## JMG ENGINEERS \& PLANNERS

## Planning Scheme Amendment

Rezone Future Urban Zone to General Residential Zone, Low Density Residential \& Open Space

203 \& 205 Old Beach Road, Old Beach

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## TABLE OF CONTENTS

Executive Summary ..... 4
1 Introduction ..... 5
1.1 The rationale for the amendment ..... 5
2 Site Location \& Context ..... 5
2.1 Future Subdivision ..... 6
2.2 Current zone and overlays ..... 7
2.3 Existing infrastructure ..... 8
3 Planning Scheme Amendment ..... 9
3.1 Scheme Amendment for Site Rezoning ..... 9
3.2 Alternatives ..... 11
3.3 Use Implications ..... 11
4 Legislative implications ..... 17
4.1 Land Use Planning and Approvals Act 1993 ..... 17
4.2 State Policies ..... 26
4.3 Regional Policies ..... 27
4.4 Local Provision Schedule ..... 29
5 Relevant Issues ..... 31
5.1 Context, Setting and Visual Impact ..... 31
5.2 Traffic and Transport Networks ..... 31
5.3 Water Sewer and Stormwater ..... 31
5.4 Noise ..... 32
5.5 Natural Hazards ..... 32
5.6 Heritage ..... 32
5.7 Flora and Fauna ..... 32
5.8 Social Impacts \& Economic Impacts ..... 33
6 Conclusion ..... 34
Appendix A - Title Information
Appendix B - Owners' Consent
Appendix C - Bushfire Report
Appendix D - Natural Values Assessment
Appendix E - Flood Report
Appendix F - DA Subdivision Plans
Appendix G - Concept Services - Subdivision PlansAppendix H-Aboriginal Heritage Report and AHT Advice

## Executive Summary

This report has been prepared in support of a Section 37 application under the Land Use Planning and Approvals Act 1993 for a proposed amendment to the Tasmanian Planning Scheme - Brighton Local Provisions Schedule. The application is to be lodged with Brighton Council for assessment.

Section 37 of the Land Use Planning and Assessment Act 1993 allows for a request to be made to a planning authority to amend the Local Provision Schedule administered by it.
The proposed scheme amendment involves rezoning 203 Old Beach Road 6.676ha (PID 1888355 CT 123119/1) and 205 Old Beach Road 5.885ha (PID 2282435 CT 135401/7) from 'Future Urban' to 'General Residential', 'Low Density Residential’, 'Environmental Management' and 'Open Space'. It is also proposed to remove the Priority Vegetation overlay from the proposed General Residential zone area based on the Natural Values advice from EnviroDynamics.

The proposed amendment will enable the site to be made available for residential and supporting uses consistent with the proposed residential zones. No changes to the Waterway and Coastal Protection area or Bushfire-prone areas overlay maps are proposed as part of this application. There are no Part 5 Agreements or Covenants on the site.

The application is supported by the following documents:

- Appendix A - Certificate of Titles
- Appendix B - Owners' Consent
- Appendix C - Bushfire Report
- Appendix D - Natural Values Assessment
- Appendix E - Flood Report
- Appendix F - DA Subdivision Plans
- Appendix G - Concept Services - Subdivision Plans
- Appendix H - Aboriginal Heritage Report and AHT Advice

It is submitted that the proposed amendment ought to be considered under Section 37 of the Land Use Planning and Approvals Act 1993 (the Act) on the basis that it is consistent with the requirements of Section 32 and the objectives of the Act. The proposed amendment also complies with the Ministerial Guidelines No. 1 as the land meets the zone purpose of the General Residential, as well as the zone application guidelines. The proposed amendment is in general conformity with the Brighton Structure Plan (2018) which identifies the land for conventional density housing.

## 1 Introduction

JMG Engineers \& Planners have been engaged by Great Divide Developments Pty Ltd to prepare a planning scheme amendment on their behalf.
It is proposed to rezone 203 and 205 Old Beach Road (the Site) from 'Future Urban' to 'General Residential', 'Low Density Residential', 'Environmental Management' and 'Open Space'. The proposed zoning will allow for the development of urban, residential, and mixed-uses on the site, which is in accordance with the current zone purpose 'Future Urban' which seeks to identify land for future urban use and development.

The subject site comprises land that is likely to be capable of being fully serviced, including water and sewer connections.

This report has been prepared in support of the proposed amendment to the Tasmanian Planning Scheme - Brighton Local Provisions Schedule under Section 37 of the Land Use Planning and Approvals Act 1993.

### 1.1 The rationale for the amendment

It is proposed to rezone the land from 'Future Urban' to 'General Residential', 'Low Density Residential', 'Environmental Management' and 'Open Space'.
The proposed zoning will allow for the development of residential uses on the site, which is in accordance with the current zone purpose which seeks to identify land for future urban use and development.
General Residential Zoning would be in keeping with the wider zoning pattern and character of the area, including the existing settlement pattern, use, layout, and development of Old Beach.

Proposed zoning as 'Low Density Residential' allows for existing residential development whilst recognising environmental constraints including waterways and wetlands on the land.

The 'Environmental Management' zone has been applied to those areas with a Hazard Rating of H4-H6 in the Flood Report.

Proposed open space zoning supports the delivery of open space, in accordance with Brighton Council's Public Open Space Policy AP13. and recognises the natural environment of the waterway.

## 2 Site Location \& Context

The subject site consists of two titles 203 Old Beach Road, Old Beach (CT 123119/1) and 205 Old Beach Road, Old Beach (CT 135401/7), see Figure. The site is owned by Mark James Nolan and Lisa Jane Schimanski.

The area of the subject site is 6.676 ha with a frontage of approximately 320 m to Old Beach Road. There are existing dwellings and sheds on the subject site (See Figure 1-1).

Two rights of way ( 4 m and 6 m ) burden the land at 203 Old Beach Road in favour of the land at 203 Old Beach Road via Old Beach Road. 205 Old Beach Road has a 10.06 m wide pipeline easement. A 3 m wide water supply easement is within 203 Old Beach Road and extended into 205 Old Beach Road. Land to the south and southwest 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 enclosed in Appendix A.


Figure 1-1: Subject Site and Surrounding Area (Source LISTmap, accessed 24.02.2023)

### 2.1 Future Subdivision

A permit was granted on the $6^{\text {th }}$ May 2023 for 2 two-lot subdivisions (with two balance lots) at $203 \& 205$ Old Beach Road, Old Beach (SA2022/044). The proposed subdivision for the site is shown in the Subdivision Plan (Appendix F).
Lot 7 (205 Old Beach Road) was subdivided into Lot 3 (Balance Lot) with an area of 2.917 ha and Lot 2 with an area of 2.624ha.

Lot 1 (203 Old Beach Road) was subdivided into Lot 4 (Balance Lot) with an area of 3.795 ha and Lot 1 with an area of 2.881ha.

The proposed lots 1 and 2 will use a new driveway access via Lottie Mews.
A new DN150 TasWater Sewer Main in a 2.5 m 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.

The stamped plan of SA2022/044 has been included (see Appendix G). Condition 6 of this permit states:

## Condition 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.

This will involve some minor corrections to the Lot 3 boundary with the proposed public open space lots. Noting this is also proposed to be a zoning boundary.

### 2.2 Current zone and overlays

The subject site is zoned 'Future Urban' under the Tasmanian Planning Scheme - Brighton (See Figure 2-). To the immediate south and west of the site, land is zoned 'General Residential', land to the north is zoned 'Future Urban' and land to the east is 'Rural'. Land in the wider vicinity is zoned 'Open Space' and 'Rural Living A'.
The subject site is fully covered by the Bushfire-prone Areas Code and is partially within the Natural Assets Code (Priority vegetation area) to the south of the site and the Waterway and coastal protection area to the east of the site (see Figure 2-1, Figure 2-2 \& to Figure 2-3 respectively).
There are no heritage-listed places on or adjoining the site.


Figure 2-1: Zoning of the Subject Site and Surrounding Areas (Source LISTmap, accessed 01.05.2023)


Figure 2-2: Extent of 'Waterway and coastal protection area' Overlay of the Subject Site and Surrounding Areas (Source LISTmap, accessed 01.05.23)


Figure 2-3: Extent of 'Priority vegetation' Overlay of the Subject Site and Surrounding Areas (Source LISTmap, accessed 01.05.23)

### 2.3 Existing infrastructure

The site is fully capable of being serviced.
Details of the future subdivision are within the Subdivision Plan and details have been provided for servicing these future lots in the Concept Services Plan (see Appendix G).

## 3 Planning Scheme Amendment

## Amendment to Tasmanian Planning Scheme - Brighton Local Provisions Schedule to:

- rezone the site from 'Future Urban' to 'General Residential', 'Low Density Residential', 'Environmental Management' and 'Open Space';
- remove the Priority Vegetation overlay; and
- apply the Flood-Prone Areas Hazards overlay (based on flood modelling).


### 3.1 Scheme Amendment for Site Rezoning

It is proposed to rezone the land from 'Future Urban' to 'General Residential'(5.505ha), 'Low Density Residential' (6.712ha) and 'Open Space'(0.27ha). The proposed zoning can be seen in Figure 3-1. It is proposed to remove the Priority Vegetation overlay (see Figure 3-2) from the subject site.

A natural values assessment (see Appendix D) has determined that the area of the site 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 habitats present. Any development on this site will not impact any significant natural values. Removal of this overlay will support future development for urban uses.
It is also proposed to apply the Flood-Prone Hazard overlay (see Figure 3-3) on the site consistent with the flood mapping produced by Flussig Engineers. The 1\% Annual Exceedance Probability (AEP) event plus Climate Change 2100. This will enable development within the zones to be protected by appropriate flood assessment.
The Open Space zoning is effectively the area within and north of the mapped Onshore Water Body within the area of 205 Old Beach Road. This matter was directed by the planning permit.


