

PLEASE QUOTE

Your Ref:

Our Ref: SP:CF 1796047

Enquiries: Planning Department

80 Wilson Street, Burnie Tasmania
PO Box 973, Burnie TAS 7320

ABN: 29 846 979 690
Phone: (03) 6430 5700
Email: burnie@burnie.tas.gov.au
Web: www.burnie.tas.gov.au

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NOTICE OF APPLICATION FOR LAND USE PERMIT

(Section 57(3) Land Use Planning and Approvals Act 1993)

Advice to Adjoining Land Owner or Occupier

Application No: -	DA 2024/93
Development Site: -	15 Minna Road HEYBRIDGE CT 136308/1
Proposal: -	Change of Use Storage (Bond Store), Hazardous use and associated works
Discretionary Matter: -	Reliant on performance criteria for grant of permit - Clause 20.3.1 P1, P2, P3 & P4 and C13.5.2 P1

Notice of the above application is served on you as an adjoining land owner or occupier.

The application may be viewed at -

**Burnie City Council Customer Services Counter
Ground Floor, City Offices,
80 Wilson Street, Burnie**

Between the hours of 8.30 am - 5.00 pm Monday to Friday inclusive (excluding public holidays) or on Council's website at www.burnie.tas.gov.au/permits

You are entitled to make representation in writing on any aspect of the proposal addressed to: -

**General Manager,
Burnie City Council,
PO Box 973, Burnie 7320**

or burnie@burnie.tas.gov.au by no later than 5.00 pm on **9 December 2024**. Council must have regard to any written representation received during the exhibition period when considering its decision on the application.

All persons who make representation will be notified within seven (7) days of the Council's decision. Any persons who made representation and is not satisfied with the Council decision may, under Section 61(5) of the *Land Use Planning and Approvals Act 1993*, lodge an appeal against that decision within fourteen (14) days of the date of that notice to: -

**The Tasmanian Civil and Administrative Tribunal,
GPO Box 1311,
HOBART TAS 7001.**

Should you have any enquiries regarding this development proposal, please do not hesitate to contact the Planning Department on (03) 6430 5700.

S Pearce

COMMUNITY PLANNING OFFICER

Date of Notice: - **23 November 2024**

BURNIE CITY COUNCIL
PO Box 973, BURNIE, TASMANIA 7320.
Ph : (03) 6430 5700
Email : burnie@burnie.tas.gov.au



Land Use Planning and Approvals Act 1993

Tasmanian Planning Scheme

PERMIT APPLICATION

Office use only

Application No _____

Date Received _____

Permit Pathway - *Permitted/Discretionary*

Use or Development Site:

Street Address

15 Minna Road, Heybridge

Certificate of
Title Reference

CT136308/1

Applicant

First Name

Hellyers Road Distillery Pty Limited

Second
Name

Surname

ACN 080 055 269

Owner (note – if more than one owner, all names must be indicated)

First Name

Stones Pty Ltd

Second Name

Surname

Instruction for making a permit application

a) *Use or development?*

The application must provide a full description of the proposed use and/or development and of the manner in which the use and/or development is to operate.

"Use" is the purpose or manner for which land is utilised. "Development" is any site works (including any change in natural condition or topography of land and the clearing or conversion of vegetation), and the construction, alteration, or removal of buildings, structures and signs, required in order to prepare a site for use or to change existing conditions within a site. Subdivision is development.

Clause 6.2 Tasmanian Planning Scheme provides the use classes by which all use or development must be described. Development must be categorised by reference to the use class it is to serve.

b) *Required Information*

Adequate statements, plans and specifications must be included within the permit application to address and demonstrate compliance with all applicable requirements of the planning scheme, including any site analysis, impact report and recommendation, and advice, consent or determination required from a State agency or utility entity.

The application must clearly identify the documents relied upon for determination.

Section 51(1A) *Land Use Planning and Approvals Act 1993* provides that a permit application is not valid unless it includes all of the information required by a planning scheme. Clause 6.1 Tasmanian Planning Scheme prescribes the minimum information that is necessary in order to complete a valid permit application.

554 *Land Use Planning and Approvals Act 1993* provides that the planning authority may require the applicant to supply further information before it considers a permit application. If the planning authority requires further information to more particularly address one or more of the applicable requirements of the Tasmanian Planning Scheme, the statutory period for determination of a permit application does not run until that information is answered to the satisfaction of the planning authority.

c) *Applicable Provisions and Standards*

The permit application must be assessed against the applicable provisions and standards of the Tasmanian Planning Scheme. The application is to identify by reference the clauses it relies upon to demonstrate compliance. (eg clause 8.4.3 (A1 – A4, and P5)

d) *Discretionary Permits*

If a permit is discretionary the permit application must be notified for a period of 14 days to allow opportunity for any interested person to consider the proposed use and/or development and to provide comment on the discretionary matter.

If a permit application relies on performance criteria to satisfy an applicable standard or is discretionary under another provision of the interim planning scheme, the permit is discretionary only with respect to that standard.

The Council must have regard to all representations received during the notification period on a discretionary matter when determining whether to grant or refuse a permit.

e) *If the applicant is not the landowner*

If the applicant is not the owner of the land in the use or development site, the applicant is required to notify all of the owners either prior to or within 7 days from the date of making the permit application.

The permit application must identify all of the landowners; and the applicant must sign the application form to acknowledge the obligation to advise such landowners that the permit application has been made.

If the site includes land owned or administered by the Burnie City Council or by a State government agency, the consent in writing from the Council or the Minister responsible for Crown land must be provided at the time of making the application.

f) *Applicant declaration*

It is an offence for a person to do any act that is contrary to a compliance requirement created under the section 63 *Land Use Planning and Approvals Act 1993*. The applicant is required to complete a declaration that the information given in the permit application is true and correct.

g) *Payment of Fees*

The Council is not required to take any action on the permit application until all the relevant fees have been paid.

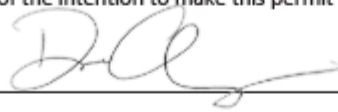
Permit Information	(NB if insufficient space, please attach separate document)
Proposed Use:	
Use Class	Resource Processing
Documents included with the permit application to describe the Use	
Refer attached	
Proposed Development	
Use class to which the development applies	Resource Processing
Documents included with the permit application to describe the Development	
Refer attached	
Provisions and Standards relied upon for grant of a Permit	

Notification of Landowner/s

If land is not in applicant's ownership

I, Derek Charge, CEO of Hellyers Road Distillery P/L, declare that the owner/each of the owners of the land has been notified of the intention to make this permit application.

Signature of Applicant



Date 8/10/2024

If the permit application involves land owned or administered by the BURNIE CITY COUNCIL

Burnie City Council consents to the making of this permit application.

General Manager (Signature)

Date

If the permit application involves land owned or administered by the CROWN

I, the Minister responsible for the land, consent to the making of this permit application.

