

PLEASE QUOTE

Your Ref:

Our Ref: SP:CF 7225384

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

We value your feedback on our service.  
Tell us about it at [www.burnie.tas.gov.au/feedback](http://www.burnie.tas.gov.au/feedback)



## NOTICE OF APPLICATION FOR LAND USE PERMIT

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

### *Advice to Adjoining Land Owner or Occupier*

<b>Application No: -</b>	<b>SD 2024/1362</b>
<b>Development Site: -</b>	<b>51 Clarkes Road UPPER STOWPORT CT 244439/1</b>
<b>Proposal: -</b>	<b>Excision of dwelling through subdivision</b>
<b>Discretionary Matter: -</b>	<b>Reliant on performance criteria for grant of permit - Clause 21.5.1 (P1)</b>

---

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](http://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](mailto:burnie@burnie.tas.gov.au) by no later than 5.00 pm on **4 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: - **20 November 2024**

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

51 Clarkes Road, Upper Natone

Certificate of  
Title Reference

244439/1

**Applicant**

First Name

Second  
Name

Surname

PDA obo Lawrence Fisher Unit Trust

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

First Name

Taylah & Sam

Second Name

Surname

Lee-Keys

## 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(1AC) *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.

S54 *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.

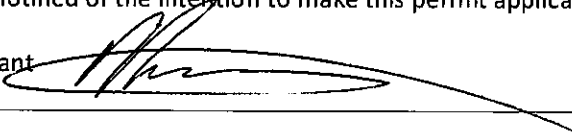
<b>Permit Information</b>	(NB If insufficient space, please attach separate document)
<b>Proposed Use:</b>	
<b>Use Class</b>	
<b>Documents included with the permit application to describe the Use</b>	
<b>Proposed Development</b>	
<b>Use class to which the development applies</b>	
<b>Documents included with the permit application to describe the Development</b>	
<b>Provisions and Standards relied upon for grant of a Permit</b>	

**Notification of Landowner/s**

**If land is not in applicant's ownership**

I, **Allan Brooks**, 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 12/09/2024

**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, **Allan Brooks** 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 12/09/2024

SEARCH OF TORRENS TITLE

VOLUME 244439	FOLIO 1
EDITION 7	DATE OF ISSUE 25-Jan-2023

SEARCH DATE : 28-Aug-2024

SEARCH TIME : 10.23 AM

DESCRIPTION OF LAND

Parish of STOWPORT, Land District of DEVON  
 Lot 1 on Plan 244439  
 Derivation : Part of Lot 35206 Gtd. to The Closer Settlement  
 Board and Whole of Lot 15638 Gtd. to F.W. Benjafield  
 Prior CT 4228/66

SCHEDULE 1

M863183 & N106526 TAYLAH JOCELYN LEE-KEYS and SAM JEFFREY  
 LEE-KEYS Registered 25-Jan-2023 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any  
 C468017 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 shown  
 passing through the said land within described  
 Registered 28-Jul-2003 at noon  
 N102596 MORTGAGE to Rabobank Australia Limited Registered  
 25-Jan-2023 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

N218654 PRIORITY NOTICE reserving priority for 90 days  
 D/MORTGAGE Rabobank Australia Limited to Taylah  
 Jocelyn Lee-Keys and Sam Jeffrey Lee-Keys  
 TRANSFER Taylah Jocelyn Lee-Keys and Sam Jeffrey  
 Lee-Keys to Lawrence Fisher Pty Ltd as Trustee for  
 Lawrence Fisher Unit Trust  
 MORTGAGE Lawrence Fisher Pty Ltd as Trustee for  
 Lawrence Fisher Unit Trust to Rabobank Australia  
 Limited Lodged by SIMMONS WOLFHAGEN on 27-Aug-2024  
 BP: N218654

OS 0 425

ANNEXURE TO CERTIFICATE OF TITLE  
FOLIO OF REGISTER

VOL. 4228 FOL. 66

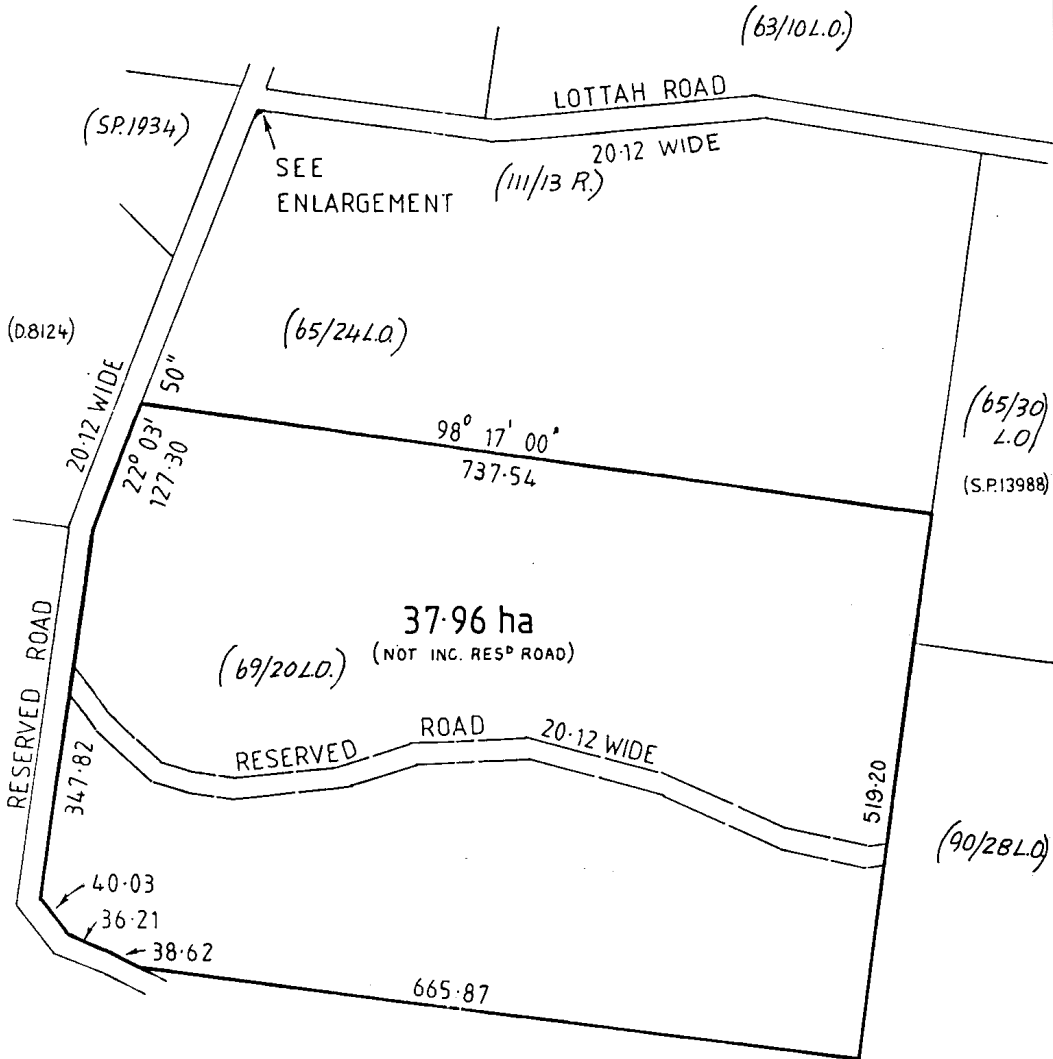
REGISTERED NUMBER

244439

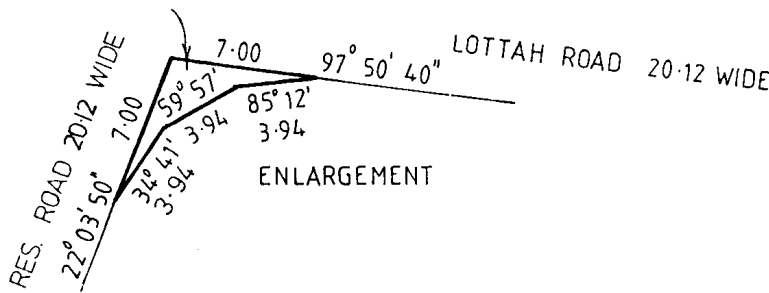
*E.R. Taylor*  
Recorder of Titles



Lot 1 of this plan consists of all the land comprised in the above-mentioned cancelled folio of the Register