Figure 3-1: Proposed Zoning


Figure 3-2: Amended Biodiversity Protection Overlay


Figure 3-3: Proposed Flood-prone Area Overlay

### 3.2 Alternatives

A Particular Purpose Zone (PPZ) was considered as an alternative manner to control development on the site. A PPZ may be applied to a particular area of land where the intended planning outcomes cannot be achieved through the application of one or more State Planning Provision zones. It may be applied to land that provides major facilities or sites which require a unique or tailored approach to both use and development standards, such as a university campus, or major hospital site.

The proposed rezoning aims to facilitate residential development and does not require a unique or tailored approach to the use or development standards. It is considered that State Planning Provision 'General Residential', 'Low Density Residential', 'Environmental Management' and 'Open Space' zoning can adequately control use and development on the site.

Since the land is currently zoned as Future Urban, which has the purpose to "identify land intended for future urban use and development" and to "support the planned rezoning of land for urban use and development in sequence with the planned expansion of infrastructure", the most appropriate approach was to rezone the land as proposed. The proposed zoning is in accordance with Ministerial Guideline No.1, see section 4.1.2.
A Specific Area Plan (SAP) over the proposed 'General Residential' zone was considered to guide future development, however as development options are limited by existing road access points and the flood area of the creek, this was considered unnecessary in this instance. Further, the subdivision design is reasonably advanced and will immediately follow the rezoning of the site should it be successful.

Application of the Rural Residential A zone was considered in lieu of the Low Density Living zone, but given the wider range of uses permitted under this zone and the lack of any strategic plan to direct the extension of the Rural Residential zone into this area this was not considered the best option. The surrounding Tivoli Green Specific Area plan was also a factor in this as its structure is to have General Residential zoned lots directly adjacent to Open Space areas without any zoning transition.

The extension of the Tivoli Green Specific Area Plan (SAP) onto the site was briefly considered, but given a large number of land owners affected by the SAP this was considered impractical. The size of the subject lots, the existing road connections and the mapped flooding areas make development of the site fairly predictable and thus a SAP on the site is unwarranted.

The use of the 'Environmental Management' zone for high risk flooding areas was considered an alternative to relying on the Flood-prone Hazard overlay to control flood risk over the General Residential and Low Density Residential zones.

### 3.3 Use Implications

### 3.3.1 Current versus proposed zone uses

The proposed rezoning will have implications for the use of the site.

Table 3-1 compares current permit requirements with those under zoning of 'General Residential'. Uses in bold [bold] can potentially occur in the proposed zone but are prohibited in the current zone. The proposed amendment to 'General Residential' supports a larger number of urban uses on the site.

Table 3-1: Comparison of uses of 'Future Urban' to 'General Residential

| Status | Future Urban Zone (current) | General Residential Zone (proposed) |
| :---: | :---: | :---: |
| No Permit Required | - Natural and Cultural Values Management <br> - Passive Recreation | - Natural and cultural values management <br> - Passive Recreation <br> - Residential (If for a single dwelling.) <br> - Utilities (if for minor utilities.) |
| Permitted | - Residential (If for a single dwelling or home-based business.) <br> - Resource Development (If for agricultural use, excluding controlled environment agriculture.) <br> - Utilities (If for minor utilities.) | - Residential (If not listed as No Permit Required.) <br> - Visitor Accommodation |
| Discretionary | - Utilities (If not listed as Permitted.) | - Business and Professional Services (If for a consulting room, medical centre, veterinary centre, child health clinic, or for the provision of residential support services.) <br> - Community Meeting and Entertainment (If for a place of worship, art and craft centre, public hall, community centre or neighbourhood centre <br> - Education and Occasional Care (If not for a tertiary institution.) <br> - Emergency Services <br> - Food Services (If not for a take away food premises with a drive through facility.) <br> - General Retail and Hire (If for a local shop.) <br> - Sport and Recreation (If for a fitness centre, gymnasium, public swimming pool or sports ground.) <br> - Utilities (If not listed as No Permit Required.) |
| Prohibited | All other uses | All other uses |

Table 3-2 Comparison of uses 'Future Urban' to 'Low Density Residential'

| Status | Future Urban Zone (current) | Low Residential Zone (proposed) |
| :---: | :---: | :---: |
| No Permit Required | - Natural and Cultural Values Management <br> - Passive Recreation | - Natural and cultural values management <br> - Passive Recreation <br> - Residential (If for a single dwelling.) <br> - Utilities (if for minor utilities.) |
| Permitted | - Residential (If for a single dwelling or home-based business.) <br> - Resource Development (If for agricultural use, excluding controlled environment agriculture.) <br> - Utilities (If for minor utilities.) | - Residential (If not listed as No Permit Required.) <br> - Visitor Accommodation |
| Discretionary | - Utilities (If not listed as Permitted.) | - Business and Professional Services (If for a consulting room, medical centre, veterinary centre, child health clinic, or for the provision of residential support services.) <br> - Community Meeting and Entertainment (If for a place of worship, art and craft centre or public hall) <br> - Education and Occasional Care (If not for a tertiary institution.) <br> - Emergency Services <br> - Food Services (If not for a take away food premises with a drive through facility.) <br> - General Retail and Hire (If for a local shop.) <br> - Residential (If not listed as No Permit Required or Permitted) <br> - Sport and Recreation (If for a fitness centre, gymnasium, public swimming pool or sports ground.) <br> - Utilities (If not listed as No Permit Required.) |
| Prohibited | All other uses | All other uses |

Table 3-3 Comparison of uses 'Future Urban' to 'Environmental Management'

| Status | Future Urban Zone (current) | Environmental Management Zone (proposed) |
| :--- | :--- | :--- |
| No Permit <br> Required | -Natural and Cultural Values <br> Management <br> Passive Recreation | Natural and Cultural values management <br> Passive Recreation |
|  |  |  |


| Status | Future Urban Zone (current) | Environmental Management Zone (proposed) |
| :---: | :---: | :---: |
| Permitted | - Residential (If for a single dwelling or home-based business.) <br> - Resource Development (If for agricultural use, excluding controlled environment agriculture.) <br> - Utilities (If for minor utilities.) | - Community Meeting and Entertainment <br> - Educational and Occasional Care <br> - Emergency Services <br> - Food Services <br> - General Retail and Hire <br> - Pleasure Boat Facility <br> - Research and Development <br> - Residential <br> - Resource Development <br> - Sports and Recreation <br> - Tourist Operation <br> - Utilities <br> - Visitor Accommodation <br> Most uses have a Crown consent qualification |
| Discretionary | - Utilities (If not listed as Permitted.) | - Community Meeting and Entertainment <br> - Educational and Occasional Care <br> - Emergency Services <br> - Extractive Industry <br> - Food Services <br> - General Retail and Hire <br> - Pleasure Boat Facility <br> - Research and Development <br> - Resource Development <br> - Resource Processing <br> - Resource Development <br> - Sports and Recreation <br> - Tourist Operation <br> - Utilities <br> - Visitor Accommodation |
| Prohibited | All other uses | All other uses |

Table 3-4 Comparison of uses 'Future Urban' to 'Open Space'

| Status | Future Urban Zone (current) | Open Space Zone (proposed) |
| :---: | :---: | :---: |
| No Permit Required | - Natural and Cultural Values Management <br> - Passive Recreation | - Natural and cultural values management <br> - Passive Recreation <br> - Utilities (if for minor utilities.) |
| Permitted | - Residential (If for a single dwelling or home-based business.) <br> - Resource Development (If for agricultural use, excluding controlled environment agriculture.) <br> - Utilities (If for minor utilities.) | No permitted uses |
| Discretionary | - Utilities (If not listed as Permitted.) | - Community Meeting and Entertainment <br> - Crematoria and Cemeteries <br> - Emergency Services |


| Status | Future Urban Zone (current) | Open Space Zone (proposed) |
| :--- | :--- | :--- |
|  |  | •General Retail and Hire <br> Pleasure Boat Facility <br> • <br> Resource Development (If for marine <br> farming shore facility or other facility that <br> relies upon a coastal location to fulfil its <br> purpose or grazing.) |
| Prohibited | All other uses | Tourist Operation <br> Transport Depot and Distribution <br> Utilities (If not listed as No Permit <br> Required.) <br> Visitor Accommodation |

The comparative analysis demonstrates that the proposed rezoning from 'Future Urban' to 'General Residential’ zone, 'Low Density Residential' zone and' Open Space' zone will enable significant changes to the No Permit Required, Permitted, and Discretionary uses. The exception to this is the Environmental Management zone which will lose significant uses such as Residential, however this is not consequential as these areas are also mapped as high flood risk areas where such uses are unlikely.
The proposed change accords with the intention of the current 'Future Urban' zone to identify land for future "urban use and development".

The 'General Residential' zone provides for urban uses including a range of dwellings, visitor accommodation and non-residential uses that primarily service the local community providing they do not cause an unreasonable loss of amenity. The 'Low Density Residential' zoning supports urban uses and development whilst recognising the constraints of the site.

There are no proposed amendments to Use Standards, Development Standards or Codes.
The proposed rezoning will not significantly affect the character of the area as land to the north and south of the site is zoned 'Future Urban' and 'General Residential'. Since the land is already zoned for 'Future Urban' use, the principle of 'urban' use and development has been accepted on the site, and as such, the extension of the 'General Residential' zone will not have a significant impact on adjoining sites, which will be adequately controlled by existing planning scheme provisions.

## Relevant Use Standards - General Residential

Uses in land zoned 'General Residential' will be subject to use standards within Clauses 8.3. The objectives of these clauses are detailed below.

### 8.3.1 Discretionary uses

Objective: That Discretionary uses do not cause an unreasonable loss of amenity to adjacent sensitive uses.

### 8.3.2 Visitor Accommodation

Objective: That Visitor Accommodation:
(a) is compatible with the character and use of the area;
(b) does not cause an unreasonable loss of residential amenity; and
(c) does not impact the safety and efficiency of local roads or rights of way.

It is considered the Use standards adequately control use and development within the Zone.

## Relevant Development Standards - General Residential

Development on land zoned General will be subject to the following development controls.

1. Clause 8.4 Development Standards for Dwelling
2. Clause 8.5 Development Standards for Non-dwellings
3. Clause 8.6 Development Standards for Subdivision.