Minister (Signature)

Date

Applicant Declaration

I, Derek Charge, CEO on behalf of Hellyers Road Distillery Pty Limited declare that the information I have given in this permit application to be true and correct to the best of my knowledge.

Signature of Applicant



Date 8/20/2024

SEARCH OF TORRENS TITLE

VOLUME 136308	FOLIO 1
EDITION 3	DATE OF ISSUE 03-Nov-2021

SEARCH DATE : 07-Oct-2024

SEARCH TIME : 12.05 PM

DESCRIPTION OF LAND

Town of HEYBRIDGE

Lot 1 on Plan 136308

Derivation : Part of Lot 1, Sec. N Gtd. to C.J. Kent.

Prior CT 117737/2

SCHEDULE 1

M907621 TRANSFER to STONES TAS PTY. LTD. Registered
03-Nov-2021 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

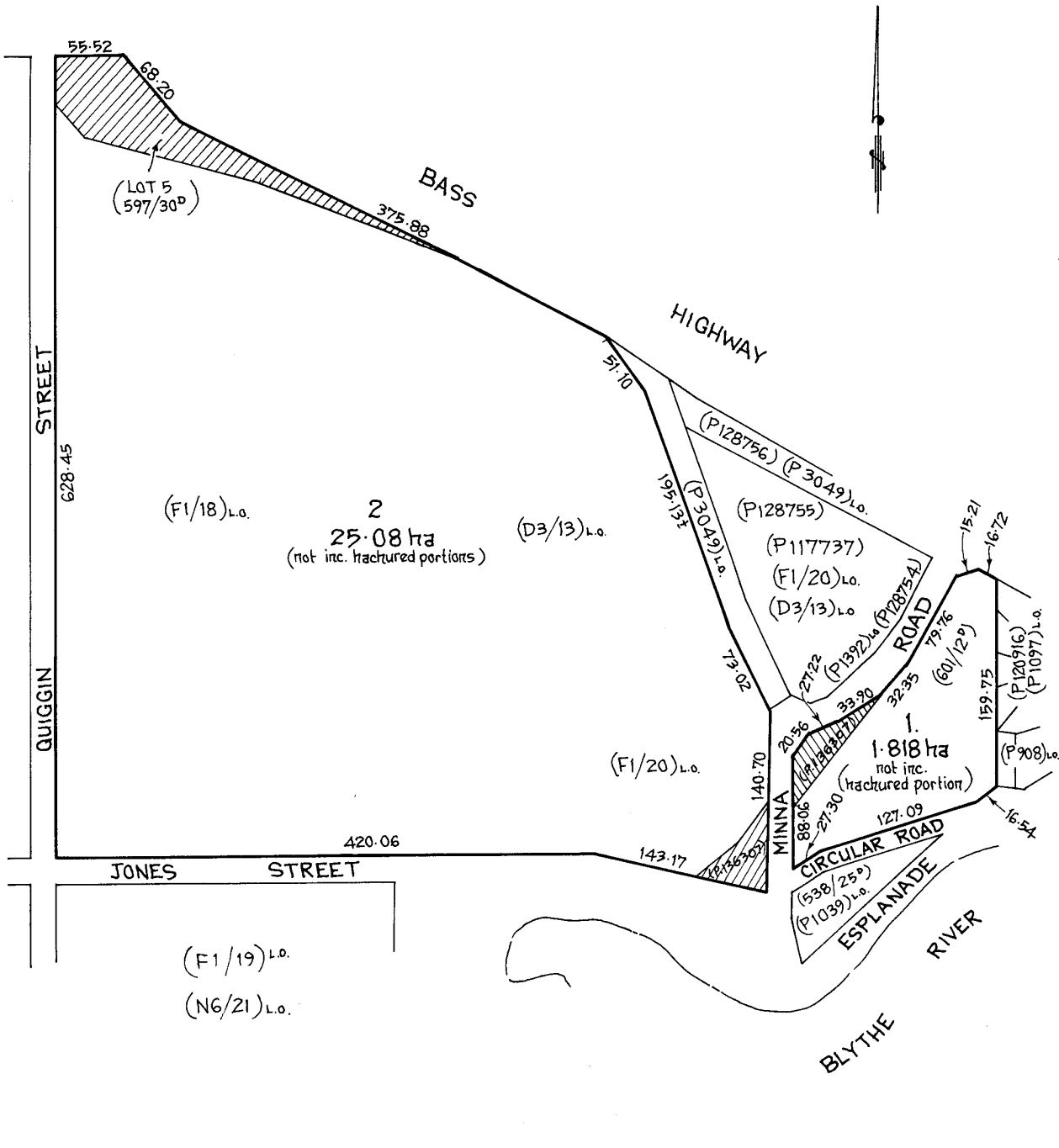
UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

<p>OWNER David Beale Watson. Tioxide Australia Proprietary Limited. FOLIO REFERENCE C.T. 117737-2 C.T. 235207-1 GRANTEE Part of Lot 1, Sec. N, 9¹ 2⁸ 35⁰ & part of Lot 1, Sec. O, 10¹ 0⁸ 14⁰ Gtd. to Charles James Kent, part of 13¹ 0⁸ 6⁰ Sec. P, part of 23¹ 1⁸ 0⁰ Sec. Q2 & whole of 12¹ 2⁸ 25⁰ Sec. I2, Gtd. to Ralph Graham Board. (Cont. below)</p>	<p align="center">PLAN OF TITLE</p> <p>LOCATION CITY OF BURNIE</p> <p>FIRST SURVEY PLAN No. P117737 COMPILED BY PEACOCK DARCEY & ANDERSON PTY. LTD. SCALE 1: 3,000 LENGTHS IN METRES</p>	<p>REGISTERED NUMBER P136308</p> <p>APPROVED <u>30 APRIL 2002</u> <i>Alice Kawa</i> Recorder of Titles</p>	
<p>MAPSHEET MUNICIPAL CODE No. 103/4045-34</p>	<p>LAST 4201304 UPI No FDC 22</p>	<p>LAST PLAN P117737 No. P.235207</p>	<p>ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN</p>

GRANTEE (Cont.): whole of Lot 2, 0.1.6, Gtd. to Robert Quiggin & part of Lot 30024, 4¹ 3⁸ 21⁰ Gtd. to Aust. Titan Products Pty. Ltd.

