Brighton Council

Council Representatives:	Cr Gray (Chairperson); Cr Owen (Deputy Chair); Cr Curran; Cr Foster; Cr Garlick; Cr Geard; Cr Jeffries; Cr Murtagh and Cr Whelan.

NOTICE OF MEETING

Dear Councillor,

Notice is hereby given that the next ***Planning Authority Meeting*** will be held in the Council Chambers, Council Offices, Old Beach at ***5.30 p.m.*** on ***Tuesday, 9th March 2021***, to discuss business as printed below.

Qualified Person Certification

I HEREBY CERTIFY that in accordance with Section 65 of the Local Government Act 1993, any advice, information and recommendation contained in the reports related to the Agenda have been prepared by persons who have the qualifications or experience necessary to give such advice, information and recommendations.

Dated at Old Beach this 4th day of ***March 2021***.

James Dryburgh
GENERAL MANAGER

A G E N D A

1. ACKNOWLEDGEMENT OF COUNTRY:

I would like to begin by acknowledging the traditional owners of the land on which we meet today. I would like to pay my respects to Elders past and present and acknowledge the Aboriginal people present today.

2. APOLOGIES:

3. QUESTION TIME & DEPUTATIONS:

4. DECLARATION OF INTEREST:

In accordance with Part 5, Section 48 of the *Local Government Act 1993*, the Chairman of a meeting is to request Councillors to indicate whether they have, or are likely to have an interest in any item on the agenda; and
Part 2 Regulation 8 (7) of the Local Government (Meeting Procedures) Regulations 2015, the Chairman of a meeting is to request Councillors to indicate whether they have, or are likely to have, a pecuniary interest in any item on the agenda.

Accordingly, Councillors are requested to advise of any interest they may have in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the Council has resolved to deal with, in accordance with Part 2 Regulation 8 (6) of the Local Government (Meeting Procedures) Regulations 2015.

5. COUNCIL ACTING AS PLANNING AUTHORITY:

In accordance with the provisions of Part 2 Regulation 25 of the Local Government (Meeting Procedures) Regulations 2015, the intention of the Council to act as a planning authority pursuant to the *Land Use Planning and Approvals Act 1993* is to be noted. In accordance with Regulation 25, the Council will act as a planning authority in respect to those matters appearing under Item 5 on this agenda, inclusive of any supplementary items.

5.1 APPLICATION UNDER BRIGHTON INTERIM PLANNING SCHEME 2015 - SA 2020/029 – 5 SUNNYVIEW PLACE & 6 SUNNYVIEW PLACE, HONEYWOOD TWO (2) LOT SUBDIVISION:

Type of Report:	Planning Authority – For Decision
Application No:	SA 2020/029
Address:	5 Sunnyview Place & 6 Sunnyview Place, Honeywood
Proposal:	Two (2) Lot Subdivision
Zone:	Rural Living Zone
Representations:	One (1)
Discretions:	1. Subdivision (Section 9.10) 2. Lot Design (Section 13.5.1 A2) 3. Lot Design (Section 13.5.1 A4) 4. Public Open Space (Section 13.5.3 A1) 5. Services (Section 13.5.4 A2) 6. Services (Section 13.5.4 A3) 7. Sight Distance at Accesses, Junctions and Level Crossings (E5.6.4 A1) 8. Vehicular Passing Along an Access (Section E6.7.3 A1) 9. Stormwater Management (Section E7.7.1 A1) 10. Development on Dispersive Soils (Section E21.7.1 A1)
Attachments:	A – Plans & Documentation (See pages 34 - 85) B – TasWater Submission to Planning Authority (See pages 86 - 87)
Author:	Senior Planner (Patrick Carroll)

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1. Executive Summary

1.1. Planning approval is sought for Subdivision at 5 Sunnyview Place & 6 Sunnyview Place, Honeywood (the 'site'). The site is within the Rural Living Zone of the *Brighton Interim Planning Scheme 2015* (the 'Interim Scheme').

1.2. The application is known as SA 2020/029. The application is discretionary and relies on Performance Criteria. The key issues relate to lot design, stormwater management and dispersive soils management.

1.3. One (1) representation was received within the statutory public advertising period, with concerns relating to density.

1.4. The application is recommended for approval.

1.5. The final decision is delegated to the Planning Authority or by full Council acting as a planning authority.

2. Legislative & Policy Content

2.1. The purpose of this report is to enable the Planning Authority to determine application SA 2020/029.

2.2. This determination must be made no later than 16 March 2021. The statutory assessment period has been extended to this date with the consent of both the applicant and the Planning Authority.