It is considered the Development Standards adequately control use and development within the Zone.

## Relevant Use Standards - Low Density Residential

Uses in land zoned Low Density Residential will be subject to use standards within Clauses 10.3. The objectives of these clauses are detailed below.

### 10.3.1 Discretionary uses

Objective: That Discretionary uses do not cause an unreasonable loss of amenity to adjacent sensitive uses.

### 10.3.2 Visitor Accommodation

Objective: That Visitor Accommodation:
(a) is compatible with the character and use of the area;
(b) does not cause an unreasonable loss of residential amenity; and
(c) does not impact the safety and efficiency of local roads or rights of way.

It is considered the Use standards adequately control use and development within the Zone.

## Relevant Development Standards - Low Density Residential

Development on land zoned General will be subject to the following development controls.

1. Clause 10.4 Development Standards for Dwelling
2. Clause 10.5 Development Standards for Non-dwellings
3. Clause 10.6 Development Standards for Subdivision.

It is considered the Development Standards adequately control use and development within the Zone.

## Relevant Use Standards - Low Density Residential Zone

Uses in land zoned Low Density Residential will be subject to use standards within Clauses 29.3. The objectives of these clauses are detailed below.

### 29.3.1 Discretionary uses

Objective: That Discretionary uses do not cause an unreasonable loss of amenity to adjacent sensitive uses.

## Relevant Use Standards - Environmental Management Zone

Uses in land zoned Environmental Management will be subject to use standards within Clauses 23.3. The objectives of these clauses are detailed below.

### 29.3.1 Discretionary uses

Objective: That uses listed as Discretionary recognise and reflect the relevant values of the reserved land.

## Relevant Development Standards - Open Space

Development on land zoned General will be subject to the following development controls.

1. Clause 29.4 Development Standards for Buildings and Works
2. Clause 29.5 Development Standards for Subdivision.

It is considered the Development Standards adequately control use and development within the Zone.

## 4 Legislative implications

### 4.1 Land Use Planning and Approvals Act 1993

The Land Use Planning and Approvals Act 1993 (the Act) is the principal planning Act and forms a component of the Resource Management and Planning System (RMPS). The following section considers the applicable criteria under LUPAA.

## Objectives of LUPAA

Section 5 of LUPAA sets out the objectives to be furthered by the Act. provides an assessment of the proposed amendment against the objectives of the RMPS and the planning process established by the Act.

Table 4-1 Assessment against objectives of RMPS and planning process.
\(\left.\left.$$
\begin{array}{|l|l|}\hline \text { Part } 1 & \text { Assessment } \\
\hline \begin{array}{l}\text { (a) To promote the sustainable } \\
\text { development of natural and physical } \\
\text { resources and the maintenance of } \\
\text { ecological processes and genetic } \\
\text { diversity; and }\end{array} & \begin{array}{l}\text { The proposed amendment promotes appropriate land } \\
\text { use and development having regard to the attributes of } \\
\text { the subject site and surrounding land and will enable } \\
\text { the land to be developed for urban use and } \\
\text { development. The site is also capable of being fully } \\
\text { connected to reticulated services. } \\
\text { Stormwater and wastewater will be managed }\end{array} \\
\text { appropriately and will be controlled by provisions in } \\
\text { the relevant zones and codes. } \\
\text { The amendment will have minimal impact with regard } \\
\text { to ecological processes and genetic diversity and } \\
\text { accordingly, the amendment is considered to further } \\
\text { Objective (a) of Part 1. }\end{array}
$$\right\} \begin{array}{l}The proposed amendment will provide for urban use of <br>
land and development in a location that: <br>
- Adjoins existing urban land <br>
- Is capable of being fully serviced with the <br>

reticulated water and sewerage supply\end{array}\right\}\)| - Capable of capturing stormwater and dealing |
| :--- |
| with wastewater onsite |
| air, land and water; and |


| (c) to encourage public involvement in <br> resource management and planning; <br> and | A public notification period will be conducted in <br> accordance with the requirements of the Land Use <br> Planning and Approvals Act 1993. |
| :--- | :--- |
| Accordingly, the amendment is considered to further |  |
| Objective (c) of Part 1. |  |


| (e) to provide for the consolidation of <br> approvals for land use or development <br> and related matters, and to co- <br> ordinate planning approvals with <br> related approvals; and | The proposed amendment does not affect the <br> attainment of this objective. <br> Accordingly, the amendment is considered to further <br> Objective (e) of Part 2. |
| :--- | :--- |
| (f) to promote the health and wellbeing <br> of all Tasmanians and visitors to <br> Tasmania by ensuring a pleasant, <br> efficient and safe environment for <br> working, living and recreation; and | The proposed amendment will directly provide a <br> pleasant, efficient, and safe environment for living <br> providing land for residential uses adjacent to existing <br> residential areas <br> Accordingly, the amendment is considered to further <br> Objective (f) of Part 2. |
| (g) to conserve those buildings, areas or |  |
| other places which are of scientific, |  |
| aesthetic, architectural or historical |  |
| interest, or otherwise of special |  |
| cultural value; and |  |$\quad$| The proposed amendment will have no impact upon |
| :--- |
| listed or identified places of value. |
| Accordingly, the amendment is considered to further |
| Objective (g) of Part 2. |

### 4.1.1 S34 Criteria

Section 34(2) of the Act sets out the criteria to be met by a planning instrument. Table 4-2 to
Table 4-5 Consideration of the Zone application guidelines Environmental Management Zone

## Criteria

EMZ 1 The Environmental Management Zone should be applied to land with significant ecological, scientific, cultural or scenic values, such as:
(a) land reserved under the Nature Conservation Act 2002;
(b) land within the Tasmanian Wilderness World Heritage Area;
(c) riparian, littoral or coastal reserves;

## Assessment

The area where this zone is applied is all within private land which is intended to be of limited use and development due to it being within an identified high risk flooding area.
(d) Ramsar sites;
(e) any other public land where the primary purpose is for the protection and conservation of such values; or
(f) any private land containing significant values identified for protection or conservation and where the intention is to limit use and development.

EMZ 2 The Environmental Management Zone should be applied to land seaward of the high water mark unless contrary intention applies, such as land with existing, or intended for:
(a) passive recreation opportunities (see Open Space Zone);
(b) recreational facilities (see Recreation Zone);
(c) large scale port and marine activities or facilities (see Port and Marine Zone);
(d) industrial activities or facilities (see industrial zones); or
(e) major utilities infrastructure (see Utilities Zone)

EMZ 3 The Environmental Management Zone may be applied to land for water storage facilities directly associated with major utilities infrastructure, such as dams.

This is not applicable to this site.

This is partly applicable to the site as some of the area proposed Environmental Management is use for a Sewer Pump Station.

Table 4- provides an assessment of the proposed amendment against the criteria.

Table 4-2 Assessment against S34

| Criteria | Assessment |
| :--- | :--- |
| (a) contains all the provisions that the <br> SPPs specify must be contained in an LPS | The proposed amendment accords with the structure <br> and contents of the LPS. |
| (b) is in accordance with Section 32 | The proposed amendments meet with the S32(3) <br> requirements for the LPS provisions as the amendment <br> is for rezoning only in accordance with the relevant <br> application of the specific zones. |
| (c) furthers the objectives set out in <br> Schedule 1 | The proposed amendments meet with the objectives in <br> Schedule 1 as discussed above. |
| (d) is consistent with each State policy | This is addressed in Section 0 which demonstrates that <br> the proposed rezoning is in accordance with the state <br> policy. |


| (da) satisfies the relevant criteria in <br> relation to the TPPs | At present, there are no adopted TPPs. |
| :--- | :--- |
| (e) as far as practicable, is consistent with <br> the regional land use strategy, if any, for <br> the regional area in which is situated the <br> land to which the relevant planning <br> instrument relates | This is addressed in Section 3.4 which demonstrates <br> that the proposal is consistent with Southern Regional <br> Land Use Strategy 2010-2035. |
| (f) has regard to the strategic plan, <br> prepared under section 66 of the Local <br> Government Act 1993, that applies in <br> relation to the land to which the relevant <br> planning instrument relates | This is addressed in section 4.3.2 which demonstrates <br> that the proposal is consistent with the Brighton <br> Structure Plan (2018). |
| (g) as far as practicable, is consistent with <br> and co-ordinated with any LPSs that apply <br> to municipal areas that are adjacent to <br> the municipal area to which the relevant <br> planning instrument relates | The site is not adjacent to another LPS. |
| (h) has regard to the safety requirements <br> set out in the standards prescribed under <br> the Gas Safety Act 2019. | The proposed amendment relates to land outside of the <br> declared pipeline corridor, and as such will not impact <br> the safety requirements of the Act. |
| (a) contains all the provisions that the <br> SPPs specify must be contained in an LPS | The proposed amendment accords with the structure <br> and contents of the LPS. |

### 4.1.2 Ministerial Guideline No.1 Local Provisions Schedule (LPS): zone and code application

Ministerial Guideline No.1, issued under section 8A of LUPAA, provides an easy reference guide for the application of all zones and codes for the preparation of LPS and the amendment to LPS.

Where suitable it is proposed to rezone the land to 'General Residential' recognising the current 'Future Urban' residential zoning, surrounding land use, infrastructure provision and regional land use strategy.
Land not suitable for rezoning to 'General Residential' will be rezoned to 'Low Density Residential' recognising the current 'Future Urban' zoning, environmental constraints and natural values.

Land adjacent to the waterway will be rezoned to 'Open Space' recognising the potential of the land to provide passive recreational opportunities and natural amenity within an urban setting.

Table 4-3 to 4-5 below provide an assessment of the site against the Zone application guidelines.