BALANCE PLAN





environmental service & design

Environmental Service and Design Pty Ltd

ABN 97 107 517 144 ACN 107 517 144

Office

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Heybridge TAS 7316
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Wynyard TAS 7325

BUSHFIRE HAZARD REPORT- Version 3

Client – Hellyers Road Distillery

Change of Use from Storage to Hazardous Use

15 Minna Road

HEYBRIDGE

Author- Bruce Harpley

BFP- 140

17 September 2024

15 Minna Road Heybridge

Scope of Assessors Accreditation

Bruce Harpley (BFP-140) is accredited by the Chief Officer of the Tasmania Fire Service under Section 60B of the *Fire Service Act 1979* for scope of works:

1. Certify a Bushfire Hazard Management Plan for the purposes of the Building Act 2016
2. Certify an Exemption from a Bushfire Hazard Management Plan for the purposes of the Building Act 2016 or the Land Use Planning and Approvals Act 1993
- 3A. Certify a Bushfire Hazard Management Plan meets the Acceptable Solutions for Vulnerable Uses and Hazardous Uses for the purposes of the Land Use Planning and Approvals Act 1993.
- 3B. Certify a Bushfire Hazard Management Plan meets the Acceptable Solutions for small subdivisions for the purposes of the Land Use Planning and Approvals Act 1993.

Works performed by **Bruce Harpley (BFP-140)** that require Tasmania Fire Service endorsement:

4. Certify an Emergency Management Strategy or Bushfire Emergency Plan

Disclaimer

This document has been prepared for the sole use of the client and for a specific purpose, as expressly stated in the document. *Environmental Services and Design Pty Ltd* undertakes no duty nor accepts any responsibility to any third party not being the intended recipient of this document. The information contained in this document has been carefully compiled based on the clients' requirements and *Environmental Services and Design Pty Ltd's* experience, having regard to the assumptions that *Environmental Services and Design Pty Ltd* can reasonably be expected to make in accordance with sound professional principles. *Environmental Services and Design Pty Ltd* may also have relied on information provided by the client and/or other external parties to prepare this document, some of which may not have been verified. Subject to the above conditions, *Environmental Services and Design Pty Ltd* recommends this document should only be transmitted, reproduced or disseminated in its entirety.

Bushfires in Tasmania are an unpredictable natural phenomenon and preparing a Bushfire Hazard Management Plan increases your chances of defending your property and assists in the protection the people whom frequent it. This Fire Hazard Management Plan in no way guarantees immunity from a bushfire in or around your property or the effects thereof.

Any measures implemented based on the advice from *Environmental Services and Design Pty Ltd*, is offered as potential methods of reducing your properties risk of fire damage only and is not to be relied upon as a total solution. It in no way guarantees that any or all buildings on site will survive the effects of a bushfire nor does it guarantee the safety and security of any individuals whom frequent the property.

In the event that any advice or other services rendered by *Environmental Services and Design Pty Ltd* constitutes a supply of services to a consumer under the Trade Practices Act 1974 (as amended), then *Environmental Services and Design Pty Ltd's* liability for any breach of any conditions or warranties implied under the Act shall not be excluded but will be limited to the cost of having the advice or services supplied again.

Nothing in this Disclaimer affects any rights or remedies to which you may be entitled under the Trade Practices Act 1974 (as amended). Each paragraph of this disclaimer shall be deemed to be separate and severable from each other. If any paragraph is found to be illegal, prohibited or unenforceable, then this shall not invalidate any other paragraphs.

Re-Certification – Ability to Re-Evaluate

If in the event that the land owner requests a re-assessment of this plan due to a reduced or eliminated bushfire risk in the future; an Accredited Bushfire Assessor can over-ride any or all of the requirements or provisions of this plan. This provision serves to formally expunge any Part 5 Agreement with a Council Planning Authority (if placed on a Title as a condition of Permit) or to reduce the construction standards required under AS3959 *Construction of Buildings in Bushfire Prone Areas* (as amended) if the bushfire risk is reduced to **BAL – LOW** or a threat no longer exists.

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Appendix A – Site Plan

Appendix B – Hazard Management Plan

Appendix C – Certificate – Code C13 - Bushfire Prone Areas Code

Appendix D – Emergency Management Strategy

Form 55

1. Introduction

Environmental Services and Design Pty Ltd has been engaged to complete a bushfire hazard management assessment for a bond store.

It is intended that the quantity of whiskey stored in the bond store will be up to 600,000L in timber barrels ranging in size from 200L to 500L. There is no requirement or intention to have any habitable spaces such as office or amenities within the bond store.

The bond store is to be located in the existing shed shown on the site plan at appendix B as shed 2. Under the terms of the lease neither shed 1 or 3 will be constructed.

The Tasmanian Planning Scheme – Burnie Code C13 - Bushfire Prone Areas Code requires an Emergency Management Strategy for a hazardous use. The strategy must be endorsed by Tasmania Fire Service.

The emergency management strategy required under the Tasmanian Planning Scheme – Burnie Code C13 – Bushfire-Prone Areas Code clause C13.5.2 A2 is attached at appendix D.

The Directors Determination – Bushfire Hazard Areas clause 2.3.5(1)(d) requires a bushfire emergency plan for a hazardous use that complies with the requirements of Table 5 (A) of the Determination.

The bushfire emergency plan must be approved by Tasmania Fire Service prior to the issue of the certificate of occupancy.

Assessment of access and firefighting water supply and hazard management areas must be conducted under AS3959-2018 and the Directors Determination – Bushfire Hazard Areas.

This report complies with and sets out the hazard management assessment and hazard management areas required by Code C13 clause C13.5.2 A3 and the hazard management area, access and firefighting water supply required by the Directors Determination – Bushfire Hazard Areas.

The purpose of this report is to document the assessment, bushfire attack level and associated hazard management areas under the Tasmanian Building Regulations, AS3959-2018, the requirements of Code C13 – Bushfire Hazard Area Code and the Directors Determination – Bushfire Hazard Areas.

2. Site Description

2.1 Property Details

Property Address	15 Minna Road Heybridge
Certificate of Title	CT136308/1 PID 1796047
Type of Application	Change of use from storage shed to bond store (hazardous use)
Area	1.8ha
Zoning	Rural
Surrounding Zoning	Rural, environmental management and landscape conservation
Planning Scheme	Tasmanian Planning Scheme – Burnie
Existing land Use	Storage
Proposed land use	Bond Store within portion of the site



Site Aerial

2.2 Surrounding Land Use

Surrounding land use consists of residential uses and storage.

3. Proposed Development

The proposal is for a change of use of an existing shed from general storage to a bond store which is a hazardous use.

Proposal plan for existing shed DA2022-80 approved January 2023 (shed 2) is at appendix A.

4. Bushfire Hazard Assessment

A site assessment was carried out on 19 August 2024 and report assessment was conducted on 26 August 2024. Further assessment was conducted based on feedback from Tasmania Fire Service personnel 16 September 2024.

4.1. Vegetation & Effective Slope

Vegetation and relevant effective slopes within 100m of the proposed development have been inspected and classified in accordance with AS 3959-2018.

Vegetation

Vegetation surrounding the site is assessed as:

N – low threat storage area and roadway 64m then forest,
S – low threat cleared storage and road 39m then forest,
E – low threat storage area 95m then grassland to 145m,
W – low threat roadway and access for 43m then forest.