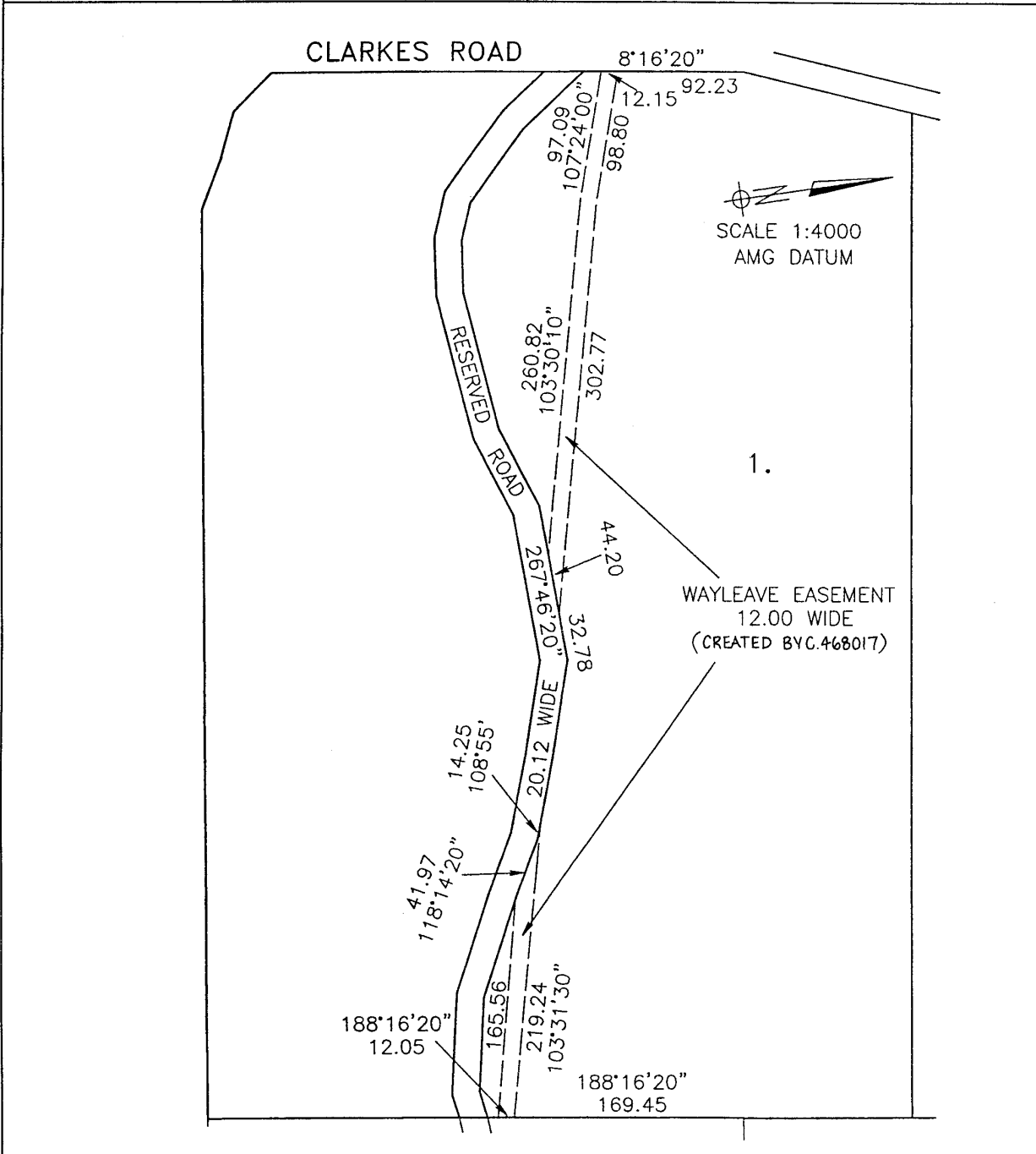
2, ROAD 11.2 m<sup>2</sup>



MEAS. IN PH. METRES  
STOWPORT  
S.P. 25933

X16.

<p><b>IDENTIFICATION PLAN OF WAYLEAVE EASEMENT</b></p>	<p>ANNEXURE PAGE TO FOLIO PLAN VOL : <b>244439</b>      FOLIO : 1</p>
------------------------------------------------------------	---------------------------------------------------------------------------



**LAND DISTRICT OF DEVON  
PARISH OF STOWPORT**

OWNER : MICHAEL CHARLES PEACH and JOY LUCY PEACH

PLAN No: 244439

UPI :

Electricity Entity No. 4753-02

**SURVEYORS REPORT**

The wayleave easement shown in this plan has been surveyed in accordance with Clause 16 of the Land Surveyors (Survey Practice) By Laws 1982, for identification by the Electricity Entity for the purpose of registering an easement in gross.

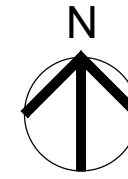
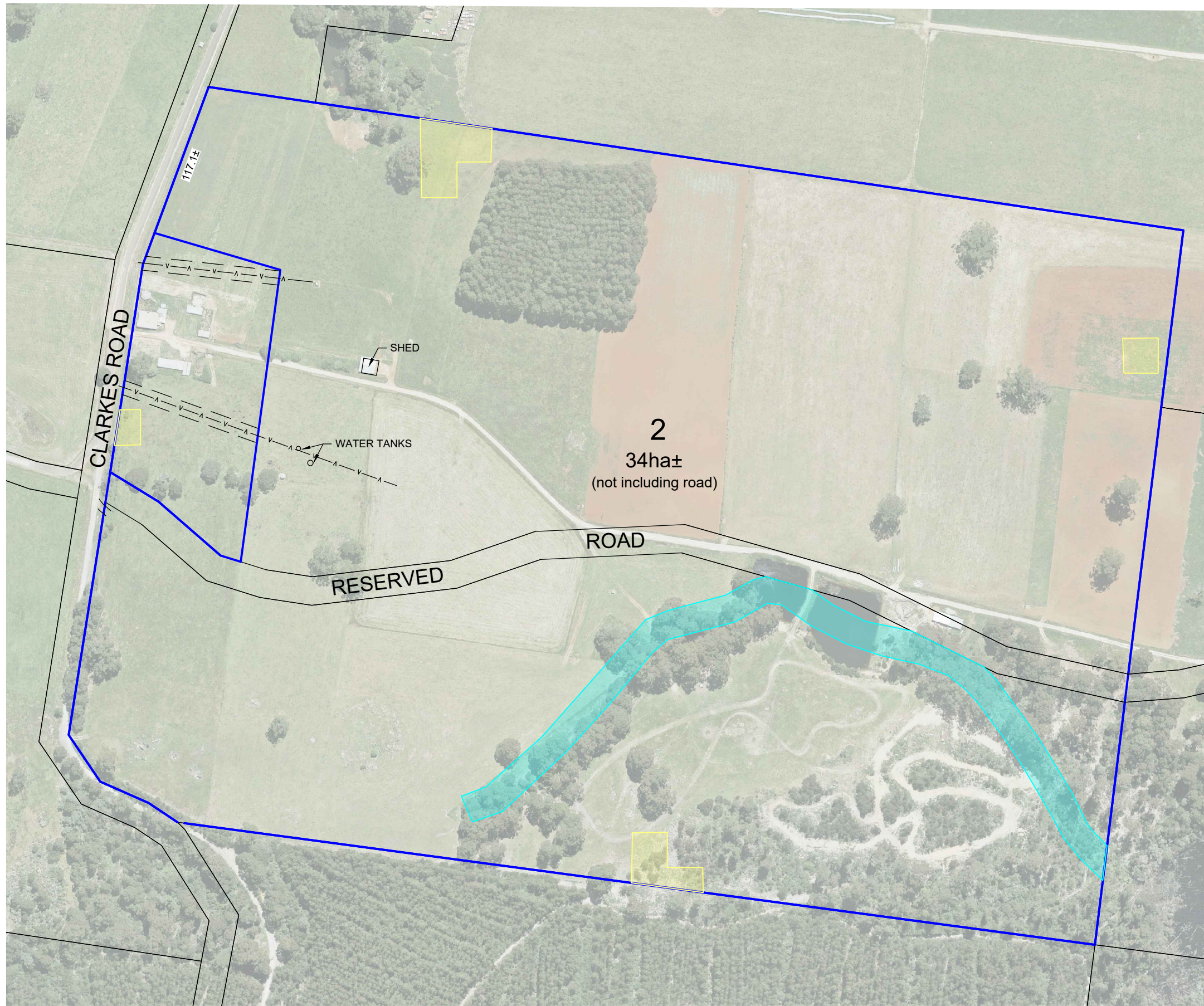
The easement to be created extends 6 metres either side of the centre of the electricity powerline.

The accuracy of this easement survey is insufficient for title boundary determination.

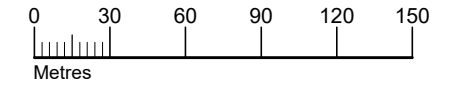
Registered Surveyor: *R. J. Dickens*      Date: 12/Feb/2003  
Rodney J. Dickens

CNGS-QF-9084 Rev 2 1/9/98





SCALE 1: 3000 (A3)



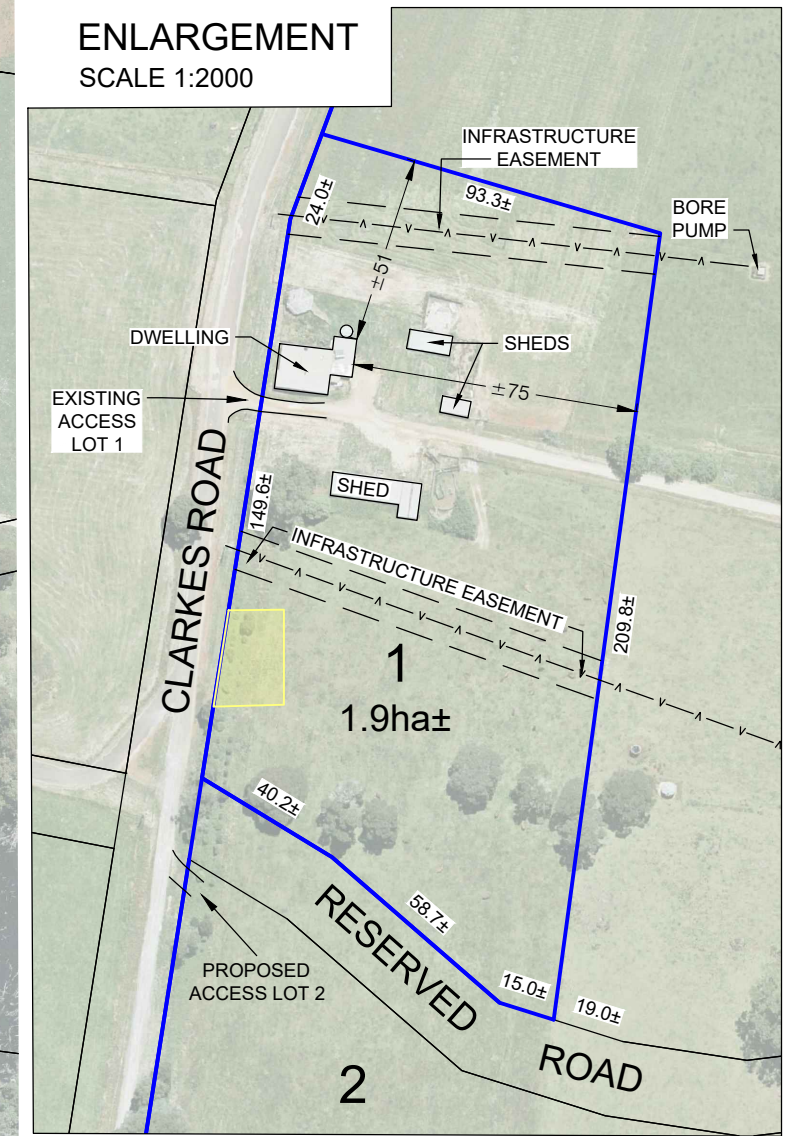
**LEGEND:**

- DESIGN BOUNDARY
- EASEMENT
- CADASTRAL PARCELS
- EXISTING OVERHEAD POWER
- 7. WATERWAY AND COASTAL PROTECTION AREA
- 15. LOW HAZARD LANDSLIP

**NOTE:**

BUSHFIRE PRONE AREAS (13.BPA) COVERS ENTIRETY OF SITE, FOR CLARITY THIS HAS NOT BEEN HATCHED ONTO PLAN.

**ENLARGEMENT**  
SCALE 1:2000



Current Owners TAYLAH JOCELYN LEE-KEYS & SAM JEFFREY LEE-KEYS		Title References FR.244439/1		PID 7225384	Council Burnie City Council	Planning scheme Tasmanian Planning Scheme	Zone 21.0 Agriculture	Zone Codes 13.BPA, 15.0 LSH, 7.NAC	Schedule of Easements (Existing easements to be retained unless noted otherwise.) Nil.
This plan has been prepared only for the purpose of obtaining preliminary subdivision approval from the Council and the information shown hereon should be used for no other purpose. All measurements and areas are subject to final survey.				PLANNER: AB	REVIEWED: -	CLIENT: LAURANCE FISHER UNIT TRUST			
				DRAWN: CB	REVIEWED: JM	PROJECT DESCRIPTION: DEVELOPMENT APPLICATION			
REV AMENDMENTS				JOB MANAGER: JM	ADDRESS: 51 CLARKES ROAD, UPPER STOWPORT				
				PRINTED DATE: 28/08/2024	DRAWING TITLE: <b>PLAN OF SUBDIVISION</b>				
THIS SHEET MAY BE PRINTED USING COLOUR AND MAY BE INCOMPLETE IF COPIED				<b>PDA</b> SURVEYORS, ENGINEERS & PLANNERS		6 Queen Street Burnie, Tasmania, 7320 PHONE: +61 03 6431 4400 FAX: +61 03 6431 6663 EMAIL: pda.bne@pda.com.au www.pda.com.au Also at: Launceston, Devonport, Hobart & Kingston		SCALE <b>AS SHOWN</b> (A3) JOB NUMBER DISCIPLINE SHEET REVISION <b>53256 DA 01 -</b>	





## Planning Report

51 Clarkes Road, Upper Natone

## Table of Contents

1. Introduction/Context.....	4
1.1. The Land.....	4
1.2. Existing Development .....	4
1.3. Natural Values.....	5
3. Planning Assessment .....	6
3.2 Zone Standards – Agriculture.....	7
3.4 Codes .....	10
Conclusion .....	13
Contact .....	14

## PDA Contributors

<b>Planning</b>	Allan Brooks	12/09/2024
-----------------	--------------	------------

## Revision History

Revision	Description	Date
1	First Issue	12/09/2024

**© PDA Surveyors, Engineers & Planners**

This document is and shall remain the property of PDA Surveyors, Engineers & Planners. Unauthorised use of this document in any form whatsoever is prohibited. This document is issued for the party which commissioned it and for specific purposes connected with the above-captioned project only. It should not be relied upon by any other party or used for any other purpose. We accept no responsibility for the consequences of this document being relied upon by any other party, or being used for any other purpose, or containing any error or omission which is due to an error or omission in data supplied to us by other parties.

## EXECUTIVE SUMMARY

Council approval is sought for a 2 lot subdivision at 51 Clarkes Road, Upper Natone (FR 244439/1).

A permit is sought in accordance with Section 57 of the *Land Use Planning and Approvals Act 1993* and Clause 6.8.1 (b) of the *Tasmanian Planning Scheme - Burnie*

### Development Details:

<b>Property Address</b>	51 Clarkes Road, Upper Natone
<b>Proposal</b>	2 Lot subdivision
<b>Land Area</b>	37.96ha

<b>CT</b>	244439/1
<b>PID</b>	7225384
<b>Planning Ordinance</b>	Tasmanian Planning Scheme - Burnie
<b>Land Zoning</b>	Agriculture
<b>Specific Areas Plans</b>	N/A
<b>Code Overlays</b>	Bushfire Prone Area & Waterway and Coastal Protection Area



# 1. Introduction/Context

Council approval is sought for a 2 lot subdivision at 51 Clarkes Road, Upper Natone (FR 244439/1). In support of the proposal the following associated documents have been provided in conjunction with this planning assessment:

- Subdivision Proposal Plan
- Completed Development Application Form
- Copy of Title
- Bushfire Report

## 1.1. The Land

The land is predominantly agricultural, with some vegetation on site and a waterway in the southeast corner that connects to Chasm Creek.



**Figure 1.** Existing aerial image of the subject land (LISTmap, 2024)

## 1.2. Existing Development

The site has an existing dwelling and outbuilding on the west of the lot.

### 1.3. Natural Values

There is vegetation on site, but none is covered by priority vegetation or listed as threatened or conservation-significant species per the list layers.

## 2. The Proposal

The proposed application is to excise the existing dwelling from the larger agricultural land. The balance is used for larger surrounding dairy use, and the house is surplus for farming needs.