Table 4-3 Consideration of the Zone application guidelines General Residential

```
Criteria
```

Assessment

GRZ 1 - The General Residential Zone should be applied to the main urban residential areas within each municipal area which:
(a) are not targeted for higher densities (see Inner Residential Zone); and
(b) are connected, or intended to be connected, to a reticulated water supply service and a reticulated sewerage system

GRZ 2 - The General Residential Zone may be applied to green-field, brown-field or grey-field areas that have been identified for future urban residential use and development if:
(a) within the General Residential Zone in an interim planning scheme;
(b) within an equivalent zone under a section 29 planning scheme; or
(c) justified in accordance with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; and
(d) is currently connected, or the intention is for the future lots to be connected, to a reticulated water supply service and a reticulated sewerage system,

Note: The Future Urban Zone may be used for future urban land for residential use and development where the intention is to prepare detailed structure/precinct plans to guide future development
GRZ 3 - The General Residential Zone should not be applied to land that is highly constrained by hazards, natural values (i.e. threatened vegetation communities) or other impediments to developing the land consistent with the zone purpose of the General Residential Zone, except where those issues have been taken into account and appropriate management put into place during the rezoning process.

The site is currently zoned 'Future Urban'. It is not identified for higher density ('Inner Residential') Considering the location of the site and surrounding land uses it is considered 'General Residential' is an appropriate zone.

The site is capable of being connected to a reticulated water supply service and a reticulated sewerage system through existing mains in the immediate area.

The site is currently zoned 'Future Urban' which permits residential uses.
The proposed zoning is consistent with 'the Strategy'.
The site is capable of being connected to a reticulated water supply service and a reticulated sewerage system through existing mains in the immediate area.

It is proposed to apply 'General Residential' to land that is outside of highly constrained areas. Land that is constrained is proposed to be zoned 'Low Density Residential'.

Future use and development will be adequately controlled by the applicable zone and code provisions under the planning scheme.

Table 4-4 Consideration of the Zone application guidelines Low Density Residential

## Criteria

Assessment

## LDRZ 1 The Low Density Residential Zone

 should be applied to residential areas where one of the following conditions exist:(a) residential areas with large lots that cannot be developed to higher densities due to any of the following constraints:
(i) lack of availability or capacity of reticulated infrastructure services, unless the constraint is intended to be resolved prior to development of the land; and
(ii) environmental constraints that limit development (e.g. land hazards, topography or slope); or
(b) small, residential settlements without the full range of infrastructure services, or constrained by the capacity of existing or planned infrastructure services; or
(c) existing low density residential areas characterised by a pattern of subdivision specifically planned to provide for such development, and where there is justification for a strategic intention not to support development at higher densities
LDRZ 2 The Low Density Residential Zone may be applied to areas within a Low Density Residential Zone in an interim planning scheme or a section 29 planning scheme to lots that are smaller than the allowable minimum lot size for the zone, and are in existing residential areas or settlements that do not have reticulated infrastructure services.

LDRZ 3 The Low Density Residential Zone should not be applied for the purpose of protecting areas of important natural or landscape values

The site is currently zoned 'Future Urban'.
It is not identified for higher density (Inner Residential) and cannot be developed at high density due to the flooding hazard risk on the site.

The area is able to be connected to reticulated services, but is intended to remain on on-site waste water as is currently the case.

Considering the location of the site and surrounding land uses it is considered 'Low Density Residential' is an appropriate zone; however areas of the Site are impacted by environmental constraints including wetlands and waterways.

In these locations, 'Low Density Residential' is considered most appropriate.

The site is currently zoned 'Future Urban' which permits residential uses. Lot sizes are above those stated within the Ministerial Guideline.

The part of the Site proposed to be zoned Low Density does not contain areas of important natural or landscape values.

Table 4-5 Consideration of the Zone application guidelines Environmental Management Zone

| Criteria | Assessment |
| :--- | :--- |
| EMZ 1 The Environmental Management Zone <br> should be applied to land with significant <br> ecological, scientific, cultural or scenic <br> values, such as: | The area where this zone is applied is all within <br> private land which is intended to be of limited use <br> and development due to it being within an identified <br> high risk flooding area. |
| (a) land reserved under the Nature |  |
| Conservation Act 2002; |  |
| (b) land within the Tasmanian Wilderness |  |
| World Heritage Area; |  |
| (c) riparian, littoral or coastal reserves; |  |

(d) Ramsar sites;
(e) any other public land where the primary purpose is for the protection and conservation of such values; or
(f) any private land containing significant values identified for protection or conservation and where the intention is to limit use and development.

EMZ 2 The Environmental Management Zone should be applied to land seaward of the high water mark unless contrary intention applies, such as land with existing, or intended for:
(a) passive recreation opportunities (see Open Space Zone);
(b) recreational facilities (see Recreation Zone);
(c) large scale port and marine activities or facilities (see Port and Marine Zone);
(d) industrial activities or facilities (see industrial zones); or
(e) major utilities infrastructure (see Utilities Zone)

EMZ 3 The Environmental Management Zone may be applied to land for water storage facilities directly associated with major utilities infrastructure, such as dams.

This is partly applicable to the site as some of the area proposed Environmental Management is use for a Sewer Pump Station.

Table 4-6 Consideration of the Zone application guidelines Open Space Zone

## Criteria

SZ 1 The Open Space Zone should be applied to land that provides, or is intended to provide, for the open space needs of the community, including land identified for:
(a) passive recreational opportunities; or
(b) natural or landscape amenity within an urban setting

SZ 2 The Open Space Zone may be applied to land seaward of the high water mark where it includes existing, or is intended for, passive recreation opportunities

SZ 3 The Open Space Zone should generally only be applied to public land, but may be applied to privately owned land if it has

## Assessment

Proposed open space zoning supports delivery of open space, in accordance with Brighton Council's Public Open Space Policy AP13. and recognises the natural environment of the waterway.

The land is not seaward of the highwater mark.

While currently private land areas zoned 'Open Space' will be transferred to Council to form part of its open space network.

```
been strategically identified for open space
purposes.
```

The Open Space Zone should not be applied The area of the Site proposed to be zoned 'Open
to land:
(a) with significant natural values (see
Environmental Management Zone); or
(b) with, or intended for, formal
recreational facilities, such as sporting
grounds, golf courses, racecourses or major
sporting facilities (see Recreation Zone).

### 4.2 State Policies

### 4.2.1 Tasmanian State Coastal Policy 1996

As the subject is not located within 1 kilometre of the high-water mark, it is not subject to the Tasmanian State Coastal Policy 1996.

### 4.2.2 Water Quality Management 1997

This area of the Site proposed to be zoned 'General Residential' is likely to be capable of being fully connected to reticulated services from TasWater (Water and Sewer Main), which will ensure water issues are adequately dealt with on-site with minimal off-site impacts. The existing water main transects the site. The sewer main is located along the southern boundary of the site and is likely to be capable of being connected to the subject site with a sewer lateral line.

The proposed 'Open Space', ‘Environmental Management’ and 'Low Density Residential’ zones protect the values and functions of the waterways corridor, protecting water quality, ecological health, habitat values and water conveyance and supporting the waterway corridor's natural amenity.

Furthermore, the existing provisions within the Tasmanian Planning Scheme - Brighton are applicable to the land that will ensure that any future use and development on the land is consistent with this policy.

No new point source discharges are proposed therefore the application is consistent with the state policy for Water Quality Management 1997.

### 4.2.3 State Policy on the Protection of Agricultural Land 2009

As the site is zoned 'Future Urban', the subject site is not considered agricultural land for the purposes of the State Policy on the Protection of Agricultural Land 2009 ('PAL'), nor is Resource Development a permitted or discretionary use. As such, this policy is not considered applicable to the proposed amendment.

### 4.2.4 National Environment Protection Measures (NEPM)

The Commonwealth National Environment Protection Council Act 1994 allows the National Environment Protection Council to make National Environment Protection Measures (NEPMs). The NEPM are taken to be State Policies in Tasmania, NEPMs can be made in relation to a variety of environmental matters including "ambient air quality, ambient marine, estuarine and freshwater quality, the protection of amenity in relation to noise (but only if differences in markets for goods and services), general guidelines for the assessment of site contamination, environmental impacts associated with hazardous wastes, the re-use and recycling of used materials".

The proposed amendment will not significantly impact any of these identified matters.

### 4.3 Regional Policies

### 4.3.1 Southern Tasmania Regional Land Use Strategy 2010-2035

The Southern Tasmania Regional Land Use Strategy 2010-2035 ('the Strategy') is a regionallevel policy document providing policies and strategies to guide future land use and development of Southern Tasmania. The key strategic considerations under the Strategy with respect to the current proposal are discussed in the sections below.

| Strategic Directions | Amendment Response |
| :--- | :--- |
| (1). Adopting a More <br> Integrated Approach to <br> Planning and Infrastructure | The proposed amendment relates to cleared and altered land <br> adjacent to existing residential uses that is likely to be capable of <br> being fully serviced by existing social and physical infrastructure <br> systems including reticulated services and road access. The use of <br> the subject site for use and development as proposed in the <br> amendment would ensure that land use and infrastructure planning <br> are coordinated. <br> The amendment is considered to align with Strategic Direction 1. |
| (2). Holistically Managing <br> Residential Growth | The proposed amendment enables a contained settlement pattern. <br> It is anticipated that the land can be adequately serviced. Any <br> future development will be required to comply with the existing <br> provisions of the Planning Scheme that will help create a more <br> compact settlement pattern, with existing zone controls enabling <br> the delivery of a diversity of housing and supporting uses. <br> The amendment is considered to align with Strategic Direction 2. |
| (6). Increasing Responsiveness <br> to our Natural Environment | The proposed amendment is on land with identified risk, however, <br> existing codes and zone provisions within the current planning <br> scheme will adequately manage these risks. |
| (8). Supporting Strong and <br> Healthy Communities | The proposed amendment would enable denser urban development <br> to be delivered within an existing settlement, which will provide <br> good access to community services and education and health <br> facilities within the existing urban area, on land that is accessible <br> and well designed and located. |
| (10). Creating Liveable <br> Communities | The proposed amendment supports a liveable community by <br> providing increased housing options close to living services such as <br> transport, parks and community facilities. |

The residential strategy for Greater Hobart-Residential Development Areas identifies Old Beach as a Greenfield Development Precinct.

Relevant strategic plan considerations under the regional strategy with respect to the proposed scheme amendment are identified below.