Topography

Slope under the assessable vegetation and distances were measured with a Nikon Forestry Pro II laser device as:

- North – up slope,
- South – down 4⁰,
- East – flat, and
- West – down 3⁰.



Image 4.1.1 0 North - forest



Image 4.1.2 – South forest



Image 4.1.3 from east looking west to shed



Image 4.1.4 – west forest

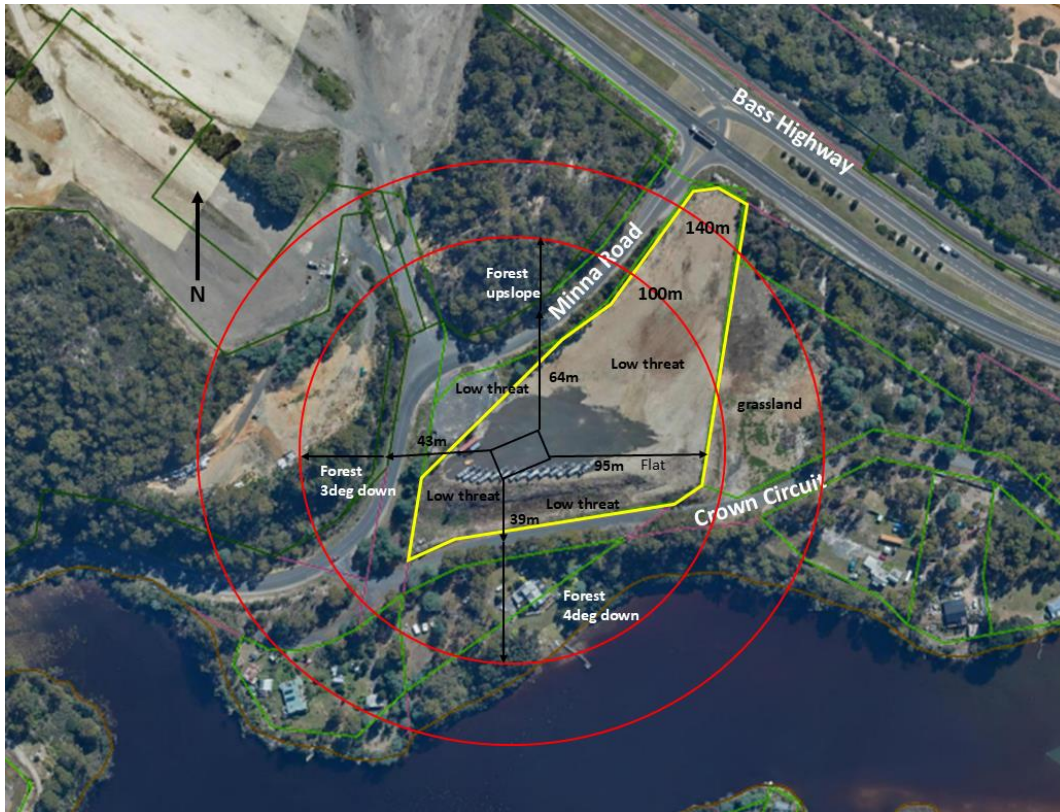


Image 4.1.5 – Site Analysis

4.2. Bushfire Attack Level

A Bushfire Attack Level assessment has been completed using Method 1 of AS 3959-2018.

Step 1: Relevant fire danger index (clause 2.2.2): FDI 50

Step 2: Assess the vegetation within 100m in all directions

Vegetation Classification	N	S	E	W
Group A - Forest	X	X		X
Group B – Woodland				
Group C – Shrubland				
Group D – Scrub				
Group E – Mallee/Mulga				
Group F – Rainforest				
Group G – Grassland			X	
Low threat (cl. 2.2.3.2)	X	X	X	X

Step 3: Distance from classified vegetation (clause 2.2.4)

	N	S	E	W
Available distance	0-64m low threat 64-100m forest	0-39m low threat 39-100m forest	0-95m Low threat 95-100m grassland	0-43m Low threat 43-100m forest
Hazard management area distance	32m	34m	14m	38m

Step 4: Effective slope under classified vegetation

	N		S		E		W	
	Upslope/0	X	Upslope/0		Upslope/0	X	Upslope/0	
	>0-5°		>0-5°	X	>0-5°		>0-5°	X
	>5-10°		>5-10°		>5-10°		>5-10°	
	>10-15°		>10-15°		>10-15°		>10-15°	
	>15-20°		>15-20°		>15-20°		>15-20°	

Step 5: Determination of Bushfire Attack Level (BAL)

	N	S	E	W
BAL value for each quadrant	12.5	12.5	Low	12.5

The applicable Bushfire Attack Level is: **BAL – 12.5**

5. Bushfire Protection Measures

The Bushfire Attack Level assessment is based on the position of the bond store and slope under the classified vegetation. The assessment at section 4.2 assesses the Bushfire Attack Level as **BAL 12.5**.

Construction

- Construction to be upgraded to meet the requirements of AS3959-2018 for BAL 12.5.

Hazard management

- The bond store requires a hazard management area equivalent to AS3959-2018 BAL 12.5 distances.
- Hazard management area and distances are shown on the hazard management plan drawing number 9432-1.

Water Supply

- The site plan shows 2 steel water tanks to the northeast of the proposed bond store as a firefighting water supply for the site.
- Tank engineering drawings show the capacity of each tank is 184,000L resulting in a total firefighting supply of 368,000L.
- The tanks are interconnected with a shut-off valve for maintenance resulting in at least 50% of the supply available at all times.
- Tanks are connected to a 50mm steel standpipe with a dual outlet and storz fittings.
- Standpipe is within a 90m hose lay of the furthest portion of the building.
- Hardstand area adjacent to the water tanks exceeds the requirements of Table 3B element E.
- On-site static water supply meets the requirements of Table 3B of the Directors Determination – Bushfire Hazard Areas.



Image 5.1 – Existing static water supply tanks



Image 5.2 – Existing standpipe and outlets

Access

- Access to the property is required to access the static water supply tanks.
- The existing crossover from Minna Road is a Council maintained all-weather access.
- Access within the site to the static water supply is gravel all-weather construction – refer image 5.2.
- The turning area adjacent to the static water supply tanks is greater than 20m x 20m and provides adequate maneuvering for emergency vehicles.
- Property access and turning area meet the requirements of Table 2 element B of the Directors Determination – Bushfire Hazard Areas.



Image 5.3 – Existing access from Minna Road

Hazardous Use

Clause C13.5.2 A1 has no acceptable solution and must be assessed under the performance criteria.

A hazardous use must only be located in a bushfire prone area if a tolerable risk from bushfire can be achieved and maintained, having regard to:

- (a) the location, characteristics, nature and scale of the use;
- (b) whether there is an overriding benefit to the community;
- (c) whether there is no suitable alternative lower risk site;
- (d) the emergency management strategy (hazardous use) and bushfire management plan; and
- (e) other advice, if any, from the TFS.

Assessment Against Performance Criteria

- (a) The proposal is for use of an existing development under the Tasmanian Planning Scheme – Burnie and will require assessment and approval in line with Council processes.
- (b) There is a benefit to the community stemming from the operation of the bond store as an expansion of the existing distillery.
- (c) There may be alternative sites available, however the construction and use are within an existing approved storage facility.
- (d) An emergency management strategy is required and is attached at appendix D and is endorsed by Tasmania Fire Service.
- (e) Comment was sought from Tasmania Fire Service in relation to the bushfire report and the management strategy. Feedback has been included in revisions to this report.

A response from Tasmania Fire Service regarding the requirements for building fire safety was passed onto the client.

6. Statutory Compliance

The applicable bushfire requirements are specified in the Directors Determination – Bushfire Hazard Areas and the *Tasmanian Planning Scheme – Burnie Code C13 – Bushfire-Prone Areas Code*.

Table 1 – Compliance Schedule – Code C13 – Bushfire-Prone Areas Code and Directors Determination – Bushfire Hazard Areas

Deemed-to-Satisfy requirement	Compliance
C13.4.1 Exemptions	N/A
C13.5.2 Hazardous Use	Subject to endorsement of the emergency management strategy by Tasmania Fire Service the proposal complies with clause C13.5.2
C13.6.1(a) and 2.3.4 Hazard management areas	Subject to implementing the hazard management areas prescribed on the Bushfire Hazard Management Plan, the proposal will comply with clause C13.6.1 and clause 2.3.4 of the Directors Determination – Bushfire Hazard Areas.
2.3.2 Property access	Access complies with the requirements as prescribed in clause 2.3.2 of the Directors Determination – Bushfire Hazard Areas.
2.3.3 Water supply for firefighting	Water supply requirements comply with clause 2.3.3 of the Directors Determination – Bushfire Hazard Areas.
2.3.5 Emergency plan	Subject to endorsement by Tasmania Fire Service and implementation by the client the proposal will comply with clause 2.3.5 of the Directors Determination – Bushfire Hazard Areas.

7. Conclusion

A bushfire hazard management plan is required and attached as appendix B. This risk assessment report must be read in conjunction with the bushfire hazard management plan.

The hazard management plan requirements must be implemented, to the satisfaction of the building surveyor, prior to issue of the certificate of occupancy.

Construction must meet the requirements of AS3959-2018 for a BAL 12.5 rating.

A copy of the emergency strategy, endorsed by Tasmania Fire Service is attached at appendix D.

The required bushfire emergency plan must be endorsed by Tasmania Fire Service prior to the issue of the certificate of occupancy.

The proposal has the capability to meet the requirements of the Tasmanian Planning Scheme – Burnie Code C13 – Bushfire-Prone Areas Code and the Directors Determination – Bushfire Hazard Areas.

Appendix A

This document forms part
of the Land Use Permit
No. DA 2022/80
Date: 16 January 2023

Jellyph

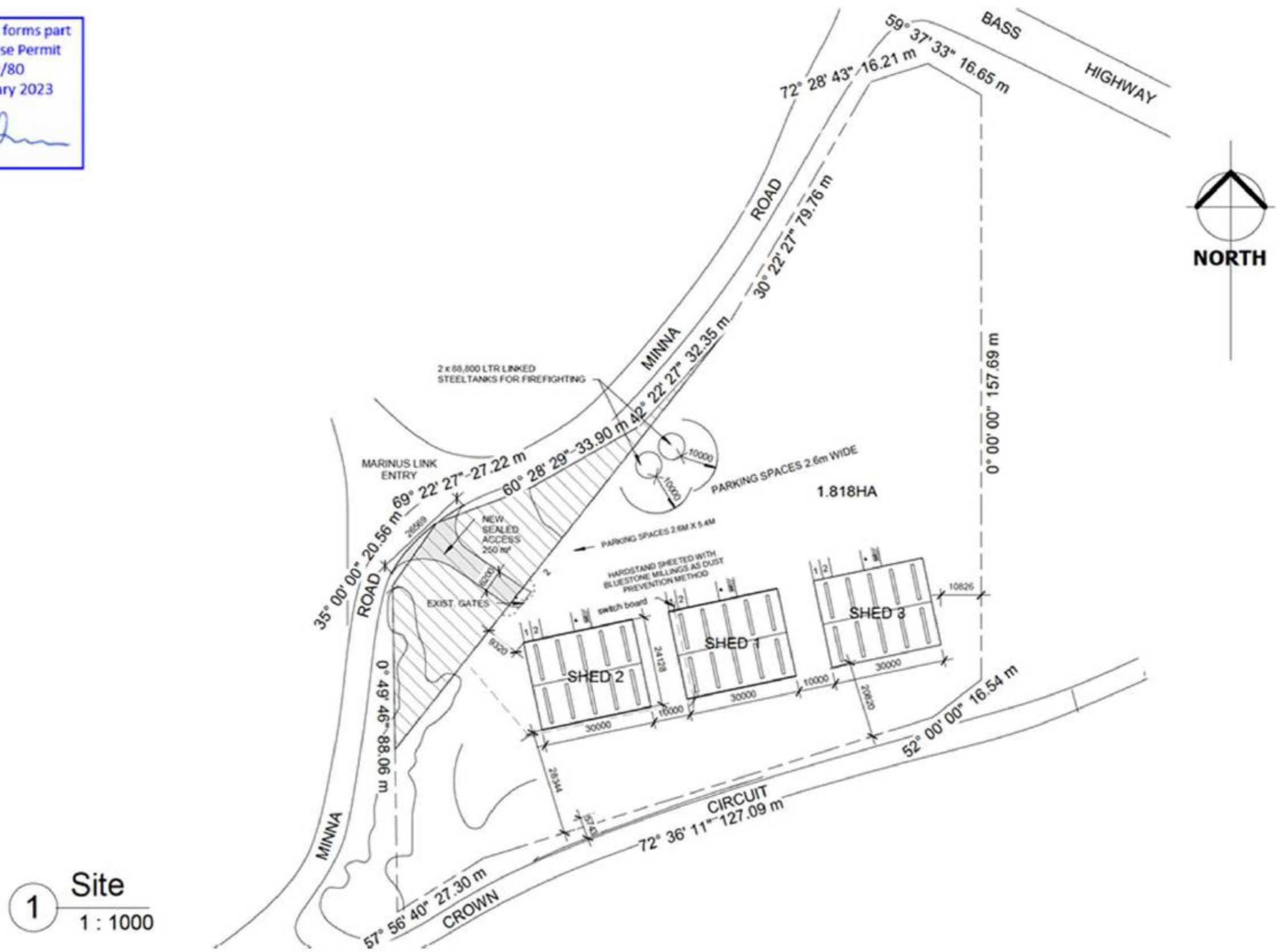
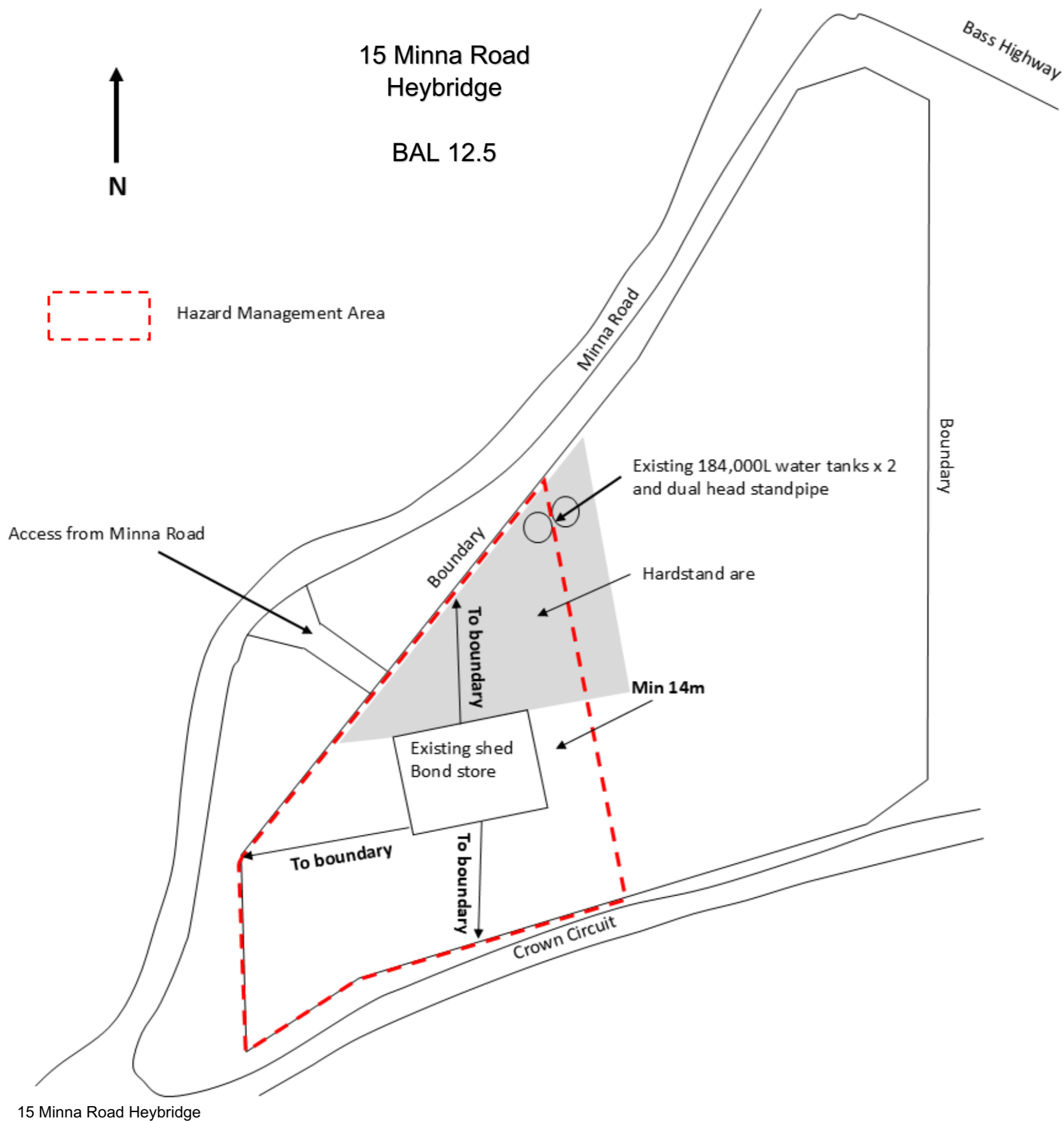


Figure 6: Proposal Plan as approved January 2023 (Source: Development Permit DA2022-80)

Appendix B – Hazard Management Plan



General Notes

Hazard Management (HMA)

- It is the responsibility of the landowner to maintain the landscaping in accordance with the Bushfire Hazard Management Plan
- Establish hazard management area for whole site as shown on the Bushfire Hazard Management Plan.
- Ensure fuels are reduced sufficiently & other hazards are removed such that the fuel & other hazards do not significantly contribute to the bushfire attack
- The hazard management area is to be regularly maintained and managed and in particular between the months of September and March in each calendar year.
- Landscaping in the HMA is to be minimised with grass maintained to a maximum height of 100mm
- Pathways and landscaping material surrounding any habitable structures must be of non-combustible elements for a minimum of 1m from any external walls or decks
- To be established prior to occupancy

Maintenance prior to the onset of each fire season

- Guttering on all habitable structures must be inspected and cleared of debris annually
- Ensure all hoses and brass connections are in good working order
- All valley and wall/roof junctions are inspected and debris removed
- Roof sheeting inspected for damages or dislodged roofing materials (replace if necessary)
- Painted surfaces are in good condition and decaying timbers given particular attention to repair
- Screens/shutters on windows and doors are in good working condition and fit well without breaks, holes or tears,
- Door mats to be of non-combustible materials

Woodpiles, garden sheds and other combustible materials to be kept well away from habitable structures.

General

- Plan to be read in conjunction with Bushfire Hazard Assessment Report v1.0
- Ensure that all relevant consultants and contractors are provided with a full copy of this plan and supporting report

BUSHFIRE-PRONE AREAS CODE

CERTIFICATE¹ UNDER S51(2)(d) *LAND USE PLANNING AND APPROVALS ACT 1993*

1. Land to which certificate applies

The subject site includes property that is proposed for use and development and includes all properties upon which works are proposed for bushfire protection purposes.

Street address:

15 Minna Road Heybridge

Certificate of Title / PID:

CT 136308/1 PID 1796047

2. Proposed Use or Development

Description of proposed Use and Development:

Bond Store in existing storage facility

Applicable Planning Scheme:

Tasmanian Planning Scheme – Burnie

3. Documents relied upon

This certificate relates to the following documents:

Title	Author	Date	Version
Proposal Plas as Approved		Jan 2023	
Bushfire Hazard Report	Bruce Harpley BFP-140	17/09/2024	3
Hazard Management Plan	Bruce Harpley BFP-140	27/08/2024	1
Emergency Strategy	Bruce Harpley BFP-140	28/08/2024	2

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

4. Nature of Certificate

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

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

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

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

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

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

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

5. Bushfire Hazard Practitioner


Name:	Bruce Harpley	Phone No:	[REDACTED]
Postal Address:	Environmental Service and Design Pty Ltd [REDACTED] [REDACTED]	Email Address:	[REDACTED]
Accreditation No:	BFP – 140	Scope:	1, 2, 3A and 3B

6. Certification

I certify that in accordance with the authority given under Part 4A of the *Fire Service Act 1979* that the proposed use and development:

- Is exempt from the requirement Bushfire-Prone Areas Code because, having regard to the objective of all applicable standards in the Code, there is considered to be an insufficient increase in risk to the use or development from bushfire to warrant any specific bushfire protection measures, or
- The Bushfire Hazard Management Plan/s identified in Section 3 of this certificate is/are in accordance with the Chief Officer's requirements and compliant with the relevant **Acceptable Solutions** identified in Section 4 of this Certificate.

Signed:
certifier



Name: Bruce Harpley Date: 17/09/2024

Certificate Number: 9432-1

(for Practitioner Use only)

Emergency Management Strategy – Version 2

Hellyers Road Distillery – Bond Store

15 Minna Road Heybridge

Background

The site is an existing freehold title with a portion, containing an existing storage shed, being leased to Hellyers Road Distillery for a bond store.

The proposed bond store will house up to 600,000L of whiskey maturing in timber barrels ranging in volume from 200-500L each.

Code C13 clause C13.5.2 of the Tasmanian Planning Scheme – Burnie requires an Emergency Management Strategy approved by Tasmania Fire Service prior to approval of the planning permit. This emergency strategy addresses the requirements of Code C13 clause C13.5.2.

The proposed use of the existing storage shed as a bond store does not increase the risk from bushfire attack to surrounding areas or infrastructure however, ignition of the contents may result in a bushfire external to the site. The proposed use as a bond store may be affected by bushfire attack and may intensify a bushfire.

Management Strategy

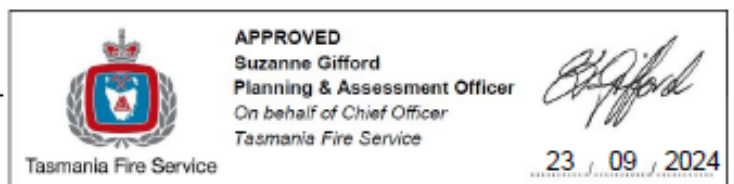
Emergency Management Structure

The emergency management structure consists of the general manager and safety supervisor. In the event of a bushfire the general manager or safety supervisor will direct staff regarding the bond store.

Site Vulnerability

- The site is vulnerable to bushfire attack from forest vegetation.
- The proposed development has the capacity to meet the requirements of BAL 12.5 hazard management distances.
- The bond store is only occupied during delivery and storage or removal of barrels from the facility.
- The entire site is maintained clear of vegetation and the majority of the site is covered in gravel.

15 Minna Road Heybridge



Bushfire Risk

- The highest bushfire risk is related to the surrounding vegetation in all directions.
- The entire site is a gravel and soil hardstand area with no vegetation to ignite to start or sustain a bushfire.

Bushfire Safety

- Primary action in the event of bushfire is to cease delivery or removal of barrels until the bushfire threat has passed.
- Work at the bond store is to be suspended on days where the Fire Danger Index is at Extreme or greater.

Access

- Access meets the requirements of clause 2.3.2 of the Directors Determination – Bushfire Hazard Areas.
- There is adequate access and turning area for firefighting vehicles and personnel to access and exit the storage facility safely.

Static Water Supply

- The existing static water supply meets the requirements of clause 2.3.3 of the Directors Determination – Bushfire Hazard Areas.

Bushfire Risk Analysis

The bushfire risk assessment results in a BAL 12.5 and a hazard management area equivalent to BAL 12.5 distances in compliance with clause C13.6.1 of the Tasmanian Planning Scheme – Burnie and clause 2.3.4 of the Directors Determination – Bushfire Hazard Areas.

Emergency Management Responses

- Cease all site activity when the Fire Danger Index reaches or exceeds Extreme.
- Cease all deliveries and/or removal of barrels during a bushfire.
- Any staff on site must observe the primary response and are to leave site and travel to Burnie to the west via the Bass Highway or Heybridge township to the east via the Bass Highway.
- Alternative evacuation route will be to the south via Minna Road to Stowport and Burnie.

As noted in the bushfire risk assessment a bushfire emergency plan, endorsed by Tasmania Fire service, must be completed prior to the issue of the certificate of occupancy.

15 Minna Road Heybridge



Emergency Management Rationale

- Ceasing deliveries and/or removal of barrels during a bushfire significantly reduces the risk of injury to staff and allows un-hindered access to emergency services personnel.
- Emergency services personnel are able to respond and focus on the fire risk.
- The existing firefighting water tanks and existing access provide emergency services personnel with adequate services to fight a bushfire.
- Construction to meet the requirements of AS3959-2018 to BAL 12.5 standard mitigates the risk of ember attack and ignition by bushfire.
- Separation to BAL 12.5 distances reduces the risk of bushfires impacting the building.

15 Minna Road Heybridge



Tasmania Fire Service

APPROVED
Suzanne Gifford
Planning & Assessment Officer
On behalf of Chief Officer
Tasmania Fire Service

A handwritten signature in black ink, appearing to read 'S. Gifford'.

23, 09, 2024

CERTIFICATE OF QUALIFIED PERSON – ASSESSABLE ITEM

Section 321

To: Owner /Agent
 Address
 Suburb/postcode

Form **55**

Qualified person details:

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

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

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

Details of work:

Address: Lot No:
 Certificate of title No:
The assessable item related to this certificate: (description of the assessable item being certified)
Assessable item includes –
- a material;
- a design
- a form of construction
- a document
- testing of a component, building system or plumbing system
- an inspection, or assessment, performed

Certificate details:

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

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

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

or

a building, temporary structure or plumbing installation:

In issuing this certificate the following matters are relevant –

Documents:	Bushfire Hazard Report and hazard management plan dated 27 August 2024
Relevant calculations:	Contained in above report
References:	Directors Determination – Bushfire Hazard Areas and AS3959-2018

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

Analysis and reporting of bushfire hazard assessment and determination of bushfire attack level.

Proposal is assessed as **BAL 12.5**

Scope and/or Limitations


Scope

This report and certification was commissioned to identify the Bushfire Attack Level for the existing property and new dwelling. All comment, advice and fire suppression measures are in relation to compliance with Directors Determination – Bushfire Hazard Areas, the Building Act & Regulations, Building Code of Australia and Australian Standard 3959-2018 - Construction of buildings in bushfire-prone areas.

Limitations

The assessment has been undertaken and report provided on the understanding that:-
The report only deals with the potential bushfire risk all other statutory assessments are outside the scope of this certificate.
The report only identifies the size, volume and status of vegetation at the time the site inspection was undertaken and cannot be relied upon for any future development.
Impacts of future development and vegetation growth have not been considered.
No assurance is given or inferred for the health, safety or amenity of the general public, individuals or occupants in the event of a Bushfire.
No warranty is offered or inferred for any buildings constructed on the property in the event of a bushfire.
No action or reliance is to be placed on this certificate or report; other than for which it was commissioned.