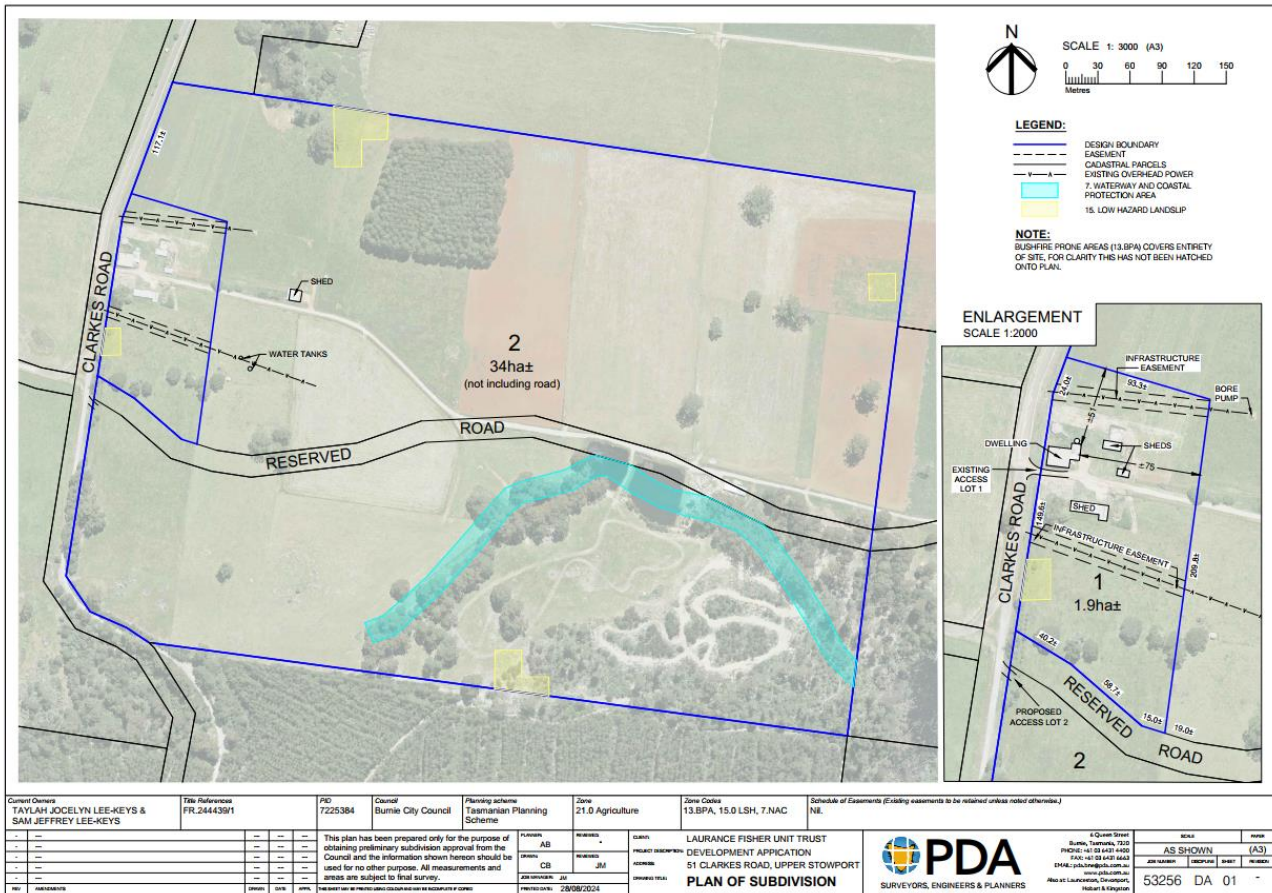


Figure 2. Proposed Plan of Subdivision

## 3. Planning Assessment

This current proposal for a 2 lot subdivision has been developed in accordance with the *Tasmanian Planning Scheme - Burnie*.

### 3.1 Zoning



**Figure 3.** Zoning identification of the subject land and surrounds (LISTmap, 2024)

The subject is within the agricultural zone, similar to all surrounding boundaries except for the southern boundary which is zoned Rural.



## 3.2 Zone Standards – Agriculture

### 21.5 Development Standards for Subdivision

#### 21.5.1 Lot design

Objective:	
To provide for subdivision that: <ul style="list-style-type: none"> <li>a) relates to public use, irrigation infrastructure or Utilities; and</li> <li>b) protects the long term productivity capacity of agricultural land.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> <li>a) be required for public use by the Crown, a council or State authority;</li> <li>b) be required for the provisions of Utilities or irrigation infrastructure;</li> <li>c) be for the consolidation of a lot with another lot provided each lot is within the same zone; or</li> </ul>	<p><b>P1</b></p> <p>Each lot, or lot proposed in a plan of subdivision, must:</p> <p>(a) provide for the operation of an agricultural use, having regard to:</p> <ul style="list-style-type: none"> <li>(i) not materially diminishing the agricultural productivity of the land;</li> <li>(ii) the capacity of the new lots for productive agricultural use;</li> <li>(iii) any topographical constraints to agricultural use; and</li> <li>(iv) current irrigation practices and the potential for irrigation;</li> </ul> <p>(b) be for the reorganisation of lot boundaries that satisfies all of the following:</p> <ul style="list-style-type: none"> <li>(i) provides for the operation of an agricultural use, having regard to:               <ul style="list-style-type: none"> <li>a. not materially diminishing the agricultural productivity of the land;</li> <li>b. the capacity of the new lots for productive agricultural use</li> <li>c. any topographical constraints to agricultural use; and</li> <li>d. current irrigation practices and the potential for irrigation;</li> </ul> </li> <li>(ii) all new lots must be not less than 1ha in area;</li> <li>(iii) existing buildings are consistent with the setback required by clause 21.4.2 A1 and A2;</li> <li>(iv) all new lots must be provided with a frontage or legal connection to a road by</li> </ul>



a right of carriageway, that is sufficient for the intended use; and  
(v) it does not create any additional lots;  
or

(c) be for the excision of a use or development existing at the effective date that satisfies all of the following;

(i) the balance lot provides for the operation of an agriculture use, having regard to:

- a. Not materially diminishing the agricultural productivity of the land;
- b. The capacity of the balance lot for productive agricultural use; and
- c. Any topographical constraints to agricultural use; and
- d. Current irrigation practices and the potential for irrigation

(ii) an agreement under section 71 of the Act is entered into and registered on the title preventing future Residential use if there is no dwelling on the balance lot;

(iii) any existing buildings for a sensitive use must meet the setback required by clause 21.4.2 A2 or P2 in relation to setbacks to new boundaries; and

(iv) all lots must be provided with a frontage or legal connection to a road by right of carriageway, that is sufficient for the intended use.

**Comment:**

**P1 (c) is met:** The proposed subdivision is to excise the existing dwelling from the site. The proposed development will not diminish the agricultural productivity of the land. Both lots will have connections to Clarkes Road. The proposed setbacks from the dwelling 50 m to the north and 75m to the east are adequate for the agricultural use of the site as the land is initially used for grazing, and the setback is consistent with other properties on Clarke Road with the same surrounding agricultural use.

Acceptable Solutions	Performance Criteria
<p><b>A2</b> Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from boundary of the lot to a road in accordance with the requirements of the road authority.</p>	<p><b>P2</b> Each lot, or proposed in a plan of subdivision, is capable of being provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>a) The topography of the site;</li> <li>b) The distance between the lot or building area and the carriageway;</li> <li>c) The nature of the road and the traffic, including pedestrians; and</li> <li>d) The pattern of development existing on established properties in the area.</li> </ul>
<p><b>Comment:</b> <b>A2 is met:</b> Each lot will have access to Clarkes Road</p>	

### 3.4 Codes



**Figure 4.** Scheme Overlay identification of the subject land and surrounds (LISTmap, 2024)

Code	Comments:
C1.0 Signs Code	N/A
C2.0 Parking and Sustainable Transport Code	As this Code is relevant to this proposal, an assessment is provided below.
C3.0 Road and Railway Assets Code	N/A
C4.0 Electricity Transmission Infrastructure Protection Code	N/A
C5.0 Telecommunications Code	N/A
C6.0 Local Historic Heritage Code	N/A
C7.0 Natural Assets Code	As this Code is relevant to this proposal, an assessment is provided below.
C8.0 Scenic Protection Code	N/A
C9.0 Attenuation Code	N/A
C10.0 Coastal Erosion Hazard Code	N/A
C11.0 Coastal Inundation Hazard Code	N/A
C12.0 Flood-Prone Areas Hazard Code	N/A
C13.0 Bushfire-Prone Areas Code	As this code is relevant to this proposal, please see the provided bushfire report.
C14.0 Potentially Contaminated Land Code	N/A
C15.0 Landslip Hazard Code	N/A
C16.0 Safeguarding of Airports Code	N/A

## C2.0 Parking and Sustainable Transport Code

### C2.6.7 Development Standards

#### C2.6.3 Number of accesses for vehicles

<p><b>Objective:</b> That:</p> <ul style="list-style-type: none"> <li>(a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses;</li> <li>(b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and</li> <li>(c) the number of accesses minimise impacts on the streetscape.</li> </ul>	
<p><b>Acceptable Solutions</b></p>	
<p><b>A1</b> The number of accesses provided for each frontage must:</p> <ul style="list-style-type: none"> <li>(a) be no more than 1; or</li> <li>(b) no more than the existing number of accesses,</li> </ul> <p>whichever is the greater.</p>	
<p><b>Response:</b> <b>A1 is met:</b> No more than 1 access to the site.</p>	

## C7.0 Development Standards for Subdivision

### C7.7.7 Subdivision within a waterway and coastal protection area or a future coastal refugia area

<p><b>Objective:</b> That:</p> <ul style="list-style-type: none"> <li>a) Works associated with a subdivision within a waterway and coastal protection area or a future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets; and</li> <li>b) Future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on natural assets.</li> </ul>	
<p><b>Acceptable Solutions</b></p>	<p><b>Performance Criteria</b></p>
<p><b>A1</b> Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or future coastal refugia area must:</p> <ul style="list-style-type: none"> <li>a) be for the creation of separate lots for existing buildings;</li> <li>b) be required for public use by the Crown, a council or State Authority.</li> </ul>	<p><b>P1</b> Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or future coastal refugia area, must minimise adverse impacts on natural assets, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the need to locate building areas and any associated bushfire hazard management area to be outside a waterway and coastal</li> </ul>

<p>c) Be required for the provision of Utilities;</p> <p>d) Be for the consolidation of a lot; or</p> <p>e) Not include any works (excluding boundary fencing), building area, services, bushfire hazard management area or vehicular access within a waterway and coastal protection area or future coastal refugia area.</p>	<p>protection area or a future coastal refugia area; and</p> <p>(b) future development likely to be facilitated by the subdivision.</p>
<p><b>Comment:</b></p> <p><b>A1(e) is met:</b> The proposal includes no work within the overlay.</p>	

## Conclusion

The planning assessment and supporting documentation demonstrate that the development proposal for a 2 lot subdivision meets all applicable Tasmanian Planning Scheme – Burnie requirements.

Yours faithfully,

Allan Brooks



PDA Surveyors, Engineers and Planners



## Contact

For any enquiries, please contact one of our offices:

### **HOBART**

**A:** 127 Bathurst Street, Hobart Tasmania 7000

**P:** (03) 6234 3217

**E:** pda.hbt@pda.com.au

### **KINGSTON**

**A:** 6 Freeman Street, Kingston, TAS 7050

**P:** (03) 6229 2131

**E:** pda.ktn@pda.com.au

### **HUONVILLE**

**A:** 8/16 Main Street, Huonville, TAS 7109 - (By appointment)

**P:** (03) 6264 1277

**E:** pda.huon@pda.com.au

### **EAST COAST**

**A:** 3 Franklin Street, Swansea TAS 7190 - (By appointment)

**P:** (03) 6130 9099

**E:** pda.east@pda.com.au

### **LAUNCESTON**

**A:** 3/23 Brisbane Street, Launceston, TAS 7250

**P:** (03) 6331 4099

**E:** pda.ltn@pda.com.au

### **BURNIE**

**A:** 6 Queen Street, Burnie, TAS 7320

**P:** (03) 6431 4400

**E:** pda.bne@pda.com.au

### **DEVONPORT**

**A:** 77 Gunn Street, Devonport, TAS 7310

**P:** (03) 6423 6875

**E:** pda.dpt@pda.com.au

### **WALTER SURVEYS**

**A:** 127 Bathurst Street, Hobart, TAS 7000 (Civil Site Surveying and Machine Control)

**P:** 0419 532 669 (Tom Walter)

**E:** tom.walter@waltersurveys.com.au

# Bushfire Hazard Management Report: Subdivision

**Report for:** Laurance Fisher Unit Trust

**Property Location:** 51 Clarkes Road, Stowport

**Prepared by:** Scott Livingston  
Livingston Natural Resource Services

**Date:** 9<sup>th</sup> September 2024

**Version:** 1





## Summary

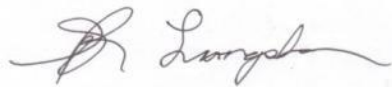
**Client:** Laurance Fisher Unit Trust

**Property identification:** Current zoning: Agriculture, *Tasmanian Planning Scheme- Burnie*

51 Clarkes Road, Stowport, CT 244439/1, PID 7225384

**Proposal:** A 2 lot subdivision is proposed from 1 existing title 244439/1 at 51 Clarkes Road, Stowport.

**Assessment  
by:**



---

Scott Livingston,  
Master Environmental Management,  
Natural Resource Management Consultant.  
Accredited Person under part 4A of the Fire Service Act 1979:  
Accreditation # BFP-105.

Version	Date	Notes
1	9/9/2024	

## Contents

DESCRIPTION .....	3
BAL AND RISK ASSESSMENT.....	3
ROADS .....	5
PROPERTY ACCESS.....	5
FIRE FIGHTING WATER SUPPLY .....	6
CONCLUSIONS.....	9
REFERENCES .....	9
APPENDIX 1 – MAPS.....	10
APPENDIX 2 – PHOTO .....	12
APPENDIX 3 – BUSHFIRE HAZARD MANAGEMENT PLAN .....	14
CERTIFICATE UNDER S51(2)(d) LAND USE PLANNING AND APPROVALS ACT 1993.....	15
Figure 1: proof of concept lot 2 BAL 19 building area .....	5
Figure 2: Location existing lots in blue .....	10
Figure 3: Aerial Image .....	10
Figure 4: Proposed Subdivision Plan.....	11
Figure 5: existing dwelling, lot 1 .....	12
Figure 6: north across lots 1 & 2.....	12
Figure 7: northeast across lot 1 .....	13
Figure 8: north across lot 2 .....	13

### LIMITATIONS

This report only deals with potential bushfire risk and does not consider any other potential statutory or planning requirements. This report classifies type of vegetation at time of inspection and cannot be relied upon for future development or changes in vegetation of assessed area.

## DESCRIPTION

A 2 lot subdivision is proposed from 1 existing title 244439/1 at 51 Clarkes Road, Stowport. The area is mapped as bushfire prone in planning scheme overlays.

The proposed subdivision excises 1.9ha including an existing dwelling as lot 1. Lot 2 is 34 ha and has several outbuildings. The lot is pasture with plantation and forest patches. Surrounding land is pasture to the west, north & east, forest to the south. The area is not serviced by a reticulated water supply. Lots have frontage to Clarkes Road.

See Appendix 1 for maps and site plan, and appendix 2 for photographs.

## BAL AND RISK ASSESSMENT

The land is mapped as Bushfire Prone in Planning Scheme Overlays. The existing dwelling on the lot 1 will be more than 50m from the nearest new boundary (grassland) and there will be no increase in risk to the dwelling from subdivision. Lot 1 is considered exempt under C13.6.1 A1 (a), C13.6.2 A1 (a) / C13.6.3 A1 (a) for the purposes of subdivision.

## VEGETATION AND SLOPE

Lot		North	East	South	West
1	Vegetation, within 100m of existing dwelling	0-11m low threat 11-52m grassland (on lot), 52-100m grassland	0-18m low threat 18-75m grassland (on lot), 75-100m grassland	0-18m low threat, 18-50+m grassland (on lot), 50+-100m grassland	0-22m low threat, 22-100m grassland
	Slope (degrees, over 100m)	Down slope 0-5°	Flat /upslope	Flat /upslope	Down slope 0-5°
	BAL rating existing vegetation	BAL 19	BAL 12.5	BAL 12.5	BAL 12.5
2	Vegetation, within 100m of lot boundaries	0-100m grassland	northern portion: 0-100m grassland, southern portion: 0-100m forest	0-100m forest	0-100m grassland
	Slope (degrees, over 100m)	Down slope 0-5°	Flat /upslope	Flat /upslope	Down slope 0-5°
	BAL rating existing vegetation	BAL FZ	BAL FZ	BAL FZ	BAL FZ

<b>BAL Rating with setbacks &amp; HMA</b>	BAL 19
-------------------------------------------	--------

**BUILDING AREA BAL RATING**

Setback distances for BAL Ratings have been calculated based on the vegetation that will exist after the development and management of land within the subdivision and have also considered slope gradients.

Where no setback is required for fire protection other Planning Scheme setbacks may need to be applied, other building constraints such as topography have not been considered.

The BAL ratings applied are in accordance with the Australian Standard AS3959-2018, *Construction of Buildings in Bushfire Prone Areas*, and it is a requirement that any habitable building, or building within 6m of a habitable building be constructed to the BAL ratings specified in this document as a minimum.

<b>Bushfire Attack Level (BAL)</b>	<b>Predicted Bushfire Attack &amp; Exposure Level</b>
BAL-Low	Insufficient risk to warrant specific construction requirements
BAL-12.5	Ember attack, radiant heat below 12.5kW/m <sup>2</sup>
BAL-19	Increasing ember attack and burning debris ignited by windborne embers together with increasing heat flux between 12.5-19kW/m <sup>2</sup>
BAL-29	Increasing ember attack and burning debris ignited by windborne embers together with increasing heat flux between 19-29kW/m <sup>2</sup>
BAL-40	Increasing ember attack and burning debris ignited by windborne embers together with increasing heat flux between 29-40kW/m <sup>2</sup>
BAL-FZ	Direct exposure to flames radiant heat and embers from the fire front

The building area on the lot 2 proof of concept only. Any future habitable buildings are likely to require a site specific BHMP.

**HAZARD MANAGEMENT AREAS**

Lot 1 is considered exempt under C13.6.1 A1 (a) for the purposes of subdivision. The low threat areas around the existing dwelling meet or exceed BAL 19 requirements, it is recommended that the existing area is maintained as low threat in perpetuity. Future habitable building must have hazard management areas in place prior to commencement of construction.

<b>Slope from facade</b>	<b>Managed Land - Low Threat Vegetation for BAL 19 Construction</b>
Upslope and level	0-10m
Down slope	0-11m

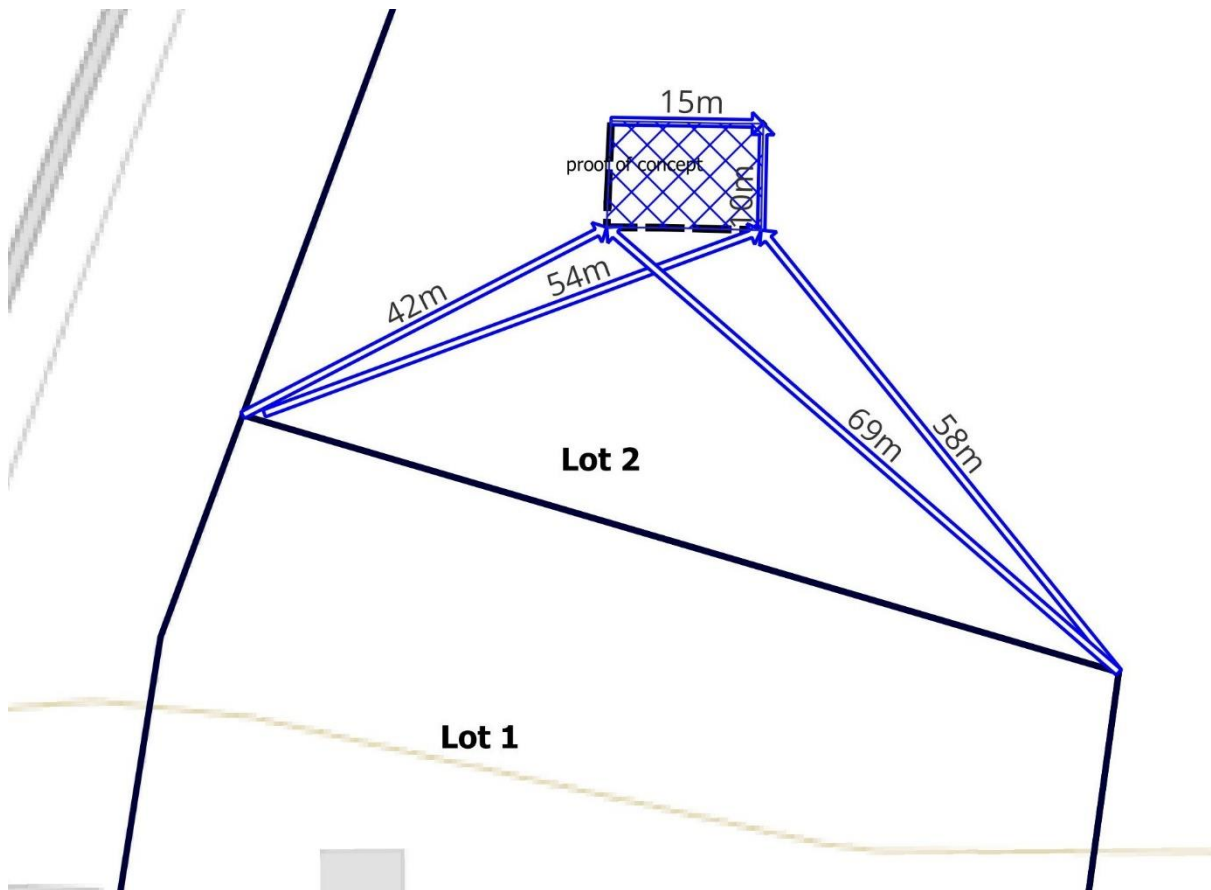


Figure 1: proof of concept lot 2 BAL 19 building area

## ROADS

No roads are proposed for the subdivision, all lots will have access from Clarkes Road.

## PROPERTY ACCESS

Lot 1 is considered exempt under C13.6.2 A1 (a) for the purposes of subdivision.

Access to lots must comply with the relevant elements of Table C13.2. Access to the water supply point must be in place prior to commencement of construction of a habitable building.

**Table C13.2 Standards for Property Access**

Element	Requirement
A.	Property access length is less than 30m; or access is not required for a fire appliance to access a fire fighting water point.
B.	Property access length is 30m or greater; or
	There are no specified design and construction requirements.
	The following design and construction requirements apply to property access:

	access is required for a fire appliance to a fire fighting water point.	<ul style="list-style-type: none"> <li>(a) all-weather construction;</li> <li>(b) load capacity of at least 20t, including for bridges and culverts;</li> <li>(c) minimum carriageway width of 4m;</li> <li>(d) minimum vertical clearance of 4m;</li> <li>(e) minimum horizontal clearance of 0.5m from the edge of the carriageway;</li> <li>(f) cross falls of less than 3 degrees (1:20 or 5%);</li> <li>(g) dips less than 7 degrees (1:8 or 12.5%) entry and exit angle;</li> <li>(h) curves with a minimum inner radius of 10m;</li> <li>(i) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads; and</li> <li>terminate with a turning area for fire appliances provided by one of the following: <ul style="list-style-type: none"> <li>(i) a turning circle with a minimum outer radius of 10m; or</li> <li>(ii) a property access encircling the building; or</li> <li>(iii) a hammerhead "T" or "Y" turning head 4m wide and 8m long.</li> </ul> </li> </ul>
C.	Property access length is 200m or greater.	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> <li>(a) the requirements for B above; and</li> <li>(b) passing bays of 2m additional carriageway width and 20m length provided every 200m.</li> </ul>
D.	Property access length is greater than 30m, and access is provided to 3 or more properties.	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> <li>(a) complies with requirements for B above; and</li> <li>(b) passing bays of 2m additional carriageway width and 20m length must be provided every 100m.</li> </ul>

## **FIRE FIGHTING WATER SUPPLY**

---

The subdivision is not serviced by a reticulated water supply. Lot 1 is considered exempt under C13.6.2 A1 (a) for the purposes of subdivision. It is recommended installation of a complaint water supply is considered. Future habitable buildings will require a static water supply compliant with table C13.5 prior to commencement of construction.

**Table C13.5 Static Water Supply**

Element		R
<b>A.</b>	Distance between building area to be protected and water supply	The following requirements apply: a) The building area to be protected must be located within 90 metres of the water connection point of a static water supply; and b) The distance must be measured as a hose lay, between the water point and the furthest part of the building area.
<b>B.</b>	Static Water Supplies	A static water supply: a) May have a remotely located offtake connected to the static water supply; b) May be a supply for combined use (fire fighting and other uses) but the specified minimum quantity of fire fighting water must be available at all times; c) Must be a minimum of 10,000 litres per building area to be protected. This volume of water must not be used for any other purpose including fire fighting sprinkler or spray systems; d) Must be metal, concrete or lagged by non-combustible materials if above ground; and e) If a tank can be located so it is shielded in all directions in compliance with Section 3.5 of AS 3959-2009, the tank may be constructed of any material provided that the lowest 400 mm of the tank exterior is protected by: (i) metal; (ii) non-combustible material; or (iii) fibre-cement a minimum of 6 mm thickness.
<b>C.</b>	Fittings, pipework and accessories (including stands and tank supports)	Fittings and pipework associated with a water connection point for a static water supply must: (a) Have a minimum nominal internal diameter of 50mm; (b) Be fitted with a valve with a minimum nominal internal diameter of 50mm; (c) Be metal or lagged by non-combustible materials if above ground; (d) Where buried, have a minimum depth of 300mm (compliant with AS/NZS 3500.1-2003 Clause 5.23); (e) Provide a DIN or NEN standard forged Storz 65 mm coupling fitted with a suction washer for connection to fire fighting equipment; (f) Ensure the coupling is accessible and available for connection at all times; (g) Ensure the coupling is fitted with a blank cap and securing chain (minimum 220 mm length); (h) Ensure underground tanks have either an opening at the top of not less than 250 mm diameter or a coupling compliant with this Table; and

Element		R
		<ul style="list-style-type: none"> <li>ⓐ Where a remote offtake is installed, ensure the offtake is in a position that is:               <ul style="list-style-type: none"> <li>(i) Visible;</li> <li>(ii) Accessible to allow connection by fire fighting equipment;</li> <li>(iii) At a working height of 450 – 600mm above ground level; and</li> <li>(iv) Protected from possible damage, including damage by vehicles</li> </ul> </li> </ul>
D.	Signage for static water connections	<p>The water connection 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</p> <ul style="list-style-type: none"> <li>(a) comply with: <i>Water tank signage requirements within AS 2304-2011 Water storage tanks for fire protection systems</i>; or</li> <li>(b) comply with water tank signage requirements within <i>Australian Standard AS 2304-2011 Water storage tanks for fire protection systems</i>; or</li> <li>(c) comply with the Tasmania Fire Service Water Supply Signage Guideline published by the Tasmania Fire Service.</li> </ul>
E.	Hardstand	<p>A hardstand area for fire appliances must be provided:</p> <ul style="list-style-type: none"> <li>(a) No more than three metres from the water connection point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like);</li> <li>(b) No closer than six metres from the building area to be protected;</li> <li>(c) With a minimum width of three metres constructed to the same standard as the carriageway; and</li> <li>(d) Connected to the property access by a carriageway equivalent to the standard of the property access.</li> </ul>



## CONCLUSIONS

---

A 2 lot subdivision is proposed from 1 existing title 244439/1 at 51 Clarkes Road, Stowport. The area is mapped as bushfire prone in planning scheme overlays.

There is no increase in risk to the existing dwelling on lot 1 from subdivision and it is considered exempt under C13.6.1 A1(a) – Hazard Management Area, C13.6.2 A1 (a) Property Access, C13.6.3 A2 (a) – Static Water Supply. Provision of compliant access and water supply are recommended but not mandatory. The exemption only applies to subdivision and not any future building works on the lot.

There is sufficient area on lot 2 to provide for a BAL 19 building area & hazard management areas. Hazard Management Area, access and water supply must be in place prior to the commencement of construction of a habitable building.

## REFERENCES

---

Australian Building Codes Board. (2015). *National Construction Code - Volume 2*. ABCB.

Director of Building Control. Director's Determination for Bushfire Hazard Areas v1.2 2024  
Department of Premier and Cabinet (Tasmania). (2017). *Building Act 2016*.

Department of Premier and Cabinet (Tasmania). (2017). *Building Regulations 2016*.

Standards Australia Limited. (2018). *AS 3959-2018 Construction of buildings in bushfire prone areas*

Tasmanian Planning Commission. *Tasmanian Planning Scheme- Burnie*

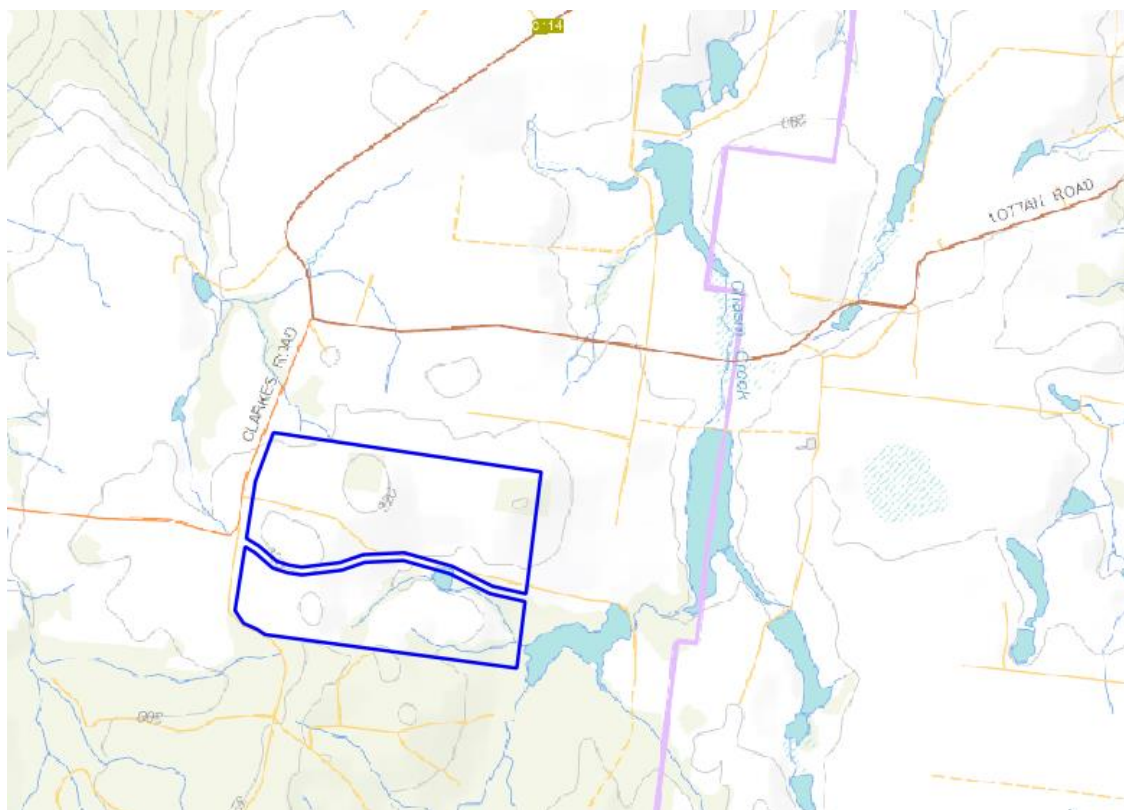


Figure 2: Location existing lots in blue



Figure 3: Aerial Image



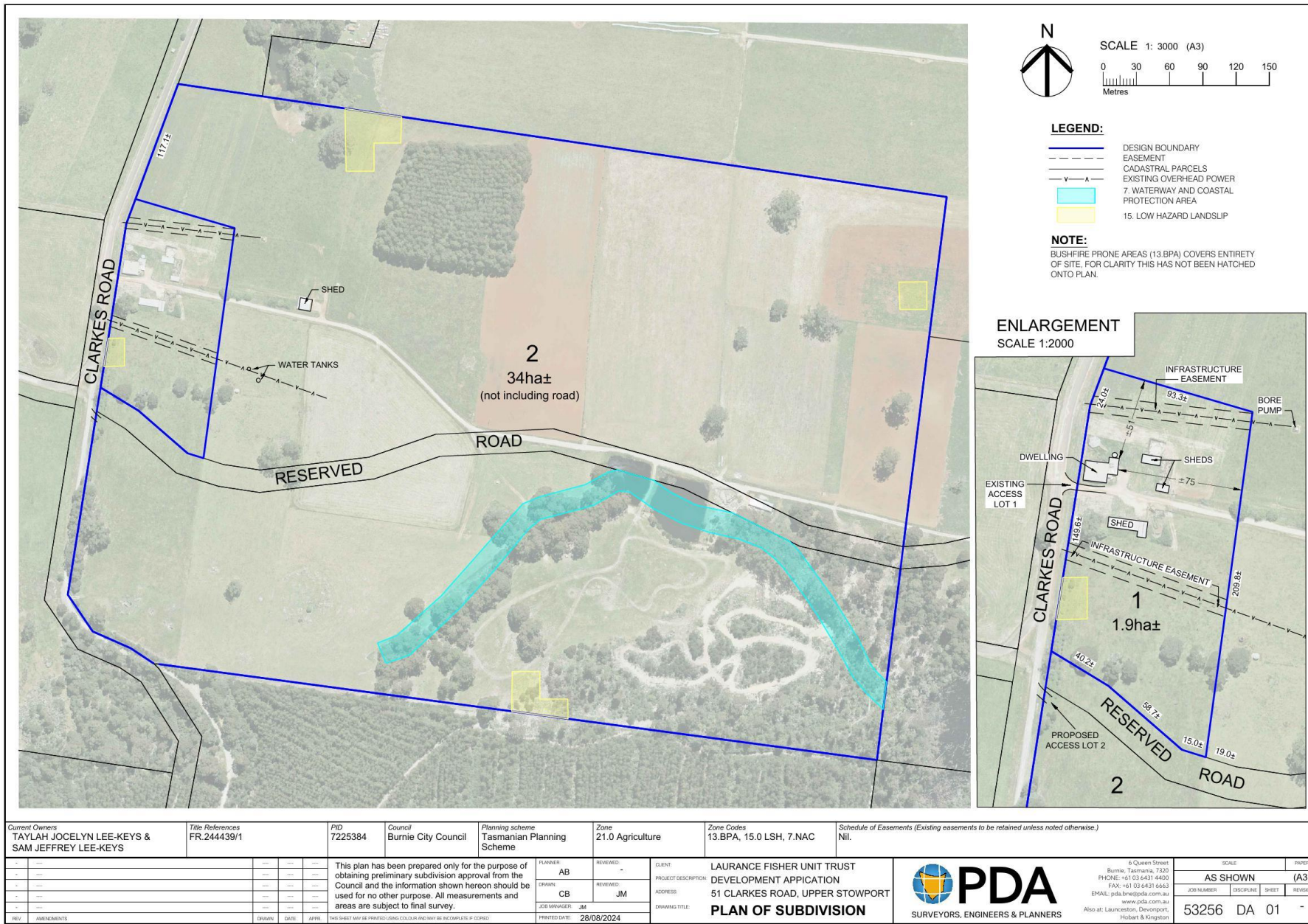


Figure 4: Proposed Subdivision Plan





Figure 5: existing dwelling, lot 1



Figure 6: north across lots 1 & 2





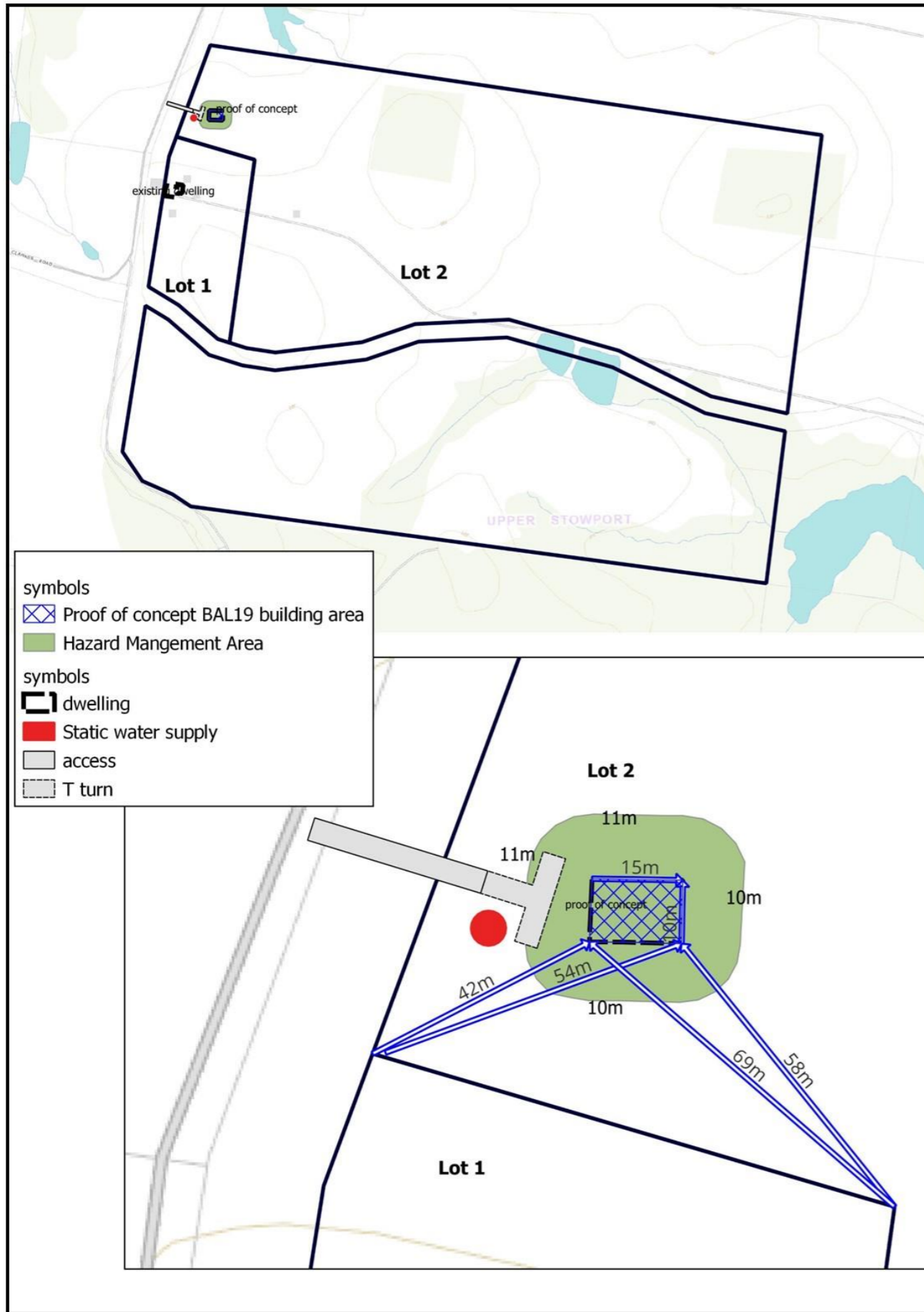
**Figure 7: northeast across lot 1**



**Figure 8: north across lot 2**



# Bushfire Hazard Management Plan: Subdivision



- symbols
- Proof of concept BAL19 building area
  - Hazard Mangement Area
- symbols
- dwelling
  - Static water supply
  - access
  - T turn

Proposed Development	Subdivision, 2 lots from 1 lot
Plan of Subdivision	PDA Surveyors
Property Owner	Laurance Fisher Unit Trust
Address	51 Clarkes Road, Stowport
CT	244439/1
PID	7225384

## Construction: BAL 19

Buildings in Bushfire Prone Area to be built in accordance with the Building Code of Australia and Australian Standard AS3959.

Building setbacks / BAL ratings apply to habitable buildings (Class 1, 2 3, 8 or 9 ) and class 10a buildings within 6m of a habitable building.

- The following must be in place:
- Prior to commencement of construction of any future habitable building
- Hazard Management Area
  - Access to Water Supply point
  - Water supply
- : See report for detail

## Hazard Management Area

All land within the distances shown must be low threat vegetation prior to the commencement of construction of a habitable building.

Low threat vegetation, includes maintained lawns (<100mm in height) gardens and orchards

This BHMP has been prepared to satisfy the requirements of Tasmanian Planning Scheme-Burnie.  
 This plan should be read in conjunction with the report titled: Bushfire Hazard Management Report 51 Clarkes Road, Stowport. Livingston Natural Resource Services .

Scott Livingston  
 Accreditation: BFP – 105: 1, 2, 3A, 3B, 3C  
 Date 9/9/2024  
 SRL24/52S