Relevant STRLUS policies relating to residential growth are as follows:

- SRD2.1 Ensure residential growth for Greater Hobart occurs through 50\% infill development and $50 \%$ greenfield development.
- SRD 2.2 Manage greenfield growth through an Urban Growth Boundary, which sets a 20-year supply limit with associated growth limits on dormitory suburbs.
- SRD 2.3 Provide greenfield land for residential purposes across the following Greenfield Development Precincts: Bridgewater North, Brighton South, Gagebook/Old Beach.
- SRD 2.6 Distribute residential infill growth across the existing urban areas for the 25 -year planning period as follows: Brighton LGA 15\% (1,987 dwellings). It is noted that this is in addition to greenfield development.
- SRD 2.7 Ensure that the residential zone in planning schemes does not encompass more than a 10-year supply of residential land.
- SRD 2.8 Encourage a greater mix of residential dwelling types across the area with a particular focus on dwelling types that will provide for demographic change including an ageing population.
- SRD 2.9 Investigate the redevelopment to higher densities potential of rural residential areas close to the main urban extent of Greater Hobart.
The proposal supports the achievement of the above policies through allowing greenfield residential development, within the urban growth boundary, close to the main urban extent of Greater Hobart.


### 4.3.2 Brighton Structure Plan (2018)

The Brighton Structure Plan (2018) (Structure Plan) vision is:

> 'In 2023 the municipality of Brighton will be known as a hard-working and cohesive community. It will be a hub for its residents and the wider region, with substantial local job opportunities, and a community that is working together to create a bright future for Brighton.'

It seeks to create 'A diverse range of housing opportunities will cater for the increased population who seek to live, learn, work and retire in Brighton.'
The Structure Plan contains three strategies for housing:

- Strategy 1: Maintain an urban growth boundary
- $\quad$ Strategy 2: Plan for housing growth within the urban growth boundary
- $\quad$ Strategy 3: Increase housing diversity

The Structure Plan identifies additional dwelling requirements of 1,169 dwellings, by 2033, within the north region of the plan area (including Brighton/Pontville), with a requirement of an additional 582 greenfield lots. Old Beach is identified as an area for conventional density housing.

The proposed amendment to zoning would support the attainment of the vision and strategies within the Structure Plan by:

1. Maintaining the urban growth boundary
2. Adding to land supply for conventional housing density
3. Supporting the delivery of housing opportunities for the Brighton community
4. Providing opportunities for greenfield lots.

The Structure Plan Economic Assessment notes strong population growth is forecast for the South region, including Old Beach.

The population of the Brighton local government area in 2016 was 15,690 and is predicted to be 23,950 by 2033. The southern region is anticipated to grow from 3,820 to $6,940 .{ }^{1}$ The Structure Plan notes the need for an additional 1154 dwellings will be required by 2033 in the Old Beach area and greenfield land will be required. Interim population projections ${ }^{2}$ show that in 2021 the population of Brighton was 18,682 and is anticipated to grow to 22,272 in 2023 (medium series). However, the 2021 Census shows that Tasmania has moved to become the second fastest-growing state with more than 47,600 additional people calling Tasmania Home, an increase of $9.3 \%$ with the largest population growth in Hobart and the southeast. Strong population growth will have a direct impact on the demand for residential land and dwellings, and there is a clear need for additional residential land supply in the area.

### 4.4 Local Provision Schedule

The Tasmanian Planning Scheme - Brighton Local Provisions Schedule ('the Planning Scheme') is the relevant planning instrument.

The subject site is located within the 'Future Urban' zone. It is subject to the Bushfire-Prone Areas overlay and Priority Vegetation Area overlay.
The 'Planning Scheme Purpose and Objectives' under Part A of the Scheme are addressed in the next subsection of this report.

### 4.4.1 Planning Scheme Purpose and Objectives

### 3.5.1.1 Planning Scheme Purpose [2.1]

The proposed amendment is consistent with the 'Planning Scheme Purpose' as it furthers the objectives of the Planning System and Planning Processes as set out in Parts 1 and 2 of Schedule 1 of the Act (see 4.1), as well as being consistent with the objectives of the Planning Scheme as set out in part 3.0 of the Planning Scheme (see below) and is consistent with the LPS Criteria (S34).

### 3.5.1.2 Zoning

The relevant zoning aspects associated with the proposed rezoning of the subject site from 'Future Urban' to 'General Residential' are addressed in the sections below.

The purpose of the 'Future Urban' zone as per clause 30.1 of the Planning Scheme, is stated as follows:
30.1 Zone Purpose

The purpose of the Future Urban Zone is:
30.1.1 To identify land intended for future urban use and development.
30.1.2 To ensure that development does not compromise the potential for future urban use and development of the land.
30.1.3 To support the planned rezoning of land for urban use and development in sequence with the planned expansion of infrastructure.

[^0]The purpose of the 'General Residential' zone as per clause 8.1 of the Planning Scheme, is stated as follows:

### 8.1 Zone Purpose

The purpose of the General Residential Zone is:
8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.
8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.
8.1.3 To provide for non-residential use that:
(a) primarily serves the local community; and
(b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.
8.1.4 To provide for Visitor Accommodation that is compatible with residential character.

In comparing the two Zone Purpose Statements above, the key change in policy direction for the overarching purpose of the land in question can be summarised as follows:

- Currently, the zone's purpose is to provide for future urban use and development, to ensure development does not compromise future urban use and development, and that rezoning is in sequence with the planned expansion of infrastructure.
- Under the proposed rezoning, the zone purpose will be primarily to provide for residential uses and non-residential uses that support the local community and do not cause unreasonable loss of amenity.
- Under the proposed amendment the land will meet the zone purpose of the 'Future Urban' zone (as it the proposed zone comprises broadly 'urban' uses) as well as the proposed 'General Residential' zone and will be in keeping with the character of the area, and adjoining sites. Since the site has existing road access, and reticulated services are within the adjoining land, it is phased in sequence with infrastructure expansion.


### 4.4.2 Code Implications

Use and development will be subject to assessment against a number of codes including the:

- Bushfire-Prone Areas Code
- Natural Assets Code
- Parking and Sustainable Transport Code
- Road and Railway Assets Code

The application of these Codes will not significantly change with the proposed amendment as no change is proposed to the extent of code overlay, with the exception of the Priority Vegetation Overlay as discussed in section 3.1.
It is considered that these codes adequately control development within the Zone.

## 5 Relevant Issues

### 5.1 Context, Setting and Visual Impact

The subject site sits between two residential areas to the north and south and the proposed 'General Residential' zone is considered consistent with surrounding lands. The development controls of the proposed 'General Residential' zone are such that any future development on site will be of an appropriate nature, consistent with the existing residential uses of the surrounding area. The rezoning of land to 'Low Density Residential' will maintain a buffer between the existing residential land to the south.

The sections of land to be rezoned 'Open Space' is adjacent to the waterway and protects that land from development.

### 5.2 Traffic and Transport Networks

The proposed rezoning of the site from 'Future Urban' to 'General Residential' and 'Low Density Residential' is anticipated to increase vehicle movements by approximately 800 vehicle movements per day once the site is from any development proposed for the site is fully developed in the future. This is because the proposed change of zoning will likely bring about an intensification of use on-site for residential development. The connection of the site to the road network is via Lottie Way which is designed as a collector road connecting to Riviera Drive (another collector road) linking to both the East Derwent Highway and Old Beach Road. The connection of this site to this road network has been planned in the design of these collector roads and the junction at the East Derwent Highway which currently has an auxiliary left-hand turn and a dedicated right-hand turn lane.

The development controls of the proposed 'General Residential' zone and 'Low Density Residential' zone and the Planning Scheme codes are such that any future use and development on site will be appropriately managed in terms of impact on traffic and transport. In addition, any future use or development would be required to meet the Parking and Sustainable Transport Code [C2.0] and Road and Railway Assets Code [C3.0] under the Planning Scheme.

### 5.3 Water Sewer and Stormwater

There is a DN570 trunk main that crosses the site and a DN150 water main in Lottie Court. It is proposed the Lottie Court water main would be extended into the site to cater for future subdivision. The water main extension could be looped into a connection on the western side of the site. Any future road works will need to ensure that acceptable cover is provided to the existing trunk main. The two existing dwellings will have a private pump station into the new sewer system.

The site is currently un-sewered with the two existing houses operating off on-site septic systems. The Tivoli subdivision to the south of the property has reticulated sewer which drains to the Tivoli storage/pump station off the East Derwent Highway. There is a DN150 main which runs along the southern boundary of the property in Arbie Lane before becoming a DN225 main in Lot 4 Lewis Court to the east of the site. Whilst it was initially hoped to gravity into the manhole on this site (A3457869) the owner has indicated access will not be provided to this infrastructure. The only alternative is to pump from the northwest corner of the site up to the 150 mm main at the north of Arbie Lane (manhole A3479999) and upsize this pipe if required.

Stormwater on the site currently drains from south to north into Bobs Creek. Bobs Creek itself is dammed immediately above Old Beach Road before entering a DN900 culvert under Old Beach Road. There is some concentrated overland flow shown on the flood mapping which runs from around $7 \& 9$ Arbie Lane, although this is now directed through Arbie Lane itself to the
existing roadway to the west of the property. Discharge from the new east-west road and the two cul-de-sacs will discharge into Bobs Creek, via appropriate detention and water quality devices. Stormwater from the new section of Lottie Mews will do the same, below the connection point to the existing SW main on Arbie Lane.

### 5.4 Noise

Noise emissions would be regulated in accordance with the Planning Scheme provisions and the requirements of the Environmental Management and Pollution Control Act 1994.

### 5.5 Natural Hazards

The site is currently impacted by the Bushfire-Prone overlay, Priority vegetation overlay and the waterway and coastal protection area overlay.