I certify the matters described in this certificate.

Qualified person:	<i>Signed:</i> 	<i>Certificate No:</i> 9432-1	<i>Date:</i> 17/09/2024
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EQUILIBRIUM TOWN PLANNING

Development Application

Resource Processing – Bond Storage

15 Minna Road, Heybridge

CT136308/1



0409 793 803
eqtownplanning.com.au
theresia@eqtownplanning.com.au
PO Box 3144, Burnie TAS 7320
ABN31020672578

7 October 2024

Burnie City Council
ATTN: Town Planning Department
burnie@burnie.tas.gov.au

To whom it may concern,

DEVELOPMENT APPLICATION – RESOURCE PROCESSING

This letter has been prepared to accompany the development application for development in the form of a change of use on CT 136808/1 from the pre-approved Storage use to that of Resource Processing (Bond Storage). The proposed use would form part of the processing of the maturing whisky and is part of the production of an agricultural product.

Under the Tasmanian Planning Scheme, a resource processing use includes:

Use of land for treating, processing or packing plant or animal resources.

Examples include.....winery, brewery, cidery, distillery.....

Resource Processing use as defined in the Tasmanian Planning Scheme, is a Permitted use within the zone.

The application relies upon compliance with the performance criteria under the C13.0 Bushfire Prone Areas Code due to the materials and quantity of such materials being stored. These requirements are addressed in the report attached to this application.

EQUILIBRIUM TOWN PLANNING



Figure 1 - Location of site proposed for development (boundaries approximate only) (Source: ListMap)



Figure 2 - Location for development – existing shed



Figure 3 Existing shed and access

1. OVERVIEW

1.1. Planning Overview

Table 1 Planning Overview

Element	Details		
Property	Address	PID	Title
	15 Minna Road, Heybridge	1796057	CT136308/1
Use	Resource Processing (Bond Storage)		
Development	Change of use from Storage to Resource Processing		
Planning Instrument	Tasmanian Planning Scheme – Burnie Zone: <ul style="list-style-type: none"> Rural Zone Applicable Codes: <ul style="list-style-type: none"> C2.0 Parking and Sustainable Transport Code C3.0 Road and Railway Assets Code C7.0 Natural Assets Code (priority vegetation and Waterway and Coastal Protection) (Code addressed but not applicable) C13.0 Bushfire Prone Areas Code 		

	Burnie Local Provisions Schedule: <ul style="list-style-type: none"> • Nil.
Discretions applicable	<ul style="list-style-type: none"> • C13.0 Bushfire Prone Areas Code
Planning Directives	Nil applicable

1.2. Property Owner

The site is owned by Stones Tas Pty Ltd. A full copy of the land title is provided as Appendix A.

1.3. Proposal

It is intended to change the use of the existing building from Storage to Resource Processing. The building would be utilised in the maturation of whisky barrels, forming part of the processing of whisky production and thus production of an agricultural product.

The proposal does not include any signage, or modifications to the building outside of the upgrading of the guttering and water management on the site as required for bushfire risk management and endorsed by the Tasmania Fire Service.

1.4. Site and background

The site was previously approved for use for storage and the existing building constructed.

1.5. Supporting Assessments

1.5.1. Access

The proposal intends to utilise the existing access. Traffic movements will be minimal, and below those anticipated in the previous approval.

The online application for a Statement of Compliance determined that the proposal is 'Deemed Compliant' and no Statement of Compliance required.

1.5.2. Servicing

1.5.2.1. Sewer and Water

The site is not serviced. Water will be provided on site as per bushfire risk management.

1.5.2.2. TasGas

The site is not along the gas infrastructure.

(<https://www.tasgas.com.au/pipeline-locator>)

1.5.2.3. TasNetworks

The property is able to connect to the TasNetworks infrastructure.

2. LEGISLATIVE FRAMEWORK

2.1. TASMANIAN PLANNING SCHEME – BURNIE

The following examines the proposed development with respect to the relevant provisions of the Scheme.

2.1.1. Rural Zone

The proposed use is a permitted use within the zone (Resource Processing).

The development relies on compliance with the performance criteria under the C13.0 Bushfire Prone Areas Code.

The following examines the relevant provisions of the scheme with respect to the proposed development.

20.0	Rural Zone	
20.3.1	Not applicable. Proposal is for a permitted use.	N/A
20.4.1 - 20.4.3	Proposed is for a change of use of an existing building.	N/A
20.5	No subdivision is proposed.	N/A

2.1.2. C1.0 Signs Code

No signage is proposed.

2.1.3. C2.0 Parking and Sustainable Transport Code

The application proposed the retention of the parking spaces as previously approved on the site for the storage use (DA2022-80), which included three parking spaces for this shed. There will be no regular staff on the site. The Code requires two spaces per three employees, and as such the site will exceed this requirement with the three spaces (marked in Appendix B).

The Burnie City Council online request for a Compliance Statement concluded that no Statement of Compliance was required.

2.1.4. C3.0 Road and Railways Assets Code

The development:

- Will not increase the amount of vehicular traffic above that already approved.
- Will not require a new vehicle crossing. The Road Authority may apply conditions on any permit issued should the existing access require sealing or similar.
- Does not involve a subdivision or habitable building.

The Code is not applicable.

2.1.5. C7.0 Natural Assets Code

The site contains a small pocket of land along the southern boundary that sits within the waterway and coastal protection area of the Natural Assets Code. No building or works are proposed within the area covered by this overlay, complying with the Code requirements.

The site also contains land covered by the priority vegetation overlay. The proposal does not result in the removal of any vegetation and as such complies with the Code requirements for this overlay.

2.1.6. C13.0 Bushfire Prone Areas Code

The site is located within bushfire prone land. The application is accompanied by a bushfire hazard report and Emergency Strategy to address the code requirements (Appendix B).

It is noted that the use of this site as a bond store for flammable liquids (whisky) results in the proposal being considered as a hazardous use under the planning scheme, and the proposal is therefore discretionary under the Bushfire Prone Areas Code.

2.2. TASMANIAN PLANNING SCHEME – BURNIE LPS

None applicable.

3. CONCLUSION

The proposal is for the change of use from the approved use of Storage to the new use of Resource Processing.

The proposal is for a permitted use, however, due to the type and volume of materials to be located on the site, will trigger discretionary assessment under the Bushfire Prone Areas Code.

No increase in traffic or parking requirements are proposed, nor is any signage.

The application assesses the site and the proposal and provides evidence to the effect that the proposal complies with the relevant provisions.

Please do not hesitate to make contact on 0409 793 803 or email me at theresia@eqtownplanning.com.au to discuss this matter.

Regards,



Theresia Williams

Principal Planner