



Tasmania Fire Service

Bushfire Risk Unit

File No: AD3697

General Manager  
Sorell Council  
sorell.council@sorell.tas.gov.au

Attn: Planning

Dear Sir/Madam,

**RE: PROPOSED REZONING & 12 LOT SUBDIVISION – JOSEPHS ROAD & MCGINNESS ROAD, CARLTON RIVER (CT 119311/1 & CT 169070/1)**

I write in relation to Draft Amendment 1 of 2021 and the associated subdivision proposal that is currently on public exhibition. Please consider this submission as a representation on behalf of the Tasmania Fire Service (TFS).

The proposal seeks to amend the Sorell Interim Planning Scheme 2015 to rezone the subject site from Rural Resource to Rural Living and a planning permit for a 12 lot subdivision.

The site is within a 'bushfire-prone area' as defined in clause E1.3.1 of the Sorell Interim Planning Scheme 2015 and the subdivision is therefore required to comply with E1.0 Bushfire-Prone Areas Code. A bushfire hazard management plan and report from a bushfire hazard practitioner (James Wood, SEAM Environmental) has been provided in support of the application.

Tasmania Fire Service has a number of concerns with the bushfire hazard management plan and report provided in support of the application.

**1. Invalid certification**

The bushfire hazard management plan has been certified by James Wood as compliant with the Bushfire-Prone Areas Code and in accordance with the Chief Officer's requirements. Unfortunately, the practitioner is not accredited by the Chief Officer to certify subdivision bushfire hazard management plans and has therefore acted outside their scope of accreditation.

It is noted that Tasmania Fire Service advised the practitioner in September 2020 that they were not accredited to provide certification for this project. That advice was provided in response to an earlier draft of the bushfire hazard management plan, which was certified on 8<sup>th</sup> July 2020. It is concerning that

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the advertised version was certified on 20<sup>th</sup> December 2020 and therefore appears to have been produced and certified after and despite TFS's advice.

The certification provided is not from an accredited person and is invalid for planning compliance purposes.

## **2. Hazard management areas**

The bushfire hazard management plan identifies hazard management areas for large building areas on each lot. The minimum hazard management area dimensions are not specified on the plan or in the report. There are some minimum building setbacks stated but no minimum hazard management area dimensions and it is unclear what is required to be implemented.

The documentation does not specify whether it is the entirety of the areas identified as hazard management area that is required to be managed or whether hazard management areas are meant to be measured from future buildings. There are no prescriptions provided with respect to vegetation management and the documentation is silent with regards to when hazard management areas are required to be implemented.

The report includes a Bushfire Attack Level (BAL) assessment under AS 3959, which is necessary to inform the hazard management area widths that should be shown on the bushfire hazard management plan. The assessment has been provided based on the site as a whole, however there is considerable variation with respect to where future buildings could be located within the designated building areas, meaning the nominated slope classifications do not account for all potential building sites. For example, there is a significant difference in the effective slope of the land to the north of Lot 3's building area when compared to Lot 2.

It is our view that the bushfire hazard management plan does not adequately provide for BAL-19 building areas and is not certified by an accredited person, therefore cannot comply with clause E1.6.1 A1 of the Planning Scheme.

The planning authority has discretion available to it under E1.6.1 P1 but in doing so must consider any advice from Tasmania Fire Service, as specified in the Performance Criteria. The documentation provides no justification against the Performance Criteria and Tasmania Fire Service does not support the proposal in its current form.

## **3. Public and fire fighting access**

The bushfire hazard management plan identifies access to some (but not all) building areas within the subdivision. The Code's minimum specifications for private access are provided in the report but are not referenced on the plan. The documentation is silent with respect to when private accesses are required to be built.

In what appears to be a major omission, the documentation completely fails to address the requirements that apply to the construction of new public roads within the subdivision.

The bushfire hazard management plan fails to demonstrate a compliant solution for public and private access, is not certified by an accredited person and therefore cannot comply with clause E1.6.2 A1 of the Planning Scheme.

The planning authority has discretion available to it under E1.6.2 P1 but in doing so must consider any advice from Tasmania Fire Service, as specified in the Performance Criteria. The documentation provides no justification against the Performance Criteria and Tasmania Fire Service does not support the proposal in its current form.

#### **4. Firefighting water supplies**

The Code's minimum specifications for static water supplies are provided in the report but are not referenced on the plan. The documentation is silent with respect to when water supplies are required to be installed.

The bushfire hazard management plan fails to provide a compliant solution for firefighting water supplies, is not certified by an accredited person and therefore cannot comply with clause E1.6.3 A2 of the Planning Scheme.

There is no discretion available to approve a variation to E1.6.3 A2. The application is therefore prohibited under clause 8.9.1(b) of the Planning Scheme and must be refused.

It is noted that the abovementioned points also relate to the minimum information requirements that are outlined in [Bushfire Hazard Advisory Note No.4 – Chief Officer's Approved Form for a Bushfire Hazard Management Plan](#).

For the reasons outlined in this submission, our view is that the development application fails to demonstrate compliance with Section E1.0 of the Sorell Interim Planning Scheme 2015 and therefore should be refused.

If you would like to discuss this matter further, please contact me on 0438 101 367 or at [bfp@fire.tas.gov.au](mailto:bfp@fire.tas.gov.au).

Yours sincerely,



Tom O'Connor  
**SENIOR PLANNING & ASSESSMENT OFFICER**

19 August 2021

Cc [james.wood@seam.com.au](mailto:james.wood@seam.com.au)