It is proposed to remove the Priority vegetation overlay from the site based on the recommendations of the Natural Values Report.
A bushfire Management Plan has been prepared for the site which identifies the bushfire threat as Class G - Grassland (refer to Appendix C for further details). A revised bushfire plan will be undertaken in the subdivision of the site, which will account for full residential development of both the subject site and the adjoining land at Tivoli Green.
The site is susceptible to flooding from Bobs Creek. A flood report has been prepared for the site and the future subdivision is largely designed to be outside this modelled flood area. There are some minor overland flow paths that will be managed through the future road network and drainage easements.
Future use and development will be controlled by the applicable zone and code provisions under the planning scheme.

### 5.6 Heritage

There is no identified or known Aboriginal or cultural heritage on the site or adjoining land. The land has previously been disturbed and developed.
An Aboriginal Heritage Assessment (Appendix H) has been undertaken and confirmed with Aboriginal Heritage Tasmania. This assessment has not identified any heritage sites on the site but recommends an Unanticipated Discovery Plan should be followed.

The site is not listed on the Tasmanian Heritage Register or under the Planning Scheme for historic heritage values.

### 5.7 Flora and Fauna

The site is identified on TheList TASVEG4.0 as 'Modified land' (Agricultural land) with land in the north around the waterway corridor identified as 'Modified land' Weed infestation.

There are no threatened vegetation communities, threatened species or threatened species habitats present on the site.

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

### 5.8 Social Impacts \& Economic Impacts

The proposed amendment will not impact provisions related to safety, security, and crime prevention, and future use and development will be controlled by the applicable zone and code provisions under the planning scheme.
The proposed amendment seeks to provide land for residential uses and uses that support the local community. The amendment will facilitate additional housing options make efficient use of land, consider environmental constraints, and will support growth and development in Brighton.
The proposed amendment and future use and development of the land will be controlled by the applicable zone and code provisions under the planning scheme that will ensure amenity impacts are appropriately managed.

## 6 Conclusion

Rezoning of 203 and 205 Old Beach Road, Old Beach from 'Future Urban' to 'General Residential Zone', 'Low Density Residential', 'Environmental Management' and 'Open Space' on a site that has been identified for future urban uses. It is also proposed to remove the Priority Vegetation overlay from the site. The amendment will not impact the Waterway and Coastal Protection Overlay or the Bushfire Prone Areas overlay.

Key development controls of the Planning Scheme to control any future use and development include:

- Development standards for residential buildings and works;
- Development standards for non-dwelling buildings and works; and
- Development standards for Subdivision.

In addition to considerations related to the Planning Scheme, the proposed rezoning of the subject site has also been analysed against relevant objectives of the Land Use Planning and Approvals Act 1993, and Southern Tasmania Regional Land Use Strategy 2010-2035, as well as general planning matters.
The proposed scheme amendment has been prepared in accordance with Section 33 of LUPAA which contains the requirements to be considered in assessing a scheme amendment. The proposed scheme amendment is in accordance with all statutory requirements, including Ministerial Guideline No. 1 in terms of Zone Purpose and Zone Application Guidelines. The proposed amendment is therefore recommended for approval by relevant delegates of Brighton Council.

# APPENDIX A 

Title Information

## APPENDIX B

## Owner Consent

## APPENDIX C Bushfire Report

## APPENDIX D

Natural Values Assessment

## APPENDIX E <br> Flood Report

## APPENDIX F

## DA Subdivision Plans

## APPENDIX G

Concept Services - Subdivision Plans


EXISTING FUTURE URBAN ZONE REZONED TOLow Density Residential

$\square$General ResidentialEnvironmental ManagementOpen Space
rev date remark
 Sichen


## Engineers \& Planners

Johnstone McGee \& Gandy Pty. Ltd.



J220401PL - 203 \& 205 OLD BEACH ROAD, OLD BEACH


| VOLUME | FOLIO |
| :---: | :---: |
| 123119 | 1 |
| EDITION <br> 5 | DATE OF ISSUE |
| 24-Aug-2015 |  |

SEARCH DATE : 13-Sep-2022
SEARCH TIME : 05.02 PM

DESCRIPTION OF LAND
Parish of FORBES, Land District of MONMOUTH
Town of GAGEBROOK
Lot 1 on Sealed Plan 123119
Derivation : Part of Lot 36791 Gtd to A G Webster \&
Woolgrowers Ltd, part of Lot 36906 Gtd. to The Director of
Housing
Prior CTs 26258/1 and 44874/2

## SCHEDULE 1

C263657 \& M320692 TRANSFER to LISA JANE SCHIMANSKI Registered 23-Feb-2011 at 12.01 PM

## SCHEDULE

Reservations and conditions in the Crown Grant if any
SP 123119 EASEMENTS in Schedule of Easements
SP 26258, SP 123119 FENCING PROVISION in Schedule of Easements
C629733 BURDENING WAYLEAVE EASEMENT with the benefit of a restriction as to user of land in favour of Aurora Energy Pty Ltd over the Wayleave Easement 12.00 Wide shown passing through the said land within described Registered 31-Oct-2005 at noon
A528578 FENCING PROVISION in Transfer
M532430 MORTGAGE to MyState Bank Limited Registered 24-Aug-2015 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS
No unregistered dealings or other notations


| IDENTIFICATION PLAN WAYLEAVE EASEMENT | ANNEXURE PAGE to fOllo PLAN <br> VOL: 123119 <br> FOLO: 1 |
| :---: | :---: |
|  |  |
| MONMOUTH - FORBES <br> OWNER: ANTHONY KOUTOULS AND <br> USA JANE SCHIMANSKI <br> PLAN No: 123119 <br> UP: <br> Electricity Entity No. 5037-01 | SURVEYORS REPORT <br> The wayleave easement shown in this plan hos been surveyed in accordance with Clouse 16 of the Land Surveyors (Survey Practice) By Laws 1982. for identificotion by the Electricity Entity for the purpose of registering an eosement in gross. <br> The easement to be created extends 6 metres either side of the centre of the electricity powertine. <br> The accuracy of this easement survey is insufficient for title boundary dejergination. <br>  |

SEARCH OF TORRENS TITLE

| VOLUME | FOLIO |
| :---: | :---: |
| 135401 | 7 |
| EDITION <br> 3 | DATE OF ISSUE |
| 23-Nov-2011 |  |

SEARCH DATE : 13-Sep-2022
SEARCH TIME : 05.01 PM

DESCRIPTION OF LAND
Town of GAGEBROOK
Lot 7 on Sealed Plan 135401
Derivation : Part of Lot 36791 Gtd to A G Webster \&
Woolgrowers Ltd, Part of Lot 36906 Gtd. to The Director of Housing, Part of Lot 36906 Gtd. to The Director of Housing and Part of Lot 36502 , 137.9 ha, Gtd. to the Director of Housing Prior CTs 123119/2, 123120/1 and 130209/4

## SCHEDULE 1

D28800 TRANSFER to MARK JAMES NOLAN Registered 23-Nov-2011 at 12.01 PM

## SCHEDULE 2

Reservations and conditions in the Crown Grant if any SP 26258, SP 123119 FENCING PROVISION in Schedule of Easements SP 130209 FENCING PROVISION in Schedule of Easements
SP 135401 EASEMENTS in Schedule of Easements
SP 135401 COVENANTS in Schedule of Easements
SP 135401 FENCING PROVISION in Schedule of Easements
A528578 FENCING PROVISION in Transfer
D32732 MORTGAGE to MyState Financial Limited Registered $23-N o v-2011$ at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS
No unregistered dealings or other notations


## 3. Consent of registered land owner(s):

Every owner, joint or part owner of the land to which the application relates must sign this form (or a separate letter signed by each owner is to be attached).
Consent to this request for a draft amendment/and combined permit application is given by:
Registered owner :
Mark James Nolan

Property identifier (folio of the Register for all lots, PIDs, or affected lot numbers on a strata plan):

## 135401/7 (205 Old Beach Road)

Position
(if applicable):
N/A

Signature:


Date:
12/04/32

Registered owner (please print):

Lisa Jane Schimanski

Property identifier (folio of the Register for all lots, PIDs, or affected lot numbers on a strata plan):

## 123119/1 (203 Old Beach Road)

Position (if applicable):

Signature:


Date:
12/04/23

Registered owner (please print):


Property identifier (folio of the Register for all lots, PIDs, or affected lot numbers on a strata plan):


## Position

(if applicable):


Signature:


## 3. Consent of registered land owner(s):

Every owner, joint or part owner of the land to which the application relates must sign this form (or a separate letter signed by each owner is to be attached).
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$12 / 04 / 32$

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N/A

Signature:


Date:
12/04/23

Registered owner
(please print):
Property identifier (folio of the Register for all lots, PIDs, or affected lot numbers on a strata plan):


Position (if applicable):


Signature: $\square$ Date:


## NOTES:

a. When is owners' consent required?

Owners' consent is required for:

- amendments to an interim planning scheme or to a Local Provisions Schedule ${ }^{1}$; or
combined permits and amendments ${ }^{2}$.

Owners' consent must be provided before the planning authority determines to initiate, certify or prepare the amendment.

## b. Who can sign as owner?

Where an owner is a natural person they must generally sign the owner's consent form personally.
Where an owner is not a natural person then the signatory must be a person with legal authority to sign, for example company director or company secretary.

If the person is acting on behalf of the owner under a legal authority, then they must identify their position, fo example trustee or under a power of attorney. Documentary evidence of that authority must also be given, such as a full copy of the relevant Trust Deed, Power of Attorney, Grant of Probate; Grant of Letters of Administration; Delegation etc.

Please attach additional pages or separate written authority as required.

## c. Strata title lots

Permission must be provided for any affected lot owner and for common property for land under a strata title under the Strata Titles Act 1998. For common property, permission can be provided in one of the following ways:
i. a letter affixed with the body corporate's common seal, witnessed by at least two members of the body corporate (unless there is only one member, in which case the seal must be witnessed by that member) and which cites the date on which the body corporate or its committee of management met and resolved to give its consent to the application; or,
ii. the consent of each owner of each lot on the strata plan.

## d. Companies

If the land is owned by a company the form is to be signed by a person with authority in accordance with the Corporations Act 2001 (Cwth).

## e. Associations

If the land is owned by an incorporated association the form is to be signed by a person with authority in accordance with the rules of the association.

## f. Council or the Crown

If the land is owned by a council or the Crown then form is to be signed by a person authorised by the relevant council or, for Crown land, by the Minister responsible for the Crown land, or a duly authorised delegate. The name and positions of those signing must be provided.

[^1]
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Owners' consent is required for:

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The name and positions of those signing must be provided.
Effective Date: September 2021

[^2]
## BUSHFIRE HAZARD REPORT

FOR GREAT DIVIDE DEVELOPMENTS 203 \& 205 Old Beach Road Subdivision

Version 2.0

FEBRUARY 2023


Johnstone McGee \& Gandy Pty Ltd
ABN 76473834852 ACN 009547139

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| 2.1 | Feb 2023 | Altered BHMP (open space) | MSC | $8 / 2$ |  |  |  |  |

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11. 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

## TABLE OF CONTENTS

1 Introduction ..... 4
2 Site Description ..... 4
3 Proposed Use \& Development ..... 5
4 Bushfire Hazard Assessment ..... 5
4.1 Required Separation ..... 7
5 Bushfire Protection Measures ..... 11
5.1 Hazard Management Areas ..... 11
5.2 Construction Standards ..... 12
5.3 Access ..... 12
5.4 Water ..... 15
5.5 Optional Protection Measures ..... 17
6 Conclusion \& Recommendations ..... 17
Appendix A - Proposed Subdivision PlanAppendix B - Bushfire Hazard Management Plan
Appendix C - Site Photos
Appendix D - Certificate of Compliance

## 1 Introduction

J MG 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 6.676 ha 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 BushfireProne Areas overlay.

## Natural Values

The onsite vegetation is agricultural land and within 100 m 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.


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 2.624 ha ; 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 3.795 ha 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 AS39592018 - 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 100 m 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 $4^{\text {th }}$ of October 2022.

## 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/ Iow 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; $4^{\circ}$ downwards to the north; and downslope $3^{\circ}$ to the west.


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

### 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 50 m from grassland. Therefore, grassland less than 100 m but greater than 50 m 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 | $-4^{\circ}$ | $-3^{\circ}$ | $0^{\circ}$ | $-3^{\circ}$ |
| Required Separation Distance BAL-12.5: | 16- $<50 \mathrm{~m}$ | $16-<0 \mathrm{~m}$ | $14-<50 \mathrm{~m}$ | $16-50 \mathrm{~m}$ |
| Required Separation Distance BAL-19: | 11-<16m | $11-<16 m$ | $10-<14 \mathrm{~m}$ | 11-<16m |
| Observed separation: | Om | 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 14 m on the southern side, and 16 m to all other directions. |  |  |  |

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 | $-2^{\circ}$ | $0^{\circ}$ | $0^{\circ}$ | $-4^{\circ}$ |
| Required separation Distance: BAL-12.5 | $16-<50 \mathrm{~m}$ | $14-<50 \mathrm{~m}$ | $14-<50 \mathrm{~m}$ | $16-<0 \mathrm{~m}$ |
| Required Separation Distance BAL-19: | 11-<16m | $10-<14 \mathrm{~m}$ | $10-<14 \mathrm{~m}$ | $11-<16 \mathrm{~m}$ |
| Observed separation: | Om | 0 m | 0 m | 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 16 m on the northern and western sides, and 14 m on the southern and eastern sides. |  |  |  |

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 | $-2^{\circ}$ | $0^{\circ}$ | $0^{\circ}$ | $-2^{\circ}$ |
| Required separation Distance BAL-12.5: | $16-<50 \mathrm{~m}$ | $14-<50 \mathrm{~m}$ | $14-<50 \mathrm{~m}$ | $16-<0 \mathrm{~m}$ |
| Required Separation Distance BAL-19: | $11-<16 \mathrm{~m}$ | $10-<14 \mathrm{~m}$ | $10-<14 \mathrm{~m}$ | $11-<16 \mathrm{~m}$ |
| Observed separation: | 17m | 87m | 35 m | 29 m |
| 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 16 m on the northern and western sides, and 14 m on the southern and eastern sides. |  |  |  |

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 | $0^{\circ}$ | $0^{\circ}$ | $0^{\circ}$ | $-3^{\circ}$ |
| Required separation Distance BAL-12.5: | $14-<50 \mathrm{~m}$ | 14-<50m | 14-く50m | $16-<50 \mathrm{~m}$ |
| Required separation Distance BAL-19: | 10-<14m | 10-<14m | 10-<14m | 11-<16m |
| Observed separation: | 24 m | 91 m | 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 14 m on the north, east and southern sides; and 16 m 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 |

## 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.

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 defendable 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) | 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 : <br> - Non-vegetated areas, including waterways, roads, footpaths, buildings and rocky outcrops; and <br> - Low threat vegetation, including grassland managed in a minimal fuel condition, maintained lawns and cultivated gardens. 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 ). <br> Maintenance shall include (but is not limited to): <br> Removal of fallen limbs, leaf and bark litter; <br> -Cut grasses short (less than 100 mm ) and maintain; <br> -Remove vegetation debris; <br> -Complete under-brushing and thin out the understorey; <br> -Cut tree limbs within 2 metres of the ground; <br> - Maintain horizontal and vertical canopy separation; <br> -Prevent encroachment of Bushfire Prone Vegetation into the HMA. |

The proposal complies with $\mathrm{A} 1(\mathrm{~b})(\mathrm{i})$ of C 13.6 .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 $\mathrm{A} 1(\mathrm{~b})(\mathrm{ii})$ 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 BAL12.5 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 $4 m$ 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 400 m total in length, and constructed and finished in gravel. The 4 m wide ROW over lot 4 doesn't allow for the 0.5 m 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 200 m along be installed with little effort - see attached BHMP for the proposed location.

As shown on the BHMP both ROWs are in excess of 200 m so both need to accommodate a 6 m passing bay for 20 m of their length. Both passing bays also need 0.5 m clearance on either side. To accommodate the ROW over lot 4 it needs to be widened to 5 m to ensure 0.5 m clearance on either side. Both ROWs should be widened as required to 7 m to allow for the passing bays as well. Note that these passing bays need to be within lots 1 and 4 to ensure the 200 m 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 30 m 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.


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.

Table C13.1: Standards for Roads

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

Table C13.2: Standards for Property Access

| Element |  | Requirement |
| :---: | :---: | :---: |
| A. | Property access length is less than 30 m ; or access is not required for a fire appliance to access a fire fighting water point. | There are no specified design and construction requirements. |
| B. | Property access length is 30 m or greater; or access is required for a fire appliance to a fire fighting water point. | The following design and construction requirements apply to property access: <br> (a) all-weather construction; <br> (b) load capacity of at least 20t, including for bridges and culverts; <br> (c) minimum carriageway width of 4 m ; <br> (d) minimum vertical clearance of 4 m ; <br> (e) minimum horizontal clearance of 0.5 m from the edge of the carriageway; <br> (f) cross falls of less than 3 degrees (1:20 or $5 \%$; <br> (g) dips less than 7 degrees ( $1: 8$ or $12.5 \%$ ) entry and exit angle; <br> (h) curves with a minimum inner radius of $10 \mathrm{~m} ;$ <br> (i) maximum gradient of 15 degrees (1:3.5 or $28 \%$ ) for sealed roads, and 10 degrees ( $1: 5.5$ or 1 <br> (j) terminate with a turning area for fire appliances provided by one of the following: <br> (i) a turning circle with a minimum outer radius of 10 m ; or |


|  |  | (ii) a property access encircling the building; or <br> (ii) a hammerhead "T" or "Y" turning head 4 m wide and 8 m long. |
| :---: | :---: | :---: |
| C. | Property access length is 200 m or greater. | The following design and construction requirements apply to property access: <br> (a) the requirements for B above; and <br> (b) passing bays of 2 m additional carriageway width and 20 m length provided every 200 m . |
| D. | Property access length is greater than 30 m , 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 120 m 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 |
| :--- | :--- |
| A2 |  |
| In areas that are not serviced by reticulated water by the water |  |
| corporation: |  |
| (a)The TFS or an accredited person certifies that there is an <br> insufficient increase in risk from bushfire to warrant provision of <br> a water supply for fire fighting purposes; |  |
| (b)The TFS or an accredited person certifies that a proposed plan of <br> subdivision demonstrates that a static water supply, dedicated to <br> fire fighting, will be provided and located compliant with Table <br> C13.5; or | No Performance Criterion. |
| (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. |  |

The proposal complies with $\mathrm{A} 2(\mathrm{~b})$ 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.

| Element |  | Requirement <br> The following requirements apply: <br> (a) the building area to be protected must be located within 90 m of the fire fighting water point of a static water supply; and <br> (b) the distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area. |
| :---: | :---: | :---: |
| A. | Distance between building area to be protected and water supply. |  |
| B. | Static water supplies. | The static water supply: <br> (a) may have a remotely located offtake connected to the static water supply; <br> (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; <br> (c) must be a minimum of $10,000 \mathrm{~L}$ 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; <br> (d) must be metal, concrete or lagged by noncombustible materials if above ground; and <br> (e) if a tank can be located so it is shielded in all directions in compliance with Section 3.5 of Australian Standard AS3959-2018 Construction of buildings in bushfire-prone areas, the tank may be constructed of any material provided that the lowest 400 mm of the tank exterior is protected by: <br> (i) metal; <br> (ii) non-combustible material; or <br> (iii) fibre-cement a minimum of 6 mm thickness |
| C. | 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: <br> (a) water tank signage requirements of Australian Standard AS 2304-2011 Water storage tanks for fire protection systems; or <br> (b) Water Supply Signage Guideline, version 1.0 , Tasmanian Fire Service, February 2017. |
| C. | Hardstand | A hardstand area for fire appliances must be: <br> (a) no more than 3 m from the firefighting water point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like); <br> (b) no closer than 6 m from the building area to be protected; <br> (c) a minimum width of 3 m constructed to the same standard as the carriageway; and <br> (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.

### 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 $18^{\circ}$ 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.






## APPENDIX C

Site Photos


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.


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.


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.

## BUSHFIRE-PRONE AREAS CODE

## CERTIFICATE ${ }^{1}$ 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:

Applicable Planning Scheme:

Subdivision - 4 lots (2 lots into 2 )

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 |
|  |  |  |  |
|  |  |  |  |

[^3]
## 4. Nature of Certificate

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

| $\square$ | E1.4 / C13.4 - Use or development exempt from this Code |  |
| :--- | :--- | :--- |
|  | Compliance test | Compliance Requirement |
| $\square$ | E1.4(a) / C13.4.1(a) | Insufficient increase in risk |


| $\square$ | E1.5.1 / C13.5.1 - Vulnerable Uses |  |
| :--- | :--- | :--- |
|  | Acceptable Solution | Compliance Requirement |
| $\square$ | E1.5.1 P1 / C13.5.1 P1 | Planning authority discretion required. A <br> proposal cannot be certified as compliant with <br> P1. |
| $\square$ | E1.5.1 A2 / C13.5.1 A2 | Emergency management strategy |
| $\square$ | E1.5.1 A3 / C13.5.1 A2 | Bushfire hazard management plan |


| $\square$ | E1.5.2 / C13.5.2 - Hazardous Uses |  |
| :--- | :--- | :--- |
|  | Acceptable Solution | Compliance Requirement |
| $\square$ | E1.5.2 P1 / C13.5.2 P1 | Planning authority discretion required. A <br> proposal cannot be certified as compliant with <br> P1. |
| $\square$ | E1.5.2 A2 / C13.5.2 A2 | Emergency management strategy |
| $\square$ | E1.5.2 A3 / C13.5.2 A3 | Bushfire hazard management plan |


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


| $\boxtimes$ | E1.6.2 / C13.6.2 Subdivision: Public and fire fighting access |  |
| :--- | :--- | :--- |
|  | Acceptable Solution | Compliance Requirement |
| $\square$ | E1.6.2 P1 / C13.6.2 P1 | Planning authority discretion required. A <br> proposal cannot be certified as compliant with <br> P1. |
| $\square$ | E1.6.2 A1 (a) / C13.6.2 A1 (a) | Insufficient increase in risk |
| $\boxtimes$ | E1.6.2 A1 (b) / C13.6.2 A1 (b) | Access complies with relevant Tables |


| $\boxtimes$ | E1.6.3 / C13.1.6.3 Subdivision: Provision of water supply for fire fighting <br> purposes |  |
| :--- | :--- | :--- |
|  | Acceptable Solution | Compliance Requirement |
| $\square$ | E1.6.3 A1 (a) / C13.6.3 A1 (a) | Insufficient increase in risk |
| $\square$ | E1.6.3 A1 (b) / C13.6.3 A1 (b) | Reticulated water supply complies with relevant <br> Table |
| $\square$ | E1.6.3 A1 (c) / C13.6.3 A1 (c) | Water supply consistent with the objective |
| $\square$ | E1.6.3 A2 (a) / C13.6.3 A2 (a) | Insufficient increase in risk |
| $\boxtimes$ | E1.6.3 A2 (b) / C13.6.3 A2 (b) | Static water supply complies with relevant Table |
| $\square$ | E1.6.3 A2 (c) / C13.6.3 A2 (c) | Static water supply consistent with the objective |

5. Bushfire Hazard Practitioner


## 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 regardto 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 Plans 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: $\square$
(for Practitioner Use only)


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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<br>Date: 12 September 2022<br>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 $6^{\text {th }}$ 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:
(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.


Plate 1: Southern boundary of 205 Old Beach Road


Plate 2: Overgrown paddock at 203 Old Beach Road

## 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

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

## Document Information

| Title | Client | Document Number | Project Manager |
| :--- | :--- | :--- | :--- |
| 203-205 Old Beach Rd, | JMG Engineers | FE_22144 | Max W. Möller <br> Old Beach, |
| Flood Hazard Report | \& Planners |  | BEIEAust, EngExec, CPEng, <br> NER, APEC Engineer, IntPE (Aus.) |

## Document Initial Revision

| REVISION 00 | Staff Name | Signature | Date |
| :---: | :---: | :---: | :---: |
| Prepared by | Max W. Moller <br> Principal Hydraulic Engineer | Mosomblus | 02/03/2023 |
| Prepared by | Ash Perera Civil Engineer |  | 15/03/2023 |
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| Reviewed by | John Holmes <br> Senior Engineer | toole | 16/03/2023 |
| Authorised by | Max W. Moller <br> Principal Hydraulic Engineer |  | 17/03/2023 |

## Document Revision History



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## Contents

1. Introduction ..... 1
1.1 Development ..... 1
1.2 Objectives and Scope ..... 1
1.3 Limitations ..... 1
1.4 Relevant Planning Scheme Requirements ..... 2
2. Model Build ..... 2
2.1 Overview of Catchment ..... 2
2.2 Hydrology .....  3
2.2.1 Design Rainfall Events ..... 3
2.2.2 Climate Change ..... 3
2.2.3 Calibration/Validation ..... 4
2.3 Hydraulics ..... 4
2.3.1 Survey ..... 4
2.3.2 Roughness (Manning's n) ..... 5
2.3.3 Walls ..... 5
2.3.4 Buildings .....  5
3. Model Results ..... 5
3.1 Flood depths and extents ..... 5
3.2 Development Effects on Flooding ..... 9
4. Flood Hazard ..... 9
4.1 Tolerable Risk ..... 10
5. Conclusion ..... 12
6. Recommendations ..... 12
7. Limitations ..... 13
8. References ..... 14
Appendices ..... 15

## List of Tables

Table 1. Tasmanian Planning Scheme (Brighton) Requirements ..... 2
Table 2. Parameters for RAFTS catchment .....  3
Table 3. Climate Change Increases .....  4
Table 4. Manning's Coefficients (ARR 2019) .....  5
Table 5. Tasmanian Planning Scheme summary ..... 11

## List of Figures

Figure 1. Contributing Catchment, 203-205 Old Beach Road, Old Beach ..... 2
Figure 2. 1\% AEP Flood Event Model, Box and Whisker Plot .....  3
Figure 3. 1m DEM (Hill shade) of Lot Area .....  4
Figure 4. Pre-Development 1\% AEP + CC Depth .....
Figure 5. 1\% AEP + CC overland flow path Lot 203 with various depth points .....  .7
Figure 6. 1\% AEP + CC overland flow path Lot 205 with various depth points ..... 8
Figure 7. Pre-development net discharge and velocity 1\% AEP + CC at cross-sectional result line ..... 9
Figure 8. Hazard Categories Australian Disaster and Resilience Handbook ..... 10

## 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.


### 1.4 Relevant Planning Scheme Requirements

Table 1. Tasmanian Planning Scheme (Brighton) Requirements

| Planning Scheme Code | Objective | Document Reference |
| :--- | :--- | :--- |
| C12.7.1 Subdivision within <br> a flood prone hazard area | That subdivision within a flood-prone hazard area does <br> not create an opportunity for use or development that <br> 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 5-22mAHD.

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

### 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 <br> Area (ha) | Initial Loss <br> Perv/imp $(\mathrm{mm})$ | Continuing Loss <br> Perv/imp (mm/hr) | Manning's N <br> pervious | Manning's N <br> impervious | Non-linearity <br> 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 $10 \mathrm{~min}-36 \mathrm{hrs}$.

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 due to climate change at 2100, it is recommended the use of RCP 8.5. Table 3 shows the ARR 8.5 increase.

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 1 m cell size DEM. For the purposes of this report, 1 m 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

### 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 <br> Channel | Rural | Residential | Parks | Buildings | Piped <br> Infrastructure |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Manning's $\mathbf{n}$ | 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 $1.00 \mathrm{~m} / \mathrm{s}$ 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.


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


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


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

### 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 $5.50 \mathrm{~m}^{3} / \mathrm{s}$, and velocity of $1.02 \mathrm{~m} / \mathrm{s}$ 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 $1.02 \mathrm{~m} / \mathrm{s}$ 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 $\mathbf{H 1}$. 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.

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

## 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 $5.50 \mathrm{~m}^{3}$.
3. Velocity at the cross-sectional result line is $1.02 \mathrm{~m} / \mathrm{s}$.
4. The hazard rating within lot 203 is predominantly $\mathrm{H} 1-\mathrm{H} 2$, 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 H 1 to H 5 , 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 postdevelopment 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.

## 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.
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.

## Appendices

Appendix A Flood Study Maps

1\% AEP + CC @2100


1\% AEP + CC @2100


1\% AEP + CC @2100


1\% AEP + CC @ 2100


## Legend

P 205 Old Beach Road

- Boundary Lines
$1 \%$ AEP + CC @2100
Depth (m)
$\square<=0.03$
$\square 0.03-0.05$
$\square 0.05-0.10$
$\square 0.10-0.30$
$\square 0.30-0.60$
$\square 0.60-0.80$
$\square \quad 0.60-0.80$
$\square$ 1.00-1.50
$\square \begin{aligned} & 1.50-2.00 \\ & >2.00\end{aligned}$


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1\% AEP + CC @2100


1\% AEP + CC @2100


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203 \& 205 OLD BEACH ROAD



[^0]:    ${ }^{1}$ Essential Economics (2018) Brighton Council Structure Plan 2018 - Economic Assessment. Prepared for Brighton Council
    ${ }^{2}$ Population projections for Tasmania and its Local Government Areas acceded 15.11.22 at treasury.tas.gov.au/economy/economic-data/2019-population-projections-for-tasmania-and-its-local-governmentareas

[^1]:    ${ }^{1}$ under section 33(1) of the former provisions of the Land Use Planning and Approvals Act 1993 or section 37 of the current ns.
    ${ }^{2}$ under section 43A of the former provisions or sectinn 10 T

[^2]:    ${ }^{1}$ under section 33(1) of the former provisions of the Land Use Planning and Approvals Act 1993 or section 37 of the current provisions.
    ${ }^{2}$ under section 43A of the former provisions or section 40T of the current provisions of the Act

[^3]:    ${ }^{1}$ This document is the approved form of certification for this purpose and must not be altered from its original form.