# BUSHFIRE-PRONE AREAS CODE

## CERTIFICATE<sup>1</sup> 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:

51 Clarkes Road, Stowport

Certificate of Title / PID:

CT 244439/1, PID 7225384

### 2. Proposed Use or Development

Description of proposed Use and Development:

Subdivision, 2 lots from 1 lot

Applicable Planning Scheme:

Tasmanian Planning Scheme -Burnie

### 3. Documents relied upon

This certificate relates to the following documents:

Title	Author	Date	Version
Bushfire Hazard Management Report 51 Clarkes Road, Stowport	Scott Livingston	9/9/2024	1
Bushfire Hazard Management Plan 51 Clarkes Road, Stowport	Scott Livingston	9/9/2024	1
Plan of Subdivision	PDA Surveyors	28/8/2024	DA 1

### 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

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

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

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

<input checked="" type="checkbox"/> <b>E1.6.1 / C13.6.1 Subdivision: Provision of hazard management areas</b>		
	<b>Acceptable Solution</b>	<b>Compliance Requirement</b>
<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 checked="" type="checkbox"/>	E1.6.1 A1 (a) / C13.6.1 A1(a)	Insufficient increase in risk <b>Lot 1</b>
<input checked="" type="checkbox"/>	E1.6.1 A1 (b) / C13.6.1 A1(b)	Provides BAL-19 for all lots (including any lot designated as ‘balance’) <b>Lot 2</b>
<input type="checkbox"/>	E1.6.1 A1(c) / C13.6.1 A1(c)	Consent for Part 5 Agreement

<input checked="" type="checkbox"/> <b>E1.6.2 / C13.6.2 Subdivision: Public and fire fighting access</b>		
	<b>Acceptable Solution</b>	<b>Compliance Requirement</b>
<input type="checkbox"/>	E1.6.2 P1 / C13.6.2 P1	Planning authority discretion required. A proposal cannot be certified as compliant with P1.
<input checked="" type="checkbox"/>	E1.6.2 A1 (a) / C13.6.2 A1 (a)	Insufficient increase in risk <b>Lot 1</b>
<input checked="" type="checkbox"/>	E1.6.2 A1 (b) / C13.6.2 A1 (b)	Access complies with relevant Tables <b>Lot 2</b>



<input checked="" type="checkbox"/>	<b>E1.6.3 / C13.1.6.3 Subdivision: Provision of water supply for fire fighting purposes</b>	
	<b>Acceptable Solution</b>	<b>Compliance Requirement</b>
<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 checked="" type="checkbox"/>	E1.6.3 A2 (a) / C13.6.3 A2 (a)	Insufficient increase in risk <b>Lot 1</b>
<input checked="" type="checkbox"/>	E1.6.3 A2 (b) / C13.6.3 A2 (b)	Static water supply complies with relevant Table <b>Lot 2</b>
<input type="checkbox"/>	E1.6.3 A2 (c) / C13.6.3 A2 (c)	Static water supply consistent with the objective

## 5. Bushfire Hazard Practitioner

<b>Name:</b>	Scott Livingston	<b>Phone No:</b>	[REDACTED]
<b>Postal Address:</b>	[REDACTED]	<b>Email Address:</b>	[REDACTED]
<b>Accreditation No:</b>	BFP – 105	<b>Scope:</b>	1, 2, 3A, 3B, 3C

## 6. Certification

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

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

**Signed:**  
certifier



**Name:**

Scott Livingston

**Date:**

9/9/2024

**Certificate Number:**

SRL24/52S

(for Practitioner Use only)