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

2.4. This report details the reasons for the officer recommendation. The Planning Authority must consider this report but is not bound to adopt the recommendation. Broadly, the Planning Authority can either: (1) adopt the recommendation, or (2) vary the recommendation by adding, modifying or removing recommended reasons and conditions or replacing an approval with a refusal (or vice versa). Any alternative decision requires a full statement of reasons to comply with the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2015*.

2.5. This report has been prepared with appropriate regard to the State Policies that apply under the *State Policies and Projects Act 1993*.

2.6. This report has been prepared with appropriate regard to Council's Strategic Plan and other Council policies, and the application is not found to be inconsistent with these. Nevertheless, it must be recognised that the planning scheme is a regulatory document that provides the overriding consideration for this application. Matters of policy and strategy are primarily a matter for preparing or amending the planning scheme.

3. Risk & Implications

3.1. Approval or refusal of this application will have no direct financial implications for the Planning Authority, unless the decision is appealed.

3.2. Implications for Council include general matters related to rate income, asset maintenance and renewal and responding to future building applications.

4. Relevant Background

4.1. None relevant.

5. Site Detail

5.1. The subject site consists of two titles, being 5 Sunnyview Place, Honeywood (CT 143314/4) & 6 Sunnyview Place, Honeywood (CT 143314/3).

5.2. 5 Sunnyview Place has a lot size of 3.002 ha. 6 Sunnyview Place has a lot size of 7258m^2.

5.3. The site sits to the south of the cul-de-sac head of Sunnyview Place, which is a Council maintained road.

5.4. The land slopes down towards the south, as shown on the contour map, below. The road, at the northern end of the site, is near the 125m contour. The southern boundary of the site is near the 80m contour.

5.5. The site is zoned Rural Living under the Interim Scheme.

5.6. The land adjoining the site is also zoned Rural Living.

5.7. The closest Rural Resource zoned land is approximately 200m to the west. The closest Significant Agriculture zoned land is approximately 3.6km to the north-east. The closest Environmental Management zoned land is approximately 2km to the west.

Figure 1. *Aerial photography of the subject site.*

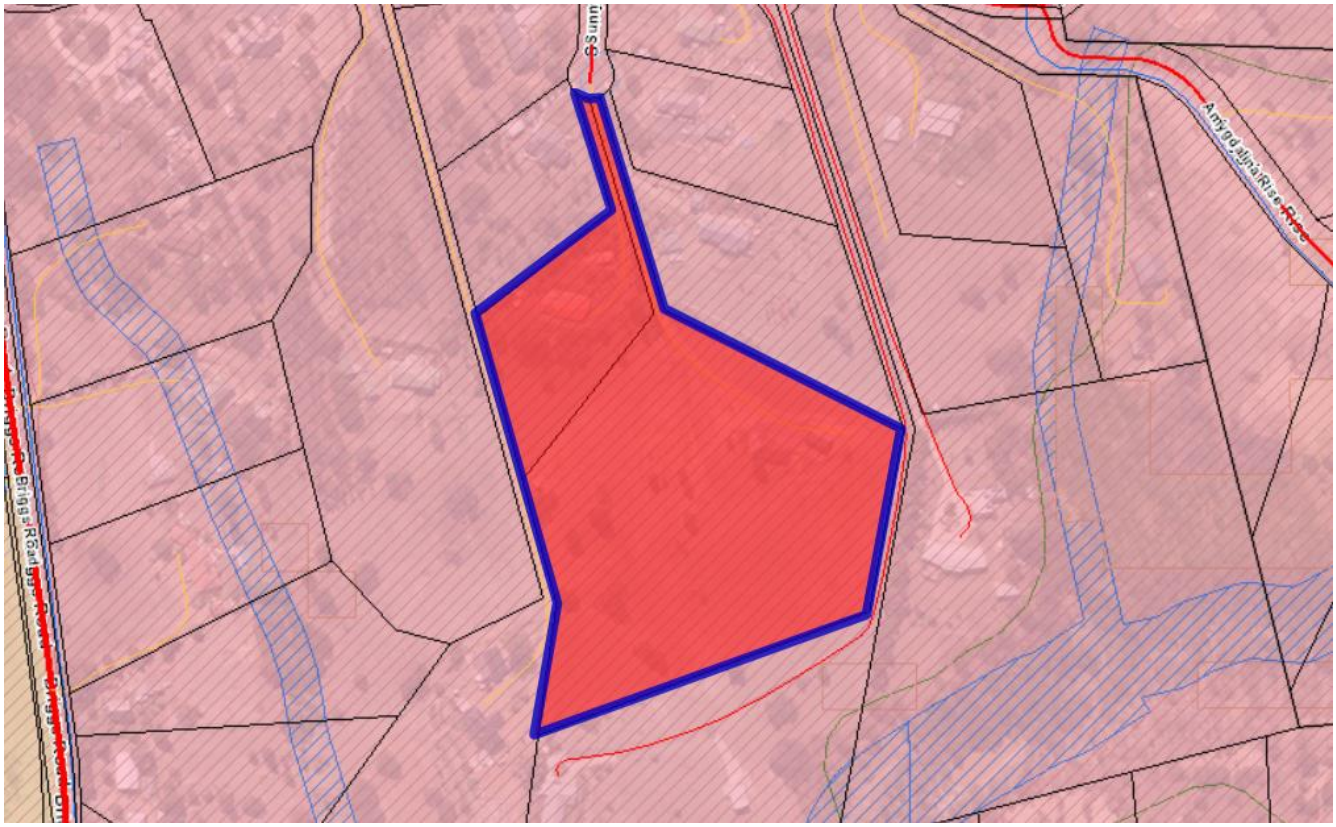


Figure 2. *Zoning of the subject site and surrounds. Pink denotes the Rural Living Zone.*

Figure 3. *Contour plan of subject site.*

6. Proposal

6.1. The applicant has proposed a two-lot subdivision of the site.

6.2. The subdivision generally relates to an additional parcel being created on 5 Sunnyview Place, per Figure 3 below. However, 6 Sunnyview Place has also been formally incorporated as part of the application, as the supplied bushfire hazard management plan required vehicular passing bays to protrude into that property. The requisite notifications have been made by the applicant to the owner of 6 Sunnyview Place.

Figure 4. *Proposed subdivision layout.*

6.3. Lot 1 will include the existing dwelling and outbuildings, and is proposed to have a lot area of 1.501 ha.

6.4. Lot 2 is currently vacant, except for a small outbuilding. It, too, has a proposed lot area of 1.501 ha.

6.5. Both lots are proposed to access Sunnyview Place via a shared access strip. It is proposed that the access strip will sit within Lot 1, and Lot 2 will have a right of way over this access strip.

6.6. Both lots are considered to be 'internal lots'. An internal lot is defined in Section 4.1.3 of the Interim Scheme as:

A lot:

(a) lying predominantly behind another lot; and

(b) having access to a road by an access strip, private road or right of way.

6.7. An 'access strip' is defined in Section 4.1.3 as:

Land, the purpose of which is to provide access to a road.

6.8. A 'way' (as in 'right of way') is defined in Section 3 of the Local Government (Building and Miscellaneous Provisions) Act 1993 as:

Way means –

(a) any land over which anyone other than the person in possession, his or her family, servants, customers or callers, may of right pass and repass with or without animals and vehicles; and

(b) any land which obviously appears to be regularly used for the passage of persons with or without animals or vehicles; and

(c) any land made ready to be so regularly used.

7. Assessment

7.1. The *Brighton Interim Planning Scheme 2015* is a performance-based planning scheme.

7.2. To meet an applicable standard, a proposal must demonstrate compliance with either an Acceptable Solution or a Performance Criterion. Where a proposal complies with a standard by relying on one or more Performance Criteria, the Council may approve or refuse the proposal on that basis. The ability to refuse the proposal relates only to the Performance Criteria relied upon.

8. Assessment against planning scheme provisions

8.1. The following provisions are relevant to the assessment of the proposed use and development:

- Part C – Section 9.0 – Special Provisions
- Part D – Section 13.0 – Rural Living Zone
- Part E – Section E1.0 – Bushfire Hazard Management Code
- Part E – Section E5.0 – Road and Railway Assets Code
- Part E – Section E6.0 – Parking and Access Code
- Part E – Section E7.0 – Stormwater Management Code
- Part E – Section E21.0 – Dispersive Soils Management Code

8.2. The application satisfies the following relevant Acceptable Solutions of the applicable provisions:

- Section 13.5.1 A1 – Lot Design
- Section 13.5.1 A5 – Lot Design
- Section 13.5.2 A1 – Roads
- Section 13.5.4 A1 – Services
- Section E1.6.1 A1 – Subdivision Hazard Management Areas
- Section E1.6.2 A1 – Subdivision Public & Fire Fighting Access
- Section E1.6.3 A1 – Subdivision Water Supply
- Section E5.5.1 A3 – Existing Road Accesses and Junctions
- Section E5.6.2 A2 – Road Accesses and Junctions
- Section E6.6.1 – Number of parking spaces
- Section E6.7.1 A1 – Number of Vehicular Accesses
- Section E6.7.2 A1 - Design of Vehicular Accesses
- Section E6.7.4 A1 – On-Site Turning
- Section E6.7.6 A1 – Surface Treatment of Parking Areas
- Section E6.7.14 A1 - Access to a Road
- Section E7.7.1 A3 - Stormwater Drainage and Disposal
- Section E7.7.1 A4 - Stormwater Drainage and Disposal

8.3. The following discretions are invoked by the proposal:

- Section 9.10 – Subdivision
- Section 13.5.1 A2 – Lot Design
- Section 13.5.1 A4 – Lot Design
- Section 13.5.3 A1 – Public Open Space
- Section 13.5.4 A2 – Services
- Section 13.5.4 A3 - Services

- Section E5.6.4 A1 – Sight Distances at Accesses, Junctions and Level Crossings
- Section E6.7.3 A1 – Vehicular Passing Along an Access
- Section E7.7.1 A1 – Stormwater Management
- Section E21.7.1 A1 – Development on Dispersive Soils

8.4. **Discretion 1 – Subdivision**

8.4.1 Section 9.10.2 of the Interim Scheme states:

A permit for development involving a plan of subdivision is discretionary unless:

(a) for adjustment of a boundary in accordance with clause 9.3.1;

(b) the subdivision is prohibited in accordance with clause 8.9; or

(c) the plan of subdivision must not be approved under section 84 Local Government (Building and Miscellaneous Provisions) Act 1993.

8.4.2 The application invokes discretion under this standard.

8.5 **Discretion 2 – Lot Design**

8.5.1 The Acceptable Solution contained in Section 13.5.1 A2 states:
The design of each lot must provide a minimum building area that is rectangular in shape and complies with all of the following, except if for public open space, a riparian or littoral reserve or utilities;

(a) clear of the frontage, side and rear boundary setbacks;

(b) not subject to any codes in this planning scheme;

(c) clear of title restrictions such as easements and restrictive covenants;

(d) has an average slope of no more than 1 in 5;

(e) has a separation distance no less than:

(i) 100 m from land zoned Rural Resource;

(ii) 200 m from land zoned Significant Agriculture;

(f) has a setback from land zoned Environmental Management no less than 100 m.

(g) is a minimum of 30 m x 30 m in size.

8.5.2 The proposed lot design does not comply with the Acceptable Solution. As such, the application invokes discretion under this standard, and must be assessed against the corresponding Performance Criteria.

8.5.3 Section 13.5.1 P2 states:

The design of each lot must contain a building area able to satisfy all of the following:

(a) is reasonably capable of accommodating residential use and development;

(b) meets any applicable standards in codes in this planning scheme;

(c) enables future development to achieve reasonable solar access, given the slope and aspect of the land;

(d) minimises the requirement for earth works, retaining walls, and cut & fill associated with future development;

(e) is sufficiently separated from the land zoned Rural Resource and Significant Agriculture to prevent potential for land use conflict that would fetter non-sensitive use of that land, and the separation distance is no less than:

(i) 40 m from land zoned Rural Resource;

(ii) 80 m from land zoned Significant Agriculture;

(f) is setback from land zoned Environmental Management to satisfy all of the following:

(i) there is no significant impact from the development on environmental values;

(ii) the potential for the spread of weeds or soil pathogens onto the land zoned Environmental Management is minimised;

(iii) there is minimal potential for contaminated or sedimented water runoff impacting the land zoned Environmental Management;

(iv) there are no reasonable and practical alternatives to developing close to land zoned Environmental Management

8.5.4 It is considered that the proposed lots are of a size and shape that are able to accommodate residential development in the future.

8.5.5 All relevant codes are assessed under this report.

8.5.6 The lots are oriented to achieve reasonable solