL

REVISIONS

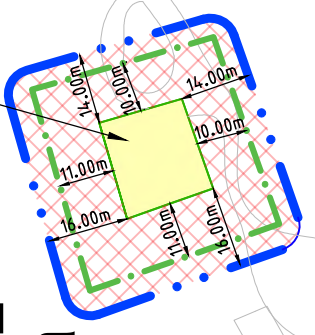
REV	DATE	REMARK
01	12.10.2022	DEVELOPMENT APPROVAL

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NOTE: BUILDING AREAS SHOWN ON LOTS 1 & 2 ARE INDICATIVE ONLY, AND ARE SHOWN FOR PLANNING PURPOSES. THESE AREAS ARE FLEXIBLE IN THEIR POSITION AS LONG AS SETBACKS AND HMA'S ARE ACHIEVED AND ADHERED TO.

P.O.S

3
BALANCE
2.917ha
 BALANCE OF
 C.T.1354017



EXISTING DWELLING

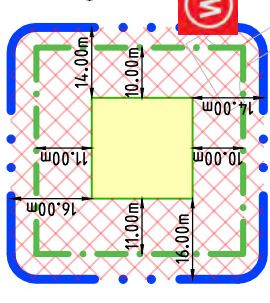
EXISTING DWELLING

EXISTING DWELLING

BRIGHTON COUNCIL PLANNING PERMIT

This document is one of the documents relevant to the permit issued for planning approval as identified by Permit Number: SA2022/044
 Date Permit issued: 16/05/2023
 Authorised Officer

2
BALANCE
2.624ha

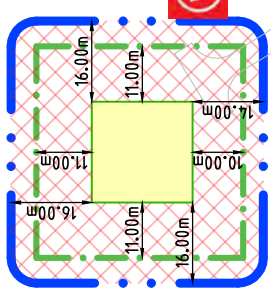


EXISTING DWELLING

EXISTING DWELLING

LOT 1 & LOT 2 WILL BE SUBJECT TO FUTURE SUBDIVISION. INDICATIVE BUILDING AREAS AND ACCESSES FOR THESE LOTS HAS BEEN PROVIDED TO SATISFY THE REQUIREMENTS OF THE CODE & IS UNLIKELY TO BE DEVELOPED. FUTURE DEVELOPMENT WILL REQUIRE A SITE SPECIFIC ASSESSMENT.

4
BALANCE
3.795ha
 BALANCE OF
 C.T.123119/1



EXISTING DWELLING

EXISTING DWELLING

WATER SEPERATION DISTANCE

VEG TYPE	FOREST	GRASSLAND	FOREST	GRASSLAND
EFFECTIVE SLOPE	0°-100m+	0°-5°	0°-5°	0°-5°
REQUIRED BAL-LOW	100m+	100m+	100m+	50m+
REQUIRED BAL-12.5	32--<100m	14--<50m	38--<100m	16--<50m
REQUIRED BAL-19	23--<32m	10--<14m	27--<38m	11--<16m

PLAN TO BE READ IN CONJUNCTION WITH BUSHFIRE HAZARD REPORT.
 NOTIFY COUNCIL AND CERTIFYING BUSHFIRE PRACTITIONER IF ANY VARIATION IN BUILDING SETOUT OR VEGETATION HAZARDS OCCUR
 ENSURE THIS PLAN AND ACCOMPANYING REPORT DO NOT CONFLICT WITH OTHER RELEVANT REPORTS AND ASSESSMENTS

PROJECT NO. J220401PL

TITLE BUSHFIRE HAZARD MANAGEMENT PLAN

PROJECT 203 & 205 OLD BEACH ROAD, OLD BEACH 7017 CT 123119/1 & 1354017/1

Johnstone McGee & Gandy Pty. Ltd.
 ACN 009 547 139
 ABN 76 475 834 852
 117 Harrington Street, Hobart, Tas
 49-51 Elizabeth Street, Launceston, Tas
 (03) 6231 2555
 (03) 6334 5648
 www.jmg.net.au info@jmg.net.au infohr@jmg.net.au

Engineers & Planners

DESIGN BAL

BAL	LOT
BAL-12.5	1, 2, 3 & 4

REVISIONS

REV	DATE	REMARK
01	12.10.2022	DEVELOPMENT APPROVAL

SCALE @ A3 MISC
DESIGNED BY MISC
DRAWN BY MISC
DATE 1:2000
PLOT DATE 09/02/2023

DO NOT SCALE. Use only figured dimensions. Locations of structure, fittings, services etc on this drawing are indicative only. CONTRACTOR to check. Architects & other project draughts for co-ordination between structure, fabric, fixtures, fittings, services etc. CONTRACTOR to see check all dimensions and exact locations of all items. JMG accepts no responsibility for liability whatsoever for unauthorised use of this document.

APPENDIX C

Site Photos

**BRIGHTON COUNCIL
PLANNING PERMIT**

This document is one of the documents relevant to the permit issued for planning approval as identified by

Permit Number: SA2022/044

Date Permit issued: 16/05/2023

Authorised Officer

JALG
Page 97 of 106

J. Brockwell

203 & 205 Old Beach Road Old Beach •
February 2023



Photo 1: view to south from existing access on 203 Old Beach Road.



Photo 2: view to south-west from existing access on 203 Old Beach Road.



Photo 3: view to west from proposed boundary of 205 Old Beach Rd and Lot 1.

**BRIGHTON COUNCIL
PLANNING PERMIT**

This document is one of the documents relevant to the permit issued for planning approval as identified by
Permit Number: SA2022/044
Date Permit issued: 16/05/2023

Authorised Officer

J. Bloomfield



Photo 4: view to south-east from proposed south-eastern corner of boundary between Lot 1 and 205.



Photo 5: view looking east from boundary between existing allotments.



Photo 7: looking north from northern end of dwelling on 205.

**BRIGHTON COUNCIL
PLANNING PERMIT**

This document is one of the documents relevant to the permit issued for planning approval as identified by

Permit Number: SA302004
Date Permit issued: 16/09/2023

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J. Greenwell

203 & 205 Old Beach Road Old Beach •
February 2023



Photo 8. View to the west from southern boundary of Lot 1.



Photo 9. View to the north-west from southern boundary of Lot 1.

**BRIGHTON COUNCIL
PLANNING PERMIT**

This document is one of the documents relevant to the permit issued for planning approval as identified by
Permit Number: SA2022/044
Date Permit issued: 16/05/2023

JMG
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Authorised Officer

J. Bloemwell

203 & 205 Old Beach Road Old Beach •
February 2023

APPENDIX D

Certificate of Compliance

**BRIGHTON COUNCIL
PLANNING PERMIT**

This document is one of the documents relevant to the permit issued for planning approval as identified by

Permit Number: SA2022/044

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Authorised Officer

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J. Brockwell

203 & 205 Old Beach Road Old Beach •
February 2023

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:

203 & 205 Old Beach Road

Certificate of Title / PID:

123119/1 & 135401/7 / 1888355 & 2282435

2. Proposed Use or Development

Description of proposed Use and Development:

Subdivision – 4 lots (2 lots into 2)

Applicable Planning Scheme:

Tasmanian Planning Scheme - Brighton

3. Documents relied upon

This certificate relates to the following documents:

Title	Author	Date	Version
Bushfire Hazard Management plan report	Mat Clark	8th Feb 2023	3.1
Bushfire Hazard Management Plan	Mat Clark	9th Feb 2023	4.0

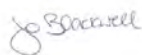
**BRIGHTON COUNCIL
PLANNING PERMIT**

This document is one of the documents relevant to the permit issued for planning approval as identified by

Permit Number: SA2022/044

Date Permit issued: 16/05/2023

Authorised Officer



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

4. Nature of Certificate

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

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

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

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

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

**BRIGHTON COUNCIL
PLANNING PERMIT**

This document is one of the documents relevant to the permit issued for planning approval as identified by
Permit Number: SA2022/044
Date Permit issued: 16/05/2023

Authorised Officer
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J. Soanell

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

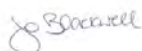
<input checked="" type="checkbox"/> E1.6.3 / C13.1.6.3 Subdivision: Provision of water supply for fire fighting purposes		
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.6.3 A1 (a) / C13.6.3 A1 (a)	Insufficient increase in risk
<input type="checkbox"/>	E1.6.3 A1 (b) / C13.6.3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

**BRIGHTON COUNCIL
PLANNING PERMIT**

This document is one of the documents relevant to the permit issued for planning approval as identified by

Permit Number: **82292/044**
Date Permit issued: **16/05/2023**

Authorised Officer



5. Bushfire Hazard Practitioner

Name:	Chris Moore obo Chief Officer, Tasmania Fire Service	Phone No:	(03) 6173 2740
Postal Address:	Cnr Argyle & Melville Streets HOBART 7000	Email Address:	bfp@fire.tas.gov.au
Accreditation No:	N/A	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:

Chris Moore obo Chief Officer,
Tasmania Fire Service

Date:

9th February 2023

Certificate
Number:

TFS-V1-6634

(for Practitioner Use only)

**BRIGHTON COUNCIL
PLANNING PERMIT**

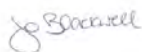
This document is one of the documents relevant to the permit issued for planning approval as identified by

Permit Number: 823032/044

Planning Certificate from a Bushfire Hazard Practitioner v5.0

Date Permit issued: 16/05/2023

Authorised Officer



Johnstone McGee & Gandy Pty Ltd

ABN 76 473 834 852 ACN 009 547 139

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BRIGHTON COUNCIL PLANNING PERMIT

This document is one of the documents relevant to the permit issued for planning approval as identified by

Permit Number: SA2022/044

Date Permit issued: 16/05/2023

Authorised Officer



**Brighton
Council**

**MINUTES OF THE ORDINARY COUNCIL MEETING
OF THE BRIGHTON COUNCIL, HELD IN THE COUNCIL CHAMBERS,
COUNCIL OFFICES, 1 TIVOLI ROAD, OLD BEACH
AT 5.30 P.M. ON TUESDAY, 16 MAY 2023**

1. Acknowledgement of Country

2. Attendance

Cr Gray (Mayor); Cr Curran (Deputy Mayor); Cr De La Torre; Cr Geard; Cr Irons; Cr McMaster; Cr Murtagh; Cr Owen and Cr Whelan

IN ATTENDANCE: Mr J Dryburgh (General Manager); Mr G Davoren (Deputy General Manager); Mr C Pearce-Rasmussen (Director, Asset Services); Ms J Banks (Director, Governance & Regulatory Services); Mr D Allingham (Director, Development Services) and Ms G Browne (Director, Corporate Services)

3. Applications for Leave of Absence

All members were present.

4. Confirmation of Minutes

4.1 Ordinary Council Meeting

The Minutes of the previous Ordinary Council Meeting held on the 18th April 2023 are submitted for confirmation.

DECISION

Cr Irons moved, Cr McMaster seconded that the Minutes of the Ordinary Council meeting of 18 April 2023 be confirmed.

CARRIED

VOTING RECORD

In favour Against

Cr Curran

Cr De La Torre

Cr Geard
 Cr Gray
 Cr Irons
 Cr McMaster
 Cr Murtagh
 Cr Owen
 Cr Whelan

4.2 Committees of Council – Receipt of Minutes

No Committee meetings were held in May.

4.3 Committees of Council – Endorsement of Recommendations

No Committee meetings were held in May.

5. Declaration of Interest

In accordance with the requirements of Part 2 Regulation 8 of the *Local Government (Meeting Procedures) Regulations 2015*, the chairperson of a meeting is to request Councillors to indicate whether they have, or are likely to have, a pecuniary interest or conflict of interest in any item on the Agenda.

In accordance with Section 48(4) of the *Local Government Act 1993*, it is the responsibility of councillors to then notify the general manager, in writing, the details of any interest(s) that the councillor has declared within 7 days of the declaration.

Cr De La Torre declared an interest in Item 12.2 & Item 15.1

Cr L Gray declared an interest in Item 13.1

6. Public Question Time and Deputations

In accordance with the requirements of Part 2 Regulation 8 of the *Local Government (Meeting Procedures) Regulations 2015*, the agenda is to make provision for public question time.

There was no requirement for public question time.

7. Reports from Council

7.1 Mayor's Communications

- 1/5 South Central Sub-Region Meeting
- 2/5 Meeting with Jane Howlett MP
- 2/5 Meeting with Gwen Pinnington – GM Performance review
- 3/5 LGAT Presidents online forum

- 3/5 Future of Local Government Review online briefing
- 8/5 Government House Reception
- 9/5 General Managers Performance Review Committee Meeting
- 9/5 Council Workshop – LG Reform
- 11/5 Opening Medical Centre at 1 Bedford Street, Brighton
- 12/5 Meeting and tour of Brighton with Jane Howlett MP
- 15/5 Climate Council online media training session
- 16/5 Brighton Alive meeting
- 16/5 Council Meeting

DECISION

Cr Curran moved, Cr De La Torre seconded that the Mayor’s Communications be received.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr De La Torre	
Cr Geard	
Cr Gray	
Cr Irons	
Cr McMaster	
Cr Murtagh	
Cr Owen	
Cr Whelan	

7.2 Reports from Council Representatives

- Cr Geard and Deputy Mayor recently met with the Brighton Show Society.
- Cr Geard met with the Brighton Poultry club.
- Cr Geard attended his first meeting as LG representative as LGAT’s State Fire Service representative.
- Cr Irons attended the Tasmanian Young Achievers Awards on 12th May 2023.

DECISION

Cr Whelan moved, Cr Murtagh seconded that the verbal reports from Council representatives be received.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr De La Torre	
Cr Geard	

Cr Gray
 Cr Irons
 Cr McMaster
 Cr Murtagh
 Cr Owen
 Cr Whelan

8. Miscellaneous Correspondence

- Letter from Senator Wendy Askew dated 4th May 2023.
- Letter from Minister for Planning dated 5th May 2023 regarding progress of Tasmanian Planning Policies.

DECISION

Cr Owen moved, Cr Curran seconded that the information be received.

CARRIED

VOTING RECORD

In favour	Against
-----------	---------

Cr Curran	
Cr De La Torre	
Cr Geard	
Cr Gray	
Cr Irons	
Cr McMaster	
Cr Murtagh	
Cr Owen	
Cr Whelan	

9. Notification of Council Workshops

In accordance with the requirements of Section 8(2)(c) of the Local Government (Meeting Procedures) Regulations 2015.

Two (2) Council workshop has been held since the last Ordinary Meeting of Council.

- A workshop was held on the 18th April 2023 at 4.00 p.m to discuss the 2023/24 budget. Cr Gray, Cr Curran, Cr De La Torre, Cr Geard, Cr Irons, Cr McMaster, Cr Murtagh, Cr Owen and Cr Whelan were in attendance.
- A workshop was held on the 9th May 2023 at 5.30 p.m to discuss the future of Local Government Review. Cr Gray, Cr Curran, Cr Irons (via Teams), Cr McMaster, Cr Murtagh, Cr Owen and Cr Whelan were in attendance.

10. Notices of Motion

There were no notices of motion.

11. Consideration of Supplementary Items to the Agenda

In accordance with the requirements of Part 2 Regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015*, the Council, by absolute majority may approve the consideration of a matter not appearing on the agenda, where the General Manager has reported:

- (a) the reason it was not possible to include the matter on the agenda, and
- (b) that the matter is urgent, and
- (c) that advice has been provided under Section 65 of the *Local Government Act 1993*.

The General Manager advised that there were no supplementary agenda items.

12. Council Acting as a Planning Authority

Under the provisions of the *Land Use Planning and Approvals Act 1993* and in accordance with Regulation 25 of the *Local Government (Meeting Procedures) Regulations 2015*, the Council will act as a planning authority in respect to those matters appearing under Item 12 on this agenda, inclusive of any supplementary items.

12.1 Development Application SA 22022 / 044 for 203 and 205 Old Beach Road, Old Beach and Road Lot C/T 181742/2 at Subdivision (4 lots)

Author: Senior Planner (J Blackwell)

Authorised: Director Development Services (D Allingham)

Applicant:	JMG Engineers and Planners
Subject Site:	203 Old Beach Road, Old Beach; 205 Old Beach Road, Old Beach; C/T 181742/2 (Road Lot)
Proposal:	Subdivision (2 x two-lot subdivisions)
Planning Scheme:	Tasmanian Planning Scheme - Brighton
Zoning:	Future Urban Zone
Codes:	Road and Railway Assets Code Parking and Sustainable Transport Code Natural Assets Code - Waterway and Coastal Protection / Priority Vegetation Flood Prone Areas Code Bushfire Prone Areas Code

Local Provisions:	Nil
Use Class:	Subdivision
Discretions:	<p>Lot design</p> <p>Natural Assets Code (Waterway and Coastal Protection area)</p> <p>Natural Assets Code (Priority Vegetation area)</p> <p>Flood Hazards Areas Code (Building and works in flood area)</p>
Representations:	<p>One (1) representation was received. The representors raised the following issues:</p> <ul style="list-style-type: none"> • Potentially incorrect title documentation • Insufficient easements/rights of way on the plan of subdivision • Insufficient documentation to support new sewer pump station • Contradictory vehicle access strategy • Contradictory flood mapping • Inadequate documentation to support new stormwater point discharges into waterways • Suboptimal public open space contribution
Recommendation:	Approval with conditions

1. STATUTORY REQUIREMENTS

The purpose of this report is to enable the Planning Authority to determine application SA 2022 / 44.

The relevant legislation is the *Land Use Planning and Approvals Act 1993* (LUPAA). The provisions of LUPAA require a planning authority to take all reasonable steps to ensure compliance with the planning scheme.

Council's assessment of this proposal should also consider the issues raised in any representations received, the outcomes of the State Policies and the objectives of Schedule 1 of the Land Use Planning and Approvals Act, 1993 (LUPAA).

This report details the reasons for the officer recommendation. The Planning Authority must consider this report but is not bound to adopt the recommendation. Broadly, the Planning Authority can either:

- (1) adopt the recommendation, or
- (2) vary the recommendation by adding, modifying, or removing recommended reasons and conditions or replacing an approval with a refusal (or vice versa).

Any alternative decision requires a full statement of reasons to comply with the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2015*.

2. SITE ASSESSMENT

The subject site is both 203 and 205 Old Beach Road, Old Beach, which are both zoned Future Urban pursuant to the Tasmanian Planning Scheme - Brighton (the Scheme). The sites are bounded by land zoned General Residential and Open Space, with Rural zoned land located to the east of Old Beach Road (refer Figure 1). Both lots have been developed for residential use and contain a number of outbuildings.

203 Old Beach Road has a land area of 6.676ha, and 205 Old Beach Road has a land area of 5.885ha.

205 Old Beach Road is dissected by a TasWater Bulk Transfer Main, which lays within a 10m wide Pipeline Easement. The existing dwellings are serviced by reticulated water mains. Neither site is serviced for sewer.

Access to 205 Old Beach Road is via right of way across 203 Old Beach Road from Old Beach Road.

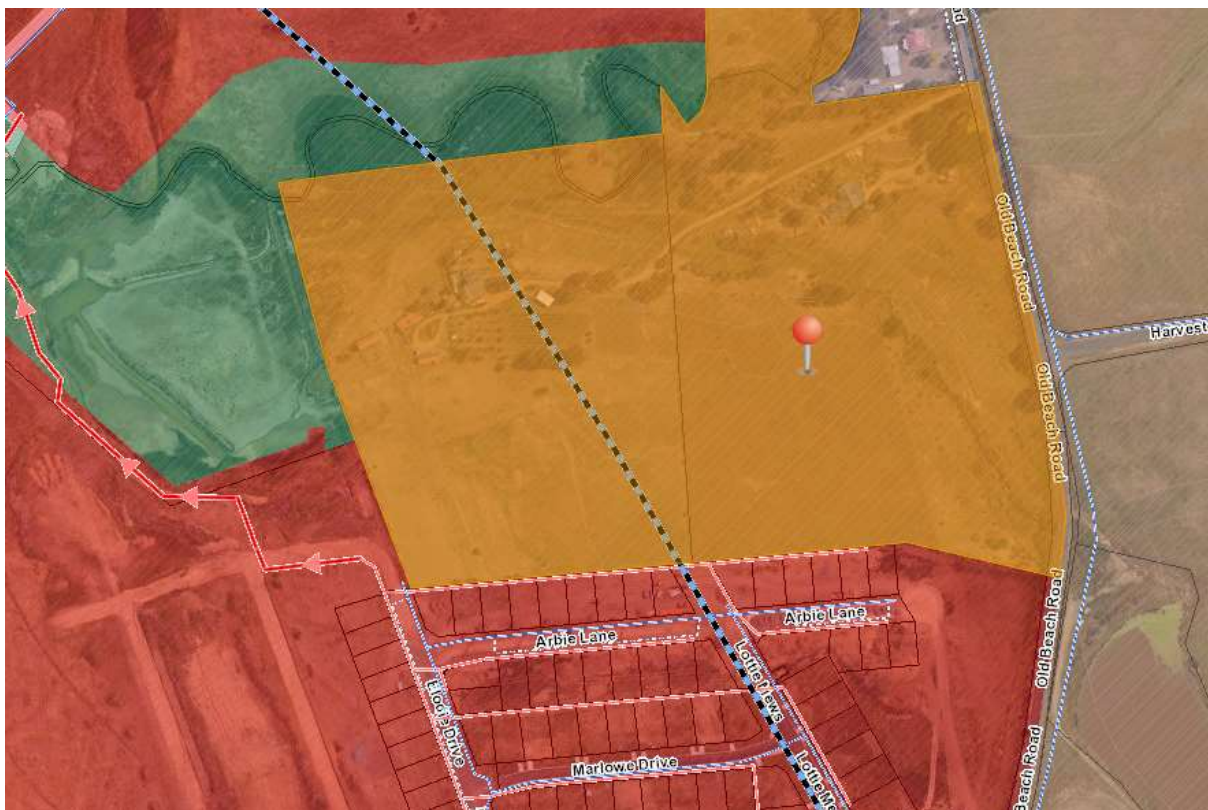


Figure 1: Zoning Map (source: www.thelist.tas.gov.au)

Both lots are subject to a Natural Assets overlay which identifies both a Waterway and Coastal Protection area and a Priority Vegetation area, as shown in figures 2 and 3.

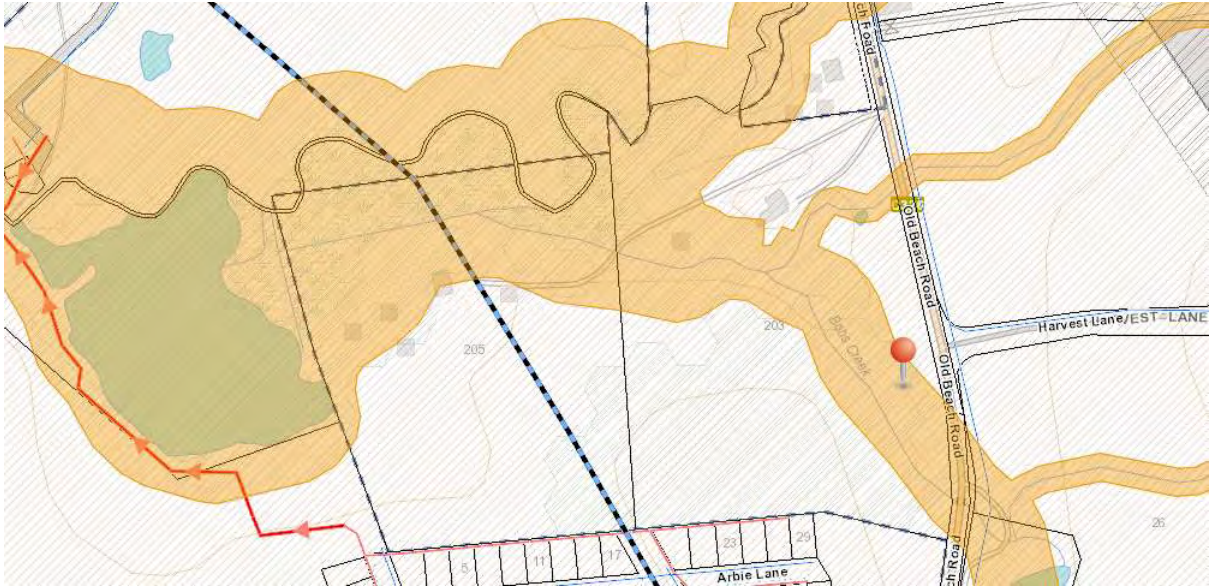


Figure 2: Waterway and Coastal Protection Overlay (source: www.thelist.tas.gov.au)



Figure 3: Priority Vegetation mapped overlay (green) (source: www.thelist.tas.gov.au)

As demonstrated by the Use Table contained in clause 30.2 of the Scheme (replicated below), future uses for the site are limited.

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Permitted	
Residential	If for a single dwelling or home based business
Resource Development	If for an agricultural use, excluding controlled environment agriculture
Utilities	If for minor utilities
Discretionary	
Utilities	If not listed as permitted

Prohibited	
All other uses	

Any significant proposal other than for a single dwelling, or utilities infrastructure, will require the land to be rezoned prior to assessment. It has been foreshadowed to council officers that a proposal for rezoning will be submitted shortly, however is not part of this assessment.

3. PROPOSAL

The proposal is for the subdivision of both lots to excise the existing dwellings.

203 Old Beach Road will be split into 2 lots. Lot 4 will contain the existing house and outbuildings and Lot 1 will be a vacant lot for further subdivision.

205 Old Beach Road will be split into 2 lots. Lot 3 will contain the existing dwelling and outbuildings and Lot 2 will be a vacant lot for further subdivision.

In response to a request from Council officers, the proposal includes the transfer of land for the purpose of Public Open Space as indicated adjacent to the northern boundary on 205 Old Beach Road, which has been identified as important to facilitate future pedestrian connection from Old Beach Road.

An indicative lot layout was provided for the further subdivision of Lots 1 and 2 to a General Residential density (see figure 4). This application does not seek approval of the indicative layout.

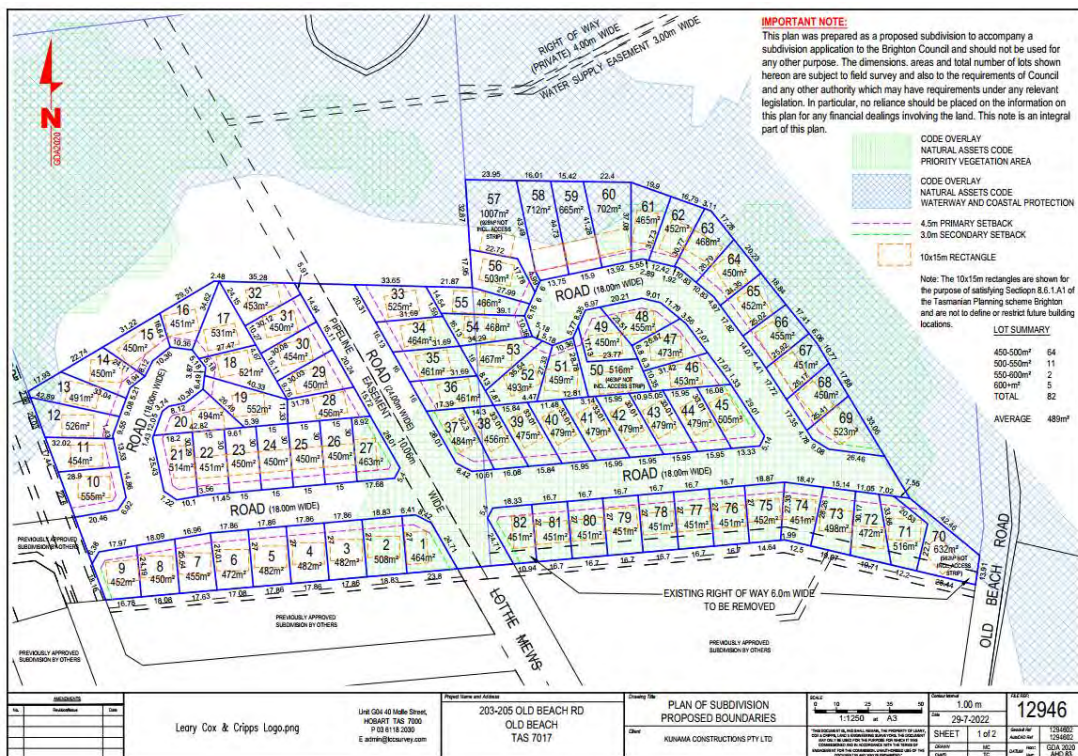


Figure 4: Indicate lot layout to General Residential Densities.

The application is supported by a natural values assessment, bushfire hazard management report, flood report and an indicative concept servicing plan.

4. PLANNING SCHEME ASSESSMENT

Compliance with Applicable Standards:

5.6.1 A use or development must comply with each applicable standard in the State Planning Provisions and the Local Provisions Schedules.

5.6.2 A standard is an applicable standard if:

- (a) the proposed use or development will be on a site within:

 - (i) a zone;*
 - (ii) an area to which a specific area plan relates; or*
 - (iii) an area to which a site-specific qualification applies; or**
- (b) the proposed use or development is a use or development to which a relevant applies; and*
- (c) the standard deals with a matter that could affect, or could be affected by, the proposed use or development.*

5.6.3 Compliance for the purposes of subclause 5.6.1 of this planning scheme consists of complying with the Acceptable Solution or satisfying the Performance Criterion for that standard.

5.6.4 The planning authority may consider the relevant objective in an applicable standard to determine whether a use or development satisfies the Performance Criterion for that standard.

Determining applications (clause 6.10.1):

6.10.1 In determining an application for any permit for use or development the planning authority must, in addition to the matters required by section 51(2) of the Act, take into consideration:

- (a) all applicable standards and requirements in this planning scheme; and*
- (b) any representations received pursuant to and in conformity with section 57(5) of the Act,*

but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.

Use Class

The proposal is for subdivision. Subdivision is not required to be categorised into a use class pursuant to clause 6.2.6 of the Scheme.

Compliance with Performance Criteria

The proposal meets the Scheme's relevant Acceptable Solutions with the exception of the following.

Clause 30.5.1 A1/P1 - Lot Design

Objective:	
That subdivision of land not in accordance with a specific area plan does not prejudice the efficient future utilisation of land for urban development.	
Acceptable Solution	Performance Criteria
A1 Each lot, or a lot proposed in a plan of subdivision, must be: (a) required for public use by the Crown, a council or a State authority; (b) be required for the provision of Utilities; or (c) be for the consolidation of a lot with another lot provided each lot is within the same zone.	P1 Each lot, or a lot proposed in a plan of subdivision, must be for the excision of an existing dwelling provided that the lot design and layout does not preclude or hinder the effective and efficient future subdivision and development of the land to urban densities, having regard to: (a) any existing access arrangements; and (b) the location of any services.

The proposal is for the creation of two additional lots by a private developer. Accordingly the proposal does not satisfy the acceptable solution. Assessment against the performance criteria is relied upon.

The proposal is to excise the two existing dwellings on each of the lots at 203 and 205 Old Beach Road, together with the majority of the natural watercourse created by Bob’s Creek, and the northern sections of the mapped priority vegetation overlay.

A right of way (ROW) adjacent to the southern boundary of proposed Lot 1 technically provides access to Lot 2, however it is considered that access via the ROW is unfeasible, given existing topography and limited sight lines. No access is constructed over this ROW and it is proposed to be removed. A condition to this effect is recommended.

The subdivision of 205 Old Beach Road results in the existing dwelling on proposed Lot 3 having no alternate access during a flood event. It is recommended that a ROW be provided over Lot 2 in the benefit of Lot 3 to connect Lot 3 to the Lottie Mews Road reservation for the purpose of providing emergency access. The ROW could be located adjacent the existing pipeline easement. A condition to this effect is recommended.

New lots 1 and 2, will gain vehicle access from Arbie Road over an unmade section of Lottie Mews. A shared access will need to be constructed from Arbie Lane to the lot boundaries, and a condition is included to this effect.

The application was referred to TasWater who has included a condition in its Submission to Planning Authority Notice (SPAN) that water is to be connected to each of the proposed lots 1 and 2 to TasWater’s satisfaction. This can be achieved via extension of the water main located in the unmade section of Lottie Mews.

The indicative lot layout shows that the new lot layout does not preclude or hinder the effective and efficient future subdivision and development of the land to urban densities.

For the purposes of this subdivision, and any future development application under the current zoning, it is considered that both stormwater and sewer can be managed on site for each of the new lots with no change to the status quo for lots 3 and 4.

Accordingly, the PC is satisfied with conditions.

Clause C2.6.1 A1/P1 - Construction of Parking Areas.

Objective:	
That parking areas are constructed to an appropriate standard.	
Acceptable Solution	Performance Criteria
<p>A1 All parking, access ways, manoeuvring and circulation spaces must:</p> <p>(a) be constructed with a durable all weather pavement;</p> <p>(b) be drained to the public stormwater system, or contain stormwater on the site; and</p> <p>(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.</p>	<p>P1 All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to:</p> <p>(a) the nature of the use;</p> <p>(b) the topography of the land;</p> <p>(c) the drainage system available;</p> <p>(d) the likelihood of transporting sediment or debris from the site onto a road or public place;</p> <p>(e) the likelihood of generating dust; and</p> <p>(f) the nature of the proposed surfacing.</p>

Driveways for Lots 3 and 4 are existing gravel and require upgrading to comply with the bushfire standards. Accordingly, the acceptable solution cannot be satisfied, and the performance criteria must be addressed.

Council’s Senior Technical Officer has assessed the proposal. That officer notes Lots 3 and 4 will retain their rural nature. Therefore maintaining a gravel driveway within the lots is considered reasonable. It is recommended standard conditions for durable all weather pavement and drainage for Lots 3 and 4 be included in any permit approved.

Further, it is considered that a condition requiring the vehicle access for Lots 1 and 2 (from Arbie Lane) be to Council’s standards, including sealed surface.

The performance criteria can be satisfied with conditions.

Clause 2.6.2 A1.1/P1 – Design and layout of parking areas

Objective:	
That parking areas are designed and laid out to provide convenient, safe and efficient parking.	
Acceptable Solution	Performance Criteria
<p>A1.1 Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p> <p>(i) have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6;</p> <p>(ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;</p> <p>(iii) have an access width not less than the requirements in Table C2.2;</p> <p>(iv) have car parking space dimensions which satisfy the requirements in Table C2.3;</p> <p>(v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;</p> <p>(vi) have a vertical clearance of not less than 2.1m above the parking surface level; and</p>	<p>P1 All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the proposed slope, dimensions and layout;</p> <p>(c) useability in all weather conditions;</p> <p>(d) vehicle and pedestrian traffic safety;</p> <p>(e) the nature and use of the development;</p> <p>(f) the expected number and type of vehicles;</p> <p>(g) the likely use of the parking areas by persons with a disability;</p> <p>(h) the nature of traffic in the surrounding area;</p> <p>(i) the proposed means of parking delineation; and</p> <p>(j) the provisions of Australian Standard AS 2890.1:2004 - Parking facilities, Part 1: Off-street car</p>

<p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p> <p>(b) comply with Australian Standard AS 2890- Parking facilities, Parts 1-6.</p>	<p>parking and AS 2890.2 -2002 Parking facilities, Part 2: Off-street commercial vehicle facilities.</p>
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The driveways for Lots 3 and 4 do not meet the access width requirements in Table C2.2. Accordingly, the acceptable solution cannot be satisfied, and the performance criteria must be addressed.

Council’s Senior Technical Officer notes that the internal driveways for Lots 3 and 4 are existing and will retain a rural nature. The bushfire assessment requires that the vehicle access to Lots 3 and 4 be upgraded to comply with bushfire standards. Compliance with the bushfire standards is considered reasonable, and a condition requiring compliance with the bushfire report submitted in support of the application is recommended.

Clause C3.5.1 Traffic Generation at a vehicle crossing, level crossing or new junction

<p>Objective:</p>
<p>To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.</p>

Acceptable Solution	Performance Criteria
<p>A1.1</p> <p>For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:</p> <p>(a) a new junction;</p> <p>(b) a new vehicle crossing; or</p> <p>(c) a new level crossing.</p> <p>A1.2</p> <p>For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the</p>	<p>P1 Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</p> <p>(a) any increase in traffic caused by the use;</p> <p>(b) the nature of the traffic generated by the use;</p> <p>(c) the nature of the road;</p> <p>(d) the speed limit and traffic flow of the road;</p>

<p>use and development has been issued by the road authority.</p> <p>A1.3</p> <p>For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.</p> <p>A1.4</p> <p>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <p>(a) the amounts in Table C3.1; or</p> <p>(b) allowed by a licence issued under Part IVA of the Roads and Jetties Act 1935 in respect to a limited access road.</p> <p>A1.5</p> <p>Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>	<p>(e) any alternative access to a road;</p> <p>(f) the need for the use;</p> <p>(g) any traffic impact assessment; and</p> <p>(h) any advice received from the rail or road authority.</p>
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A new access for Lots 1 and 2 is proposed via Arbie Lane (A1.2). No written consent for the new access has been provided, in accordance with the acceptable solution. The performance criteria must be addressed.

The proposal has been considered by Council's Senior Technical Officer who supports the proposal for the new access, given the low traffic speeds and volumes. Any alternative would include providing access via the existing ROW along the southern boundary from Old Beach Road, which is not suitable due to location, topography and sight line issues. A condition requiring the deletion of the existing ROW across Lot 1, to the benefit of Lot 2 is discussed previously in this report.

The performance criteria can be satisfied.

Clause C7.6.1 A1/P1 Natural Assets Code (Building and works within a waterway and coastal protection area)

<p>Objective:</p>
<p>That buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets.</p>

Acceptable Solution	Performance Criteria
<p>A1 Buildings and works within a waterway and coastal protection area must:</p> <ul style="list-style-type: none"> (a) be within a building area on a sealed plan approved under this planning scheme; (b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width; or (c) if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date. 	<p>P1.1 Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:</p> <ul style="list-style-type: none"> (a) impacts caused by erosion, siltation, sedimentation and runoff; (b) impacts on riparian or littoral vegetation; (c) maintaining natural streambank and streambed condition, where it exists; (d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation; (e) the need to avoid significantly impeding natural flow and drainage; (f) the need to maintain fish passage, where known to exist; (g) the need to avoid land filling of wetlands; (h) the need to group new facilities with existing facilities, where reasonably practical; (i) minimising cut and fill; (j) building design that responds to the particular size, shape, contours or slope of the land; (k) minimising impacts on coastal processes, including sand movement and wave action; (l) minimising the need for future works for the protection of natural assets, infrastructure and property;

	<p>(m) the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and</p> <p>(n) the guidelines in the Tasmanian Coastal Works Manual.</p> <p>(e) provision of essential utility or marine infrastructure; or</p>
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The application includes proposed works within the waterway and coastal protection area, to upgrade the access to meet bushfire standards and works to implement sewerage infrastructure.

Accordingly, the acceptable solution cannot be met and the performance criteria needs to be addressed.

The proposal was submitted to TasWater, who have provided an Amended Submission to Planning Authority Notice (SPAN). The SPAN notes that the land “is not located within serviced land for sewerage.... and TasWater will not support the construction of a sewage pump station within the H5 Flood Inundation area as shown on the concept servicing plans...”. Accordingly, the proposed works relate specifically to the access upgrade.

Council’s Senior Technical Officer considers that the proposed widening of the existing driveways can be managed with appropriate soil and water management, and revegetation and stabilisation of all disturbed surfaces on the land. Conditions to that effect are included in the permit.

Accordingly the PC can be satisfied with conditions.

Clause C7.6.1 A3/P3 Natural Assets Code (Stormwater point discharge)

Objective:	
That buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets.	
A3	P3
Development within a waterway and coastal protection area or a future coastal refugia area must not involve a new stormwater point discharge into a watercourse, wetland or lake.	Development within a waterway and coastal protection area or a future coastal refugia area involving a new stormwater point discharge into a watercourse, wetland or lake must avoid or minimise adverse impacts on natural assets, having regard to:

	<ul style="list-style-type: none"> (a) the need to minimise impacts on water quality; and (b) the need to mitigate and manage any impacts likely to arise from erosion, sedimentation or runoff.
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No change is proposed for stormwater discharge from the existing dwellings on Lots 3 and 4. However, the concept servicing plan shows new stormwater connections for Lots 1 and 2 to watercourses. Accordingly, the acceptable solution cannot be satisfied, and the performance criteria must be addressed.

The proposal was referred to Council’s Senior Technical Officer, who considers that the proposal does not adequately address the performance criteria.

The development standards for the Future Urban Zone do not specifically require services to be provided, but require “that the lot design and layout does not preclude or hinder the effective and efficient future subdivision and development of the land to urban densities, having regard to:

- (a) any existing access arrangements; and
- (b) the location of any services.”

The Concept Services Plan demonstrates that the new Lots 1 & 2 can be serviced by stormwater if further subdivided.

Any single dwelling constructed on Lots 1 or 2 could dispose of stormwater on site.

It is therefore recommended that a condition be imposed that no new stormwater point discharge be allowed to a watercourse as part of this subdivision.

Disposal of stormwater for further subdivision of lots 1 & 2 would be assessed with a new application. Necessary easements over Lots 3 and 4 will however need to be provided as part of this subdivision.

The performance criteria can be satisfied with a condition requiring the proposal to be in accordance with the acceptable solution.

Clause 12.6.1 A1/P1 Flood Prone Areas Code (Building and works within a flood prone hazard area)

Objective:	
That:	
<ul style="list-style-type: none"> (a) building and works within a flood-prone hazard area can achieve and maintain a tolerable risk from flood; and (b) buildings and works do not increase the risk from flood to adjacent land and public infrastructure. 	

Acceptable Solution	Performance Criteria
<p>A1 No Acceptable Solution</p>	<p>P1.1 Buildings and works within a flood-prone hazard area must achieve and maintain a tolerable risk from a flood, having regard to:</p> <ul style="list-style-type: none"> (a) the type, form, scale and intended duration of the development; (b) whether any increase in the level of risk from flood requires any specific hazard reduction or protection measures; (c) any advice from a State authority, regulated entity or a council; and (d) the advice contained in a flood hazard report. <p>P1.2</p> <p>A flood hazard report also demonstrates that the building and works:</p> <ul style="list-style-type: none"> (a) do not cause or contribute to flood on the site, on adjacent land or public infrastructure; and (b) can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.

The proposal includes a servicing concept plan showing infrastructure works within a flood prone area. Accordingly the performance criteria needs to be addressed.

The proposal was referred to Council’s Senior Technical Officer and TasWater for assessment. Council’s Senior Technical Officer has advised:

The land is subject to flooding. Flood mapping prepared by Flussig was submitted with the original application. A subsequent Flood Hazard Report dated 16th March 2023 was submitted with updated flood mapping. The more recent mapping shows a small section of proposed Lot 2 being subject to inundation. Otherwise the new Lots 1 and 2 are largely free of any flooding. The impact on Lot 2 can be further assessed and addressed at the time of any future application.

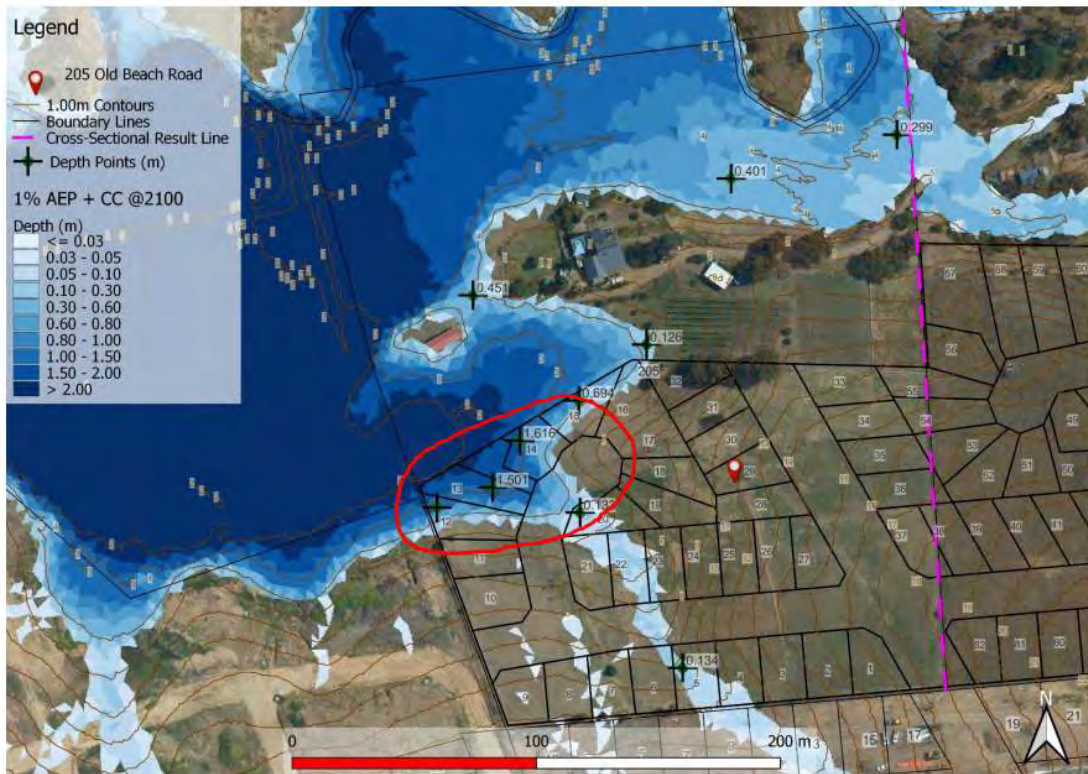


Figure 6. 1% AEP + CC overland flow path Lot 205 with various depth points

Figure 5: Flood mapping showing overland flow paths and lots affected (Flussig Report)

Further, as previously identified, TasWater have issued a SPAN requiring that for the purposes of this subdivision, the sewer infrastructure for this two lot proposal is not supported.

The performance criteria can be satisfied.

5. Other

Public Open Space

At the request of council officers, the applicant has provided three areas of land to be transferred to Council as Public Open Space (POS) pursuant to s117 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* and in accordance with council policy. The area of land has been requested to facilitate future pedestrian connectivity between Old Beach Road and the Tivoli Green development.

The land area shown on the proposed subdivision plan equates to 4.8% of the new lots to be created and has for some reason excluded a small area of land on the northern side of Gage Brook (see Figure 6). That area of land equates to approximately 0.17% of the land area of the proposed new lots. It is recommended that a condition be included in any permit approved requiring an amended survey plan, providing the balance section of the land as part of the POS contribution, which would equate the POS land contribution to

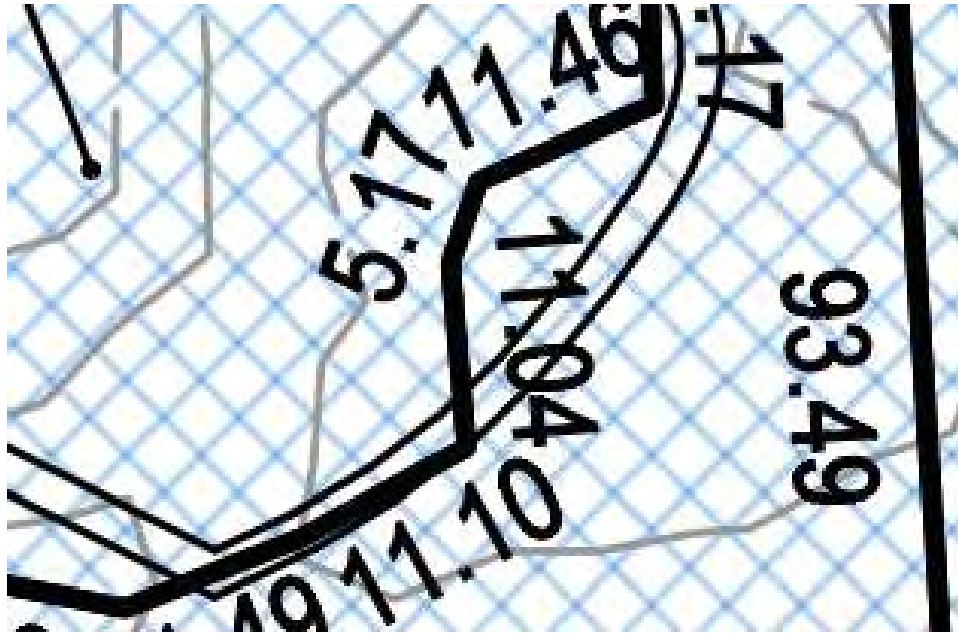


Figure 6 – Additional POS to be transferred to Council

Council's Public Open Space Policy AP13 allows it to request 5% of the titled area of land to be subdivided where there is land suitable for quality public open space as assessed by Council, and that a land contribution in any zone may be requested on a merits-based assessment by the Council to obtain land that is consistent with the purpose of the policy. Given the strategic importance of the POS to facilitate future pedestrian connectivity, it is recommended that, pursuant to clause 2.5(b) of the Policy AP13, that the Public Open Space (as amended) is accepted as a full contribution.

6. Referrals

Senior Technical Officer

The proposal was referred to council's Senior Technical Officer. That officer's comments are incorporated into the body of this report.

TasWater

The proposal was referred to TasWater. That authority has issued a Submission to Planning Authority Notice (SPAN) which is included as part of this assessment and will form part of any permit approved.

7. Representations

One (1) representation was received during the statutory public exhibition period between 31st March 2023 and 20th April 2023, which included the additional days over Easter when the Council officers were closed.

The concerns of the representors are summarised below:

Representor’s concerns	Response
<p><i>Site location and context</i></p> <p>Advertised documents did not include titles, and title references in supporting documents are contradictory. Not possible to understand which land forms part of the application and whether the correct title documentation has been included.</p>	<p>The initial application initially proposed works on C/Ts 123119/1 and 135401/7 (203 and 205 Old Beach Road); 181742/2 (LGA subdivision Road); 183730/4 (Lot 4 Lewis Court, Old Beach) and 183730/3 (Lot 3 Old Beach Road). The respective titles were received as part of the application.</p> <p>The application was subsequently amended, such that works have only been proposed on C/Ts 123119/1 and 135401/7 (203 and 205 Old Beach Road); and 181742/2 (LGA subdivision Road). However, the advertising description was not updated to reflect the changes.</p> <p>The proposal was not readvertised, as it was considered that the impact from the development was reduced, and no additional landowners were affected.</p> <p>GM consent was provided for the making of the application, due to the proposal seeking access via the ROW along the southern boundary of Lot 1.</p> <p>The land which forms part of the application are:</p> <p>203 Old Beach Road (C/T123119/1);</p> <p>205 Old Beach Road (C/T135401/7)</p> <p>Subdivision Road Lot (C/T 181742/2).</p> <p>There is no sewer rising main proposed for 15 Arbie Lane. All works are proposed in the Subdivision Road lot. TasWater has also restricted infrastructure for the new lots via a SPAN which includes the following:</p>

	<p><i>“TasWater advises the subject land is not located within serviced land for sewerage. Council has advised TasWater there is no specific requirement to install sewerage infrastructure under the current zoning requirements and TasWater will not support the construction of a sewage pump station within the H5 flood inundation area as shown on the Concept Servicing Plans listed in the Schedule of drawings/documents.”</i></p>
<p><i>Vehicle Access</i></p> <p>Lottie Mews should be extended to the proposed subdivision as a public road</p>	<p>A condition is included requiring construction of vehicle access to be to Council standards including sealed surface.</p> <p>Lottie Mews would need to be extended as part of any future subdivision application if and when the land is rezoned.</p>
<p><i>Service Vehicle Access</i></p> <p>No provision for service vehicle access to the proposed sewer pump station</p>	<p>The application was referred to TasWater who provided the comments already outlined in this table.</p> <p>The Concept Services Plan demonstrates that Lots 1 and 2 can be further subdivided to urban densities and serviced by sewer. The provision of a sewer system and access to a SPS would need to be addressed in detail with any application for further subdivision.</p>
<p><i>Natural Assets Code</i></p> <p>JMG’s planning report and concept servicing plans are contradictory in relation to stormwater point discharged proposal.</p>	<p>Refer to clause C7.6.1 for discussion. However, it is recommended that a condition be imposed that no new stormwater point discharge be allowed to a watercourse as part of this subdivision.</p>
<p><i>JMG Bushfire Hazard Management Plan</i></p> <p>Vehicle access for bushfire management does not align with the vehicle access proposed in JMG’s concept services plan</p> <p>Access easement is not wide enough and lacks passing bay.</p>	<p>The Bushfire Hazard Report was completed prior to access from Arbie Lane being proposed. Access to Lots 1 and 2 via Arbie Lane/Lottie Mews is preferred over Old Beach Road and the existing ROW over Lot 1 could be removed. This results in a shorter access and negates the need for bushfire compliant passing bays.</p>

	<p>Access to Lot 3 is currently via an existing ROW over Lot 4. The Bushfire Hazard Report identifies the existing access to lots 3 and 4 is not compliant and recommends upgrades including widening the ROW to 7m.</p> <p>A condition requiring an amended Bushfire Hazard Report (including BHMP) is recommended.</p> <p>A condition requiring the ROW to Lot 1 being increased in width to a minimum of 5m and 7m at passing bays is also recommended.</p>
<p><i>Flood Hazard Report by Flussig Engineers</i></p> <p>Report is unclear as to whether the flood report is for this 4 lot subdivision or future multi lot subdivision</p> <p>Two sets of flood mapping show significantly different outcomes</p> <p>Proposed sewer pump station is in H5 flood zone</p> <p>Lots 12-15 significantly within the flood zone H3-H5</p> <p>Indicative plan does not set aside space for stormwater treatment.</p> <p>No calculations in flood model regarding impact of future subdivision</p>	<p>As noted by the representor, there are 2 sets of flood maps submitted with the application. The 203-205 Old Beach Rd, Old Beach, Flood Hazard Report contains the more recent mapping and is preferred over the flood mapping attached as an appendix to the JMG planning report.</p> <p>The Lot layout shown on proposed Lots 1 and 2 is indicative only and would be subject to further approval. The location of the proposed sewer pump station is subject to inundation and is not supported by TasWater.</p> <p>Additionally, a number of the potential future lots in the north western area of proposed Lot 1 may not be viable due to inundation. The future development and ultimate lot layout (including the sewer system and SPS) will be subject to approval with any future application for further subdivision of Lots 1 and 2.</p> <p>Whilst the Flood Hazard Report indicates that a portion of proposed Lot 1 may not be suitable for further development the current subdivision being considered does not preclude future further subdivision to an urban density and therefore meets the relevant performance criteria.</p>

<p><i>JMG Concept Services Plan</i></p> <p>No report provided in support</p> <p>SPS located in H5 flood zone</p> <p>SPS requires its own lot to be transferred to TasWater</p> <p>SPS requires all weather access track - Track or ROW required</p> <p>No provision of emergency bypass overflow, water and power services</p> <p>SPS will constrain the indicative lot layout for the residential subdivision</p>	<p>As previously stated the development standards for the Future Urban Zone do not specifically require services to be provided however the Concept Services Plan submitted with the application shows a new sewer system, stormwater connections and water connections for proposed Lots 1 & 2.</p> <p>As noted above, TasWater’s SPAN does not support the installation of sewer infrastructure as proposed</p> <p>Nevertheless, the Concept Services Plan demonstrates that Lots 1 and 2 are capable of being serviced. The provision of those services will be assessed with any future application to further subdivide the lots.</p> <p>A condition requiring the onsite wastewater system servicing the house on Lot 3 be relocated and contained entirely on Lot 3 is recommended in accordance with a Wastewater Report, prior to sealing of the Final Plan.</p> <p>A condition requiring easements to be provided over Lot 3 and 4 for stormwater is recommended.</p>
<p>Open Space</p>	<p>Refer to paragraph 5 of the report</p>

8. Conclusion

The proposal for Subdivision (4 lots) at 203 Old Beach Road, 205 Old Beach Road and Certificate of Title Volume 181742 Folio 2, satisfies the relevant provisions of the Tasmanian Planning Scheme - Brighton, and as such is recommended for approval.

RECOMMENDATION:

That pursuant to the *Tasmanian Planning Scheme - Brighton*, Council approve application SA 2022/ 44 for Subdivision (4 lots) at 203 Old Beach Road, 205 Old Beach Road and Certificate of Title Volume 181742 Folio 2, for the reasons outlined in the officer’s report and a permit containing the following conditions be approved:

General

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

Bushfire Hazard Management

4. Prior to the subdivision commencing the developer must submit an amended Bushfire Hazard Report and Bushfire Hazard Management Plan including access to Lots 1 and 2 from Arbie Lane. Once accepted by the General Manager, the amended report and plan will form part of the endorsed documents.
5. Prior to Council sealing the final plan of survey for any stage the developer must provide certification from a suitably qualified person that all requirements of the approved Bushfire Hazard Management Plan have been complied with.

Public Open Space

6. Prior to sealing, an amended plan of survey must be submitted to and approved by Council's Manager Development Services. The amended plan of survey must include all land on Lot 3 located north of the mapped "onshore water body" identified for the purposes of Public Open Space.

Once approved the amended plan of survey shall become part of the endorsed documents of this permit.

7. Notwithstanding condition 7 above, the public open space as indicated on the endorsed plan must be transferred to the Brighton Council by Memorandum of Transfer submitted with the Final Plan of Survey.

Easements

8. Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Council's Municipal Engineer. The cost of locating and creating the easements shall be at the subdivider's full cost.
9. The Right of Way over Lot 4 in favour of Lot 3 is to be a minimum of 5 metres wide and increased to a minimum width of 7 metres at passing bays, or as otherwise required to contain the constructed vehicular access to the satisfaction of Council's Municipal Engineer.
10. The existing Right of Way over proposed Lot 1 must be removed.

11. A Right of Way must be provided over Lot 2 in the benefit of Lot 3 to allow emergency access to the Lottie Mews road reservation to the satisfaction of Council's Municipal Engineer.
12. Drainage easements must be provided over Lots 3 and 4 for the future disposal of stormwater from Lots 1 and 2 to the satisfaction of Council's Municipal Engineer.

Final plan

13. A final approved plan of survey and schedule of easements as necessary, together with two (2) copies, must be submitted to Council for sealing for each stage. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
14. Prior to Council sealing the final plan of survey for each stage, security for an amount clearly in excess of the value of all outstanding works and maintenance required by this permit must be lodged with the Brighton Council. The security must be in accordance with section 86(3) of the Local Government (Building & Miscellaneous Provisions) Council 1993. The amount of the security shall be determined by the Council's Municipal Engineer in accordance with Council Policy 6.3 following approval of any engineering design drawings and shall not be less than \$5,000.
15. All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey for each stage. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied.
16. The subdivider must pay any Titles Office lodgement fees direct to the Recorder of Titles.

Engineering

17. The subdivision must be carried out and constructed in accordance with the:
 - a. Tasmanian Subdivision Guidelines
 - b. Tasmanian Municipal Standard – Specifications
 - c. Tasmanian Municipal Standard – Drawingsas published by the Local Government Association of Tasmania and to the satisfaction of Council's Municipal Engineer.
18. Engineering design drawings, to the satisfaction of the Council's Municipal Engineer, must be submitted to and approved by Council before any works associated with development of the land commence.
19. Engineering design drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by Council's Municipal Engineer, in accordance with the Tasmanian Subdivision Guidelines October 2013, and must show –

- a) all existing and proposed services required by this permit;
 - b) all existing and proposed roadwork required by this permit;
 - c) measures to be taken to provide sight distance in accordance with the relevant standards of the planning scheme;
 - d) measures to be taken to limit or control erosion and sedimentation;
 - e) any other work required by this permit.
20. Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.
21. The developer shall appoint a qualified and experienced Supervising Engineer (or company registered to provide civil engineering consultancy services) who will be required to certify completion of subdivision construction works. The appointed Supervising Engineer shall be the primary contact person on matters concerning the subdivision.

Services

22. The Subdivider must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.
23. Any existing services shared between lots are to be separated to the satisfaction of Council's Municipal Engineer.
24. Property services must be contained wholly within each lot served or an easement to the satisfaction of the Council's Municipal Engineer or responsible authority.

Vehicular Access

25. A vehicular access must be provided from the road carriageway to the property boundary of each lot.
26. The existing vehicle access to Lots 3 and 4, within the road reservation, must be upgraded including a sealed surface to comply with Council's minimum construction standards and the approved Bushfire Hazard Report.
27. A shared vehicular access for Lots 1 and 2 must be provided from the Arbie Lane carriageway to the lot boundaries and, unless approved otherwise by Council's Municipal Engineer, include:
- (a) Constructed with a durable all-weather pavement.
 - (b) Drained to the public stormwater system, or contain stormwater on the site, such that stormwater is not concentrated onto adjacent properties.

- (c) Surfaced with a material to resist abrasion from traffic and to minimise the entry of water. The surfacing material may be asphalt, concrete, or other approved material.
 - (d) A 5.5 metre minimum width crossover in the kerb and channel
 - (e) A 5.5 metre minimum width concrete apron from the back of kerb/crossover for a distance of no less than 6 metres.
 - (f) A minimum width of not less than 4 metres for the remainder of the access splaying where it meets the lots to create a 4 metre minimum width access onto each lot
 - (g) In accordance with the approved Bushfire Hazard Management Plan
28. The vehicular access to Lot 3 must be constructed/upgraded for the entire length of the right of way from Old Beach Road to the lot proper and, unless approved otherwise by Council's Municipal Engineer, include:
- (a) Constructed with a durable all-weather pavement.
 - (b) Drained to the public stormwater system, or contain stormwater on the site, such that stormwater is not concentrated onto adjacent properties.
 - (c) Surfaced with a minimum gravel surface that is designed, constructed and maintained to avoid dust or mud generation, erosion or sediment transfer on or off site;
 - (h) A min trafficable width of 4.0m (with 0.5m clearance either side to the property boundary)
 - (i) Provided with passing bays of 2.0m additional width and 20 metres long (excluding tapers) every 200 metres.
 - (d) In accordance with the approved Bushfire Hazard Management Plan
29. The vehicular access to Lot 4 must be constructed/upgraded and, unless approved otherwise by Council's Municipal Engineer, include:
- (a) Constructed with a durable all-weather pavement.
 - (b) Drained to the public stormwater system, or contain stormwater on the site, such that stormwater is not concentrated onto adjacent properties.
 - (c) Surfaced with a minimum gravel surface that is designed, constructed and maintained to avoid dust or mud generation, erosion or sediment transfer on or off site;
 - (d) A min trafficable width of 4.0m (with 0.5m clearance either side to the property boundary)

Access to Public Road

ADVICE: No works on or affecting any Council road reservation is to be commenced until the Brighton Council has issued a WORKS IN ROAD RESERVATION PERMIT. Application for the issue of the necessary works permit is to be made to the Brighton Council's Asset Services Department prior to the proposed date of commencement of any works. (No application fee will be charged where an Engineering Plan Assessment and Inspection Fee has been paid for the approval of engineering design drawings.)

Stormwater

30. No new stormwater point discharge is allowed to a watercourse as part of this subdivision.

Sewer & Water

31. Each lot must be connected to a full water supply service.
32. Prior to sealing of the Final Plan of Survey, the onsite wastewater system servicing the existing dwelling at 205 Old Beach Road is to be decommissioned and relocated such that it is contained entirely on proposed Lot 3 in accordance with a Wastewater Report submitted to, and approved by, Council's Senior Environmental Health Officer.

Tas Water

33. The development must meet all required conditions of approval specified by TasWater Amended Submission to Planning Authority Notice TWDA 2022/01712-BTN, dated 02/05/2023.

Telecommunications and electrical reticulation

34. Electrical and telecommunications services must be provided to each lot in accordance with the requirements of the responsible authority and to the satisfaction of Council's Municipal Engineer.
 - (a) Prior to sealing the final plan of survey the developer must submit to Council: A "Provisioning of Telecommunications Infrastructure - Confirmation of final payment" or "Certificate of Practical Completion of Developer's Activities" from NBN Co.
 - (b) Written advice from TasNetworks confirming that all conditions of any Agreement between the Owner and authority have been complied with and/or that future lot owners will not be liable for network extension or upgrade costs, other than individual property connections (basic connection) at the time each lot is further developed.

Soil & Water Management

- 35. Before any work commences install temporary run-off, erosion and sediment controls and maintain these controls at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South and to the satisfaction of Council's General Manager.
- 36. All disturbed surfaces on the land, except those set aside for roadways, footways and driveways, must be covered with top soil and, where appropriate, re-vegetated and stabilised to the satisfaction of the Council's Municipal Engineer.

Construction Amenity

- 37. Prior to commencement of works, the road frontage of the development site including road, kerb and channel, footpath and nature strip, should be:
 - (a) Surveyed prior to construction, photographed, documented and any damage or defects be noted in a dilapidation report to be provided to Council's Asset Services Department prior to construction.
 - (b) Be protected from damage, heavy equipment impact, surface scratching or scraping and be cleaned on completion.

In the event a dilapidation report is not provided to Council prior to commencement, any damage on completion will be deemed a result of construction activity requiring replacement prior to approval.

- 38. Works associated with the subdivision must only be carried out between the following hours unless otherwise approved by the Council's General Manager
 - Monday to Friday 7:00 AM to 6:00 PM
 - Saturday 8:00 AM to 6:00 PM
 - Sunday and State-wide public holidays 10:00 AM to 6:00 PM

- 39. All subdivision works associated with the development of the land must be carried out in such a manner so as not to unreasonably cause injury to, or unreasonably prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of -
 - (a) emission from activities or equipment related to the use or development, including noise and vibration, which can be detected by a person at the boundary with another property; and/or
 - (b) transport of materials, goods or commodities to or from the land; and/or
 - (c) appearance of any building, works or materials.

40. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the land in an approved manner. No burning of such materials on-site will be permitted unless approved in writing by the Council's General Manager.
41. Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the subdivision during the construction period.

Maintenance and Defects Liability Period

42. The subdivision must be placed onto a twelve (12) month maintenance and defects liability period in accordance with Council Policy following the completion of the works in accordance with the approved engineering plans and permit conditions.
43. Prior to placing the subdivision onto the maintenance and defects liability period the Supervising Engineer must provide certification that the works comply with the Council's Standard Drawings, specification and the approved plans.

As Constructed Drawings

44. Prior to the works being placed on the maintenance and defects liability period "as constructed" drawings and data for all engineering works provided as part of this approval must be provided to Council to the satisfaction of the Council's Municipal Engineer. These drawings and data sheets must be prepared by a qualified and experienced civil engineer or other person approved by the Municipal Engineer in accordance with Council's Guidelines for As Constructed Data.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT: -

- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.
- C. The applicant is advised that an engineering plan assessment and inspection fee of 1% of the value of the approved engineering works (minimum of \$300.00), or as otherwise specified in Council's Schedule of Fees, must be paid to Council prior to the approval of engineering plans.
- D. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application.

DECISION

Cr Whelan moved, Cr Curran seconded that the recommendation be adopted.

CARRIED

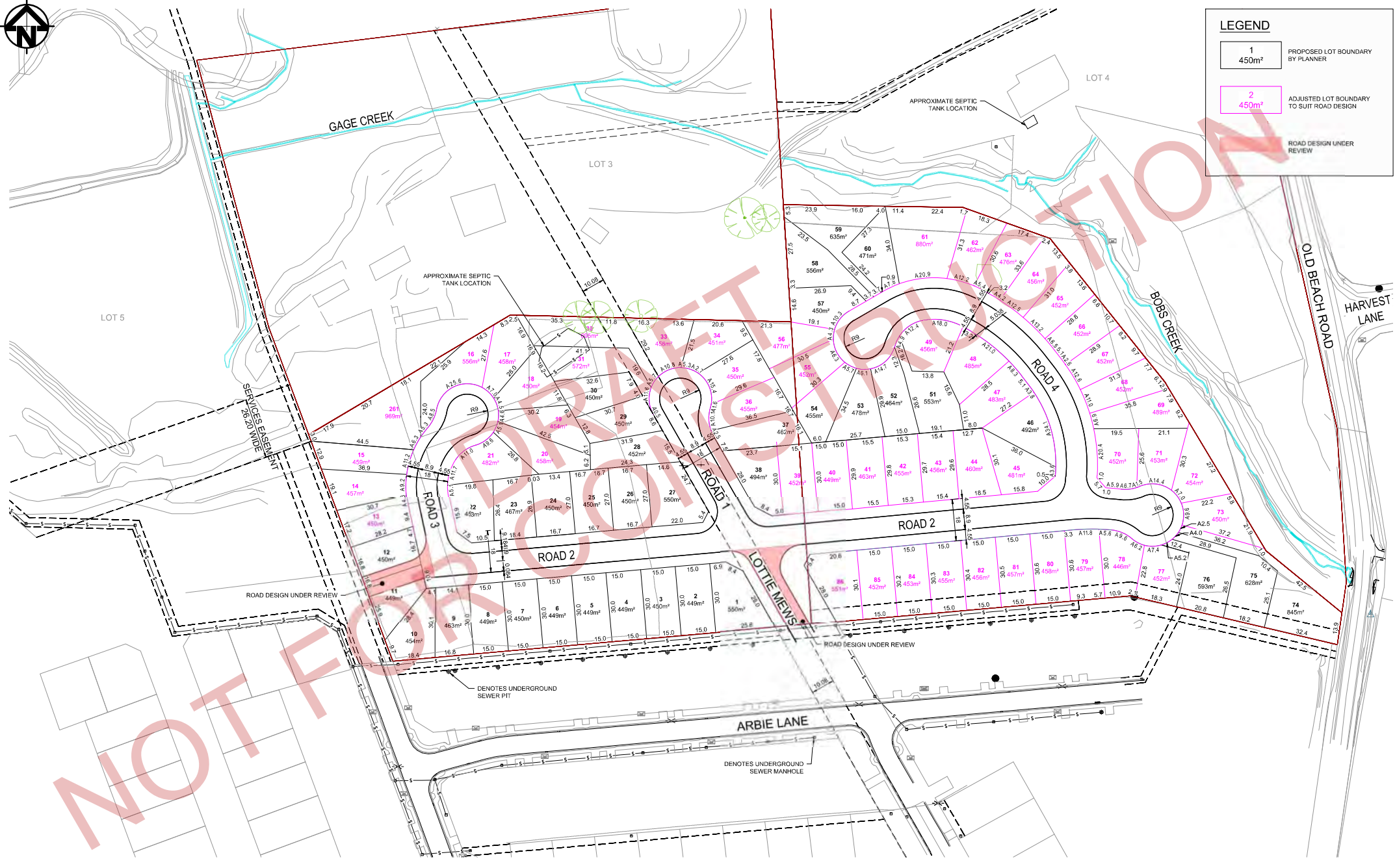
VOTING RECORD

In favour	Against
Cr Curran	
Cr De La Torre	
Cr Geard	
Cr Gray	
Cr Irons	
Cr McMaster	
Cr Murtagh	
Cr Owen	
Cr Whelan	



LEGEND

- 1 450m² PROPOSED LOT BOUNDARY BY PLANNER
- 2 450m² ADJUSTED LOT BOUNDARY TO SUIT ROAD DESIGN
- ROAD DESIGN UNDER REVIEW



NOT FOR CONSTRUCTION

202 UTILITIES OVERLAY	KW	14.02.24	01
201 DRAFT	KW	16.01.24	01
Issue	By	Date	Status
Issuer internal sequence and revision history			
1-preliminary	2-development application	3-construction certificate	4-final
1-draft	2-construction	3-other	

Reference Coordination Drawing			
Discipline	Drawing Title and Number	Date	Rev
ARCH			
STRUCT			
ELEC			
MECH			
HYD			
FIRE			
LANDS			
CIVIL			
SURVEY			

Quality Control	
DRAWN	DATE
14.02.24	
CHECKED	DATE
14.02.24	
SH	DATE
14.02.24	
DESIGNED	DATE
14.02.24	
MS	DATE
14.02.24	
VERIFIED	DATE
14.02.24	
APPROVED	DATE
14.02.24	
SH	

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REGISTERED
MEMBERS

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5: 37.5	6: 75
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A.B.N. 21 118 222 530

PROJECT		
203 & 205 OLD BEACH ROAD		
ROAD & DRAINAGE DESIGN		
Grid	Datum	Sheet
-	A.H.D.	01

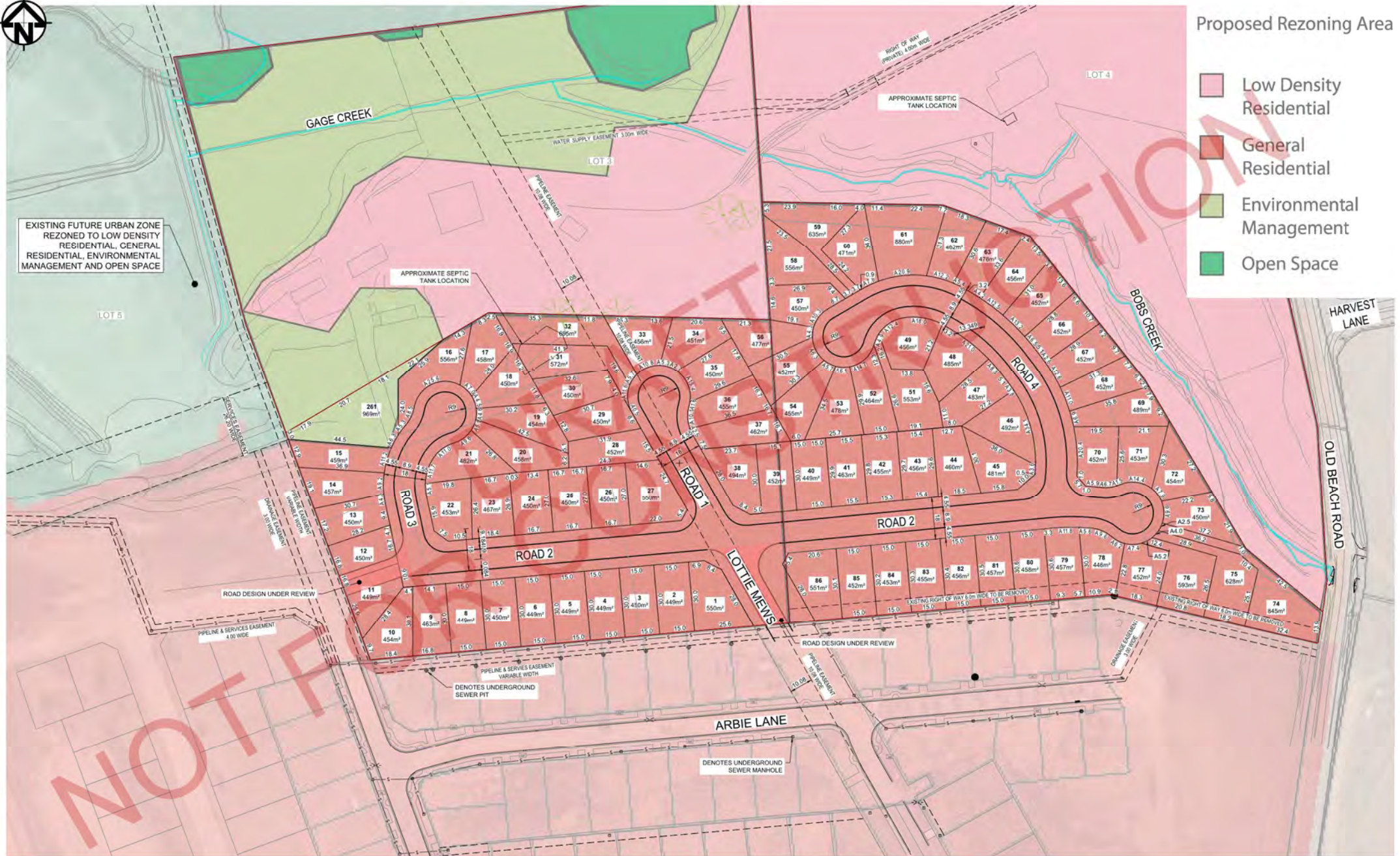
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Drawing Title	CIVIL ENGINEERING WORKS PLAN OF SUDDIVISION		
Project No.	Set No. -	Drg. No.	Revision No.
20230167	S02-SK001		P02



Proposed Rezoning Area

- Low Density Residential
- General Residential
- Environmental Management
- Open Space

EXISTING FUTURE URBAN ZONE REZONED TO LOW DENSITY RESIDENTIAL, GENERAL RESIDENTIAL, ENVIRONMENTAL MANAGEMENT AND OPEN SPACE



Discipline	Drawing Title and Number	Date	Rev
ARCH			
STRUCT			
MECH			
ELEC			
HYD			
LANDS			
CIVIL			
SURVEY			

Discipline	By	Date	Status
KW		14.02.24	01

Discipline	Checked	Date
KW		14.02.24
SH		14.02.24
MS		14.02.24
SH		14.02.24

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PROJECT
 203 & 205 OLD BEACH ROAD
 TAS 7017
 ROAD & DRAINAGE DESIGN

Grid	Datum	Sheet
-	A.H.D.	01

Project No.	Set No.	Drp. No.	Revision No.
20230167	S02-SK002	P01	

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 2-development application
 3-construction certificate
 4-final

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 3-construction certificate
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1-preliminary
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 3-construction certificate
 4-final

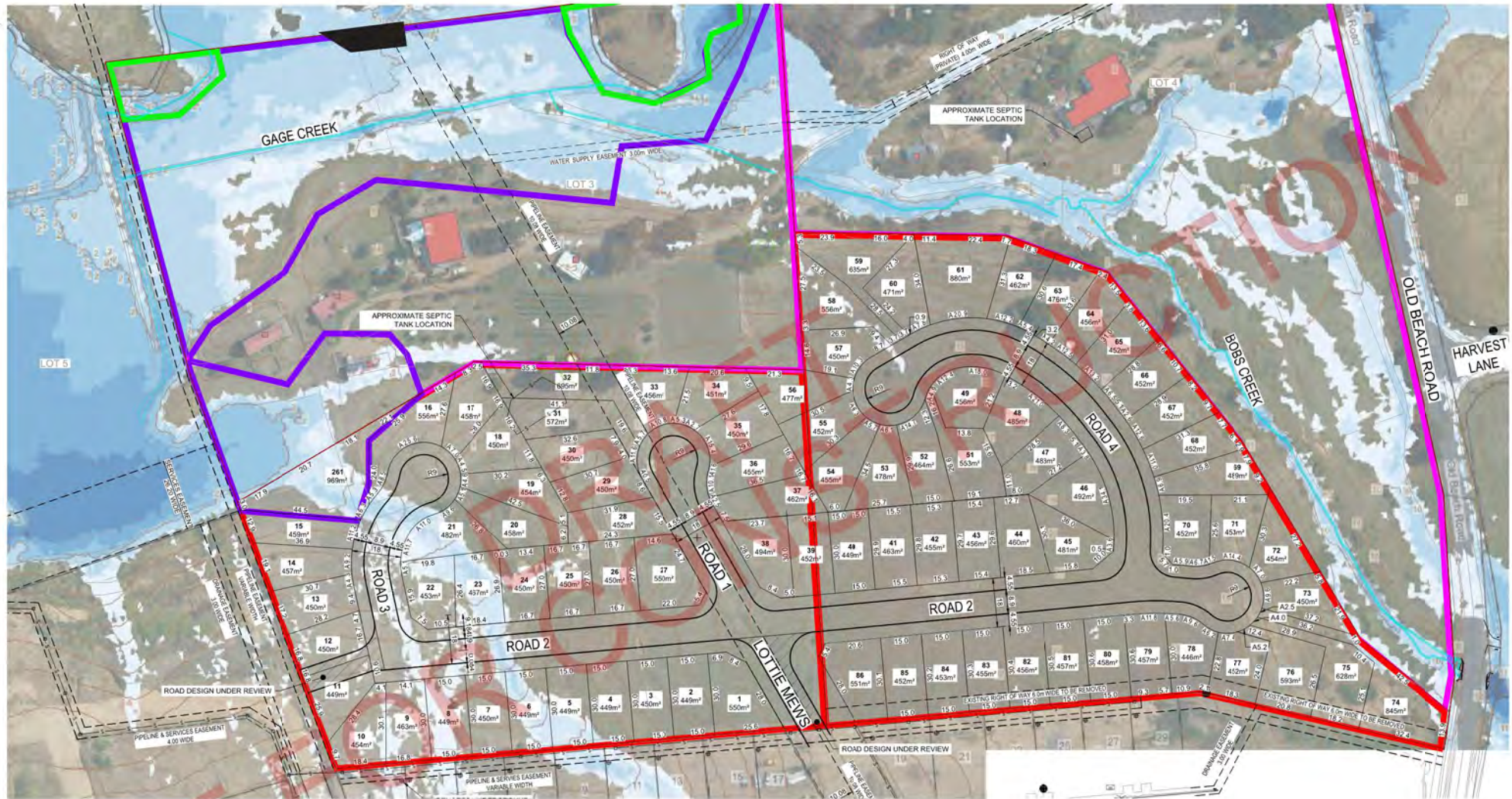
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 3-construction certificate
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1-preliminary
 2-development application
 3-construction certificate
 4-final

1-preliminary
 2-development application
 3-construction certificate
 4-final



NOTICE

LEGEND

- █ ENVIRONMENTAL MANAGEMENT
- █ GENERAL RESIDENTIAL
- █ LOW DENSITY RESIDENTIAL
- █ OPEN SPACE

Pre 1% AEP + CC @2100

Depth (m)

- <= 0.02
- 0.02 - 0.05
- 0.05 - 0.10
- 0.10 - 0.30
- 0.30 - 0.60
- 0.60 - 0.80
- 0.80 - 1.00
- > 1.00

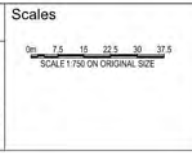
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Issue	Last revision title	By	Date	Status
Issuer internal sequence and revision history 1-preliminary 2-development application 3-construction certificate 4-tender 5-construction 6-other				

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Discipline	Drawing Title and Number	Date	Rev
ARCH			
STRUCT			
MECH			
ELEC			
HYD			
DESIGNED			
MS			
VERIFIED			
SH			
APPROVED			
SH			

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 MEMBER

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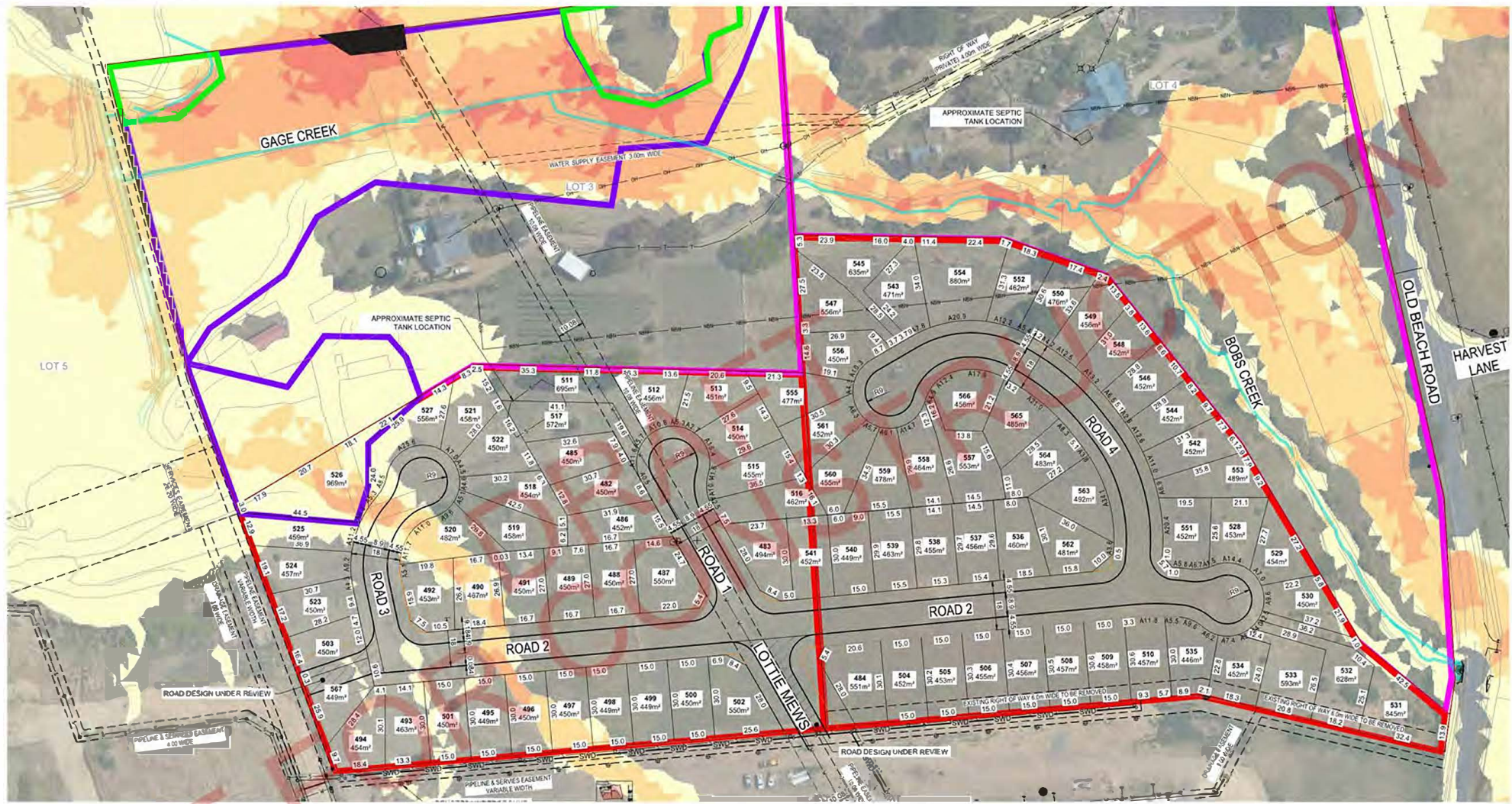
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PROJECT
 203 & 205 OLD BEACH ROAD
 TAS 7017
 ROAD & DRAINAGE DESIGN

Status	PRELIMINARY
Drawing Title	CIVIL ENGINEERING WORKS PLAN OF SUBDIVISION REZONE MAP & FLOOD DEPTH OVERLAYED
Project No.	Set No. - Drg. No. Revision No.
20230167	S02-SK003 P01

Grid	Datum	Sheet
-	A.H.D.	01



LEGEND

- █ ENVIRONMENTAL MANAGEMENT
- █ GENERAL RESIDENTIAL
- █ LOW DENSITY RESIDENTIAL
- █ OPEN SPACE

1% AEP + CC @2100

Velocity (m/s)

- <= 0.50
- 0.50 - 1.00
- 1.00 - 1.50
- 1.50 - 2.00
- > 2.00

NOT

PO1	DRAFT	KW	14.02.24	01
ISSUE	Last revision	BR	Date	STATUS

Reference	Coordination	Drawing	Date	Rev
ARCH				
STRUCT				
MECH				
ELEC				
HYD				
LANDS				
CIVIL				
SURVEY				

Quality Control		DRAWN		DATE	
CHECKED	14.02.24	DATE	14.02.24	DATE	14.02.24
DESIGNED	14.02.24	DATE	14.02.24	DATE	14.02.24
VERIFIED	14.02.24	DATE	14.02.24	DATE	14.02.24
APPROVED	14.02.24	DATE	14.02.24	DATE	14.02.24

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Scales

0m 5 10 15 20 25 30 35

SCALE 1:750 ON ORIGINAL SIZE

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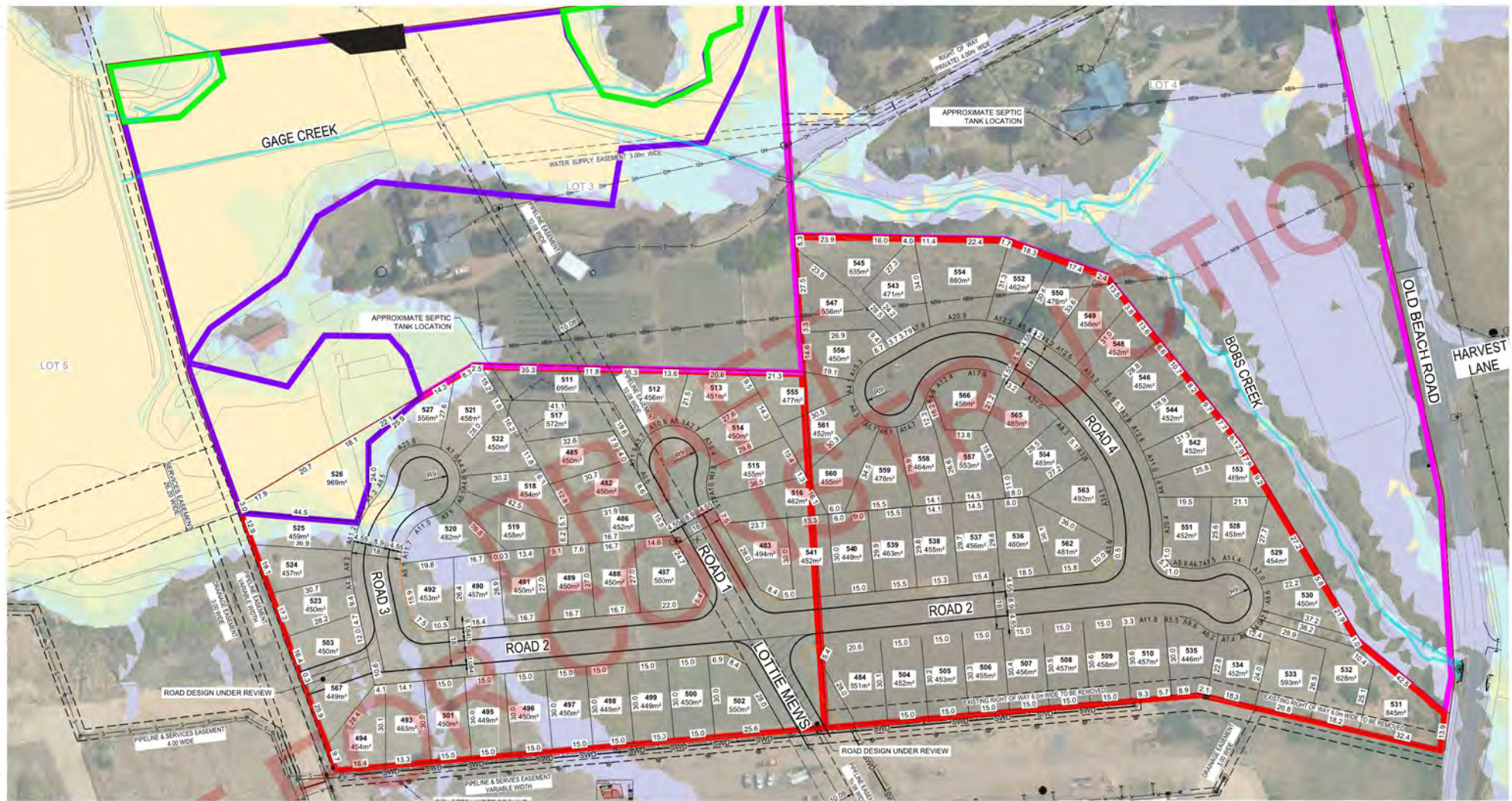
PROJECT

203 & 205 OLD BEACH ROAD
 TAS 7017
 ROAD & DRAINAGE DESIGN

PROJECT

203 & 205 OLD BEACH ROAD
 TAS 7017
 ROAD & DRAINAGE DESIGN

Status	PRELIMINARY
Brewing/Title	CIVIL ENGINEERING WORKS PLAN OF SUBDIVISION REZONE MAP & FLOOD VELOCITY OVERLAYS
Project No.	20230167
Set No.	S02-SK004
Revision No.	P01



LEGEND

	ENVIRONMENTAL MANAGEMENT		1% AEP + CC @2100
	GENERAL RESIDENTIAL		Hazard
	LOW DENSITY RESIDENTIAL		H1
	OPEN SPACE		H2
			H3
			H4
			H5
			H6

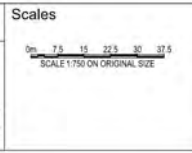
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Issue	Last revision title	By	Date	Status
Issuer internal sequence and revision history 1-preliminary 2-development application 3-construction certificate 4-tender 5-construction 6-other				

Reference Coordination Drawing		Quality Control	
Discipline	Drawing Title and Number/ Date	Rev	
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MECH			
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HYD			
MS			
DESIGNED	DATE		
VERIFIED	DATE		
SH	DATE		
APPROVED	DATE		
SH	DATE		

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PROJECT
 203 & 205 OLD BEACH ROAD
 TAS 7017
 ROAD & DRAINAGE DESIGN

Grid - Datum A.H.D. Sheet 01

Status	PRELIMINARY
Drawing Title	CIVIL ENGINEERING WORKS PLAN OF SUBDIVISION REZONE MAP & FLOOD HAZARD OVERLAYED
Project No.	Set No. - Drg. No. Revision No.
20230167	S02-SK005 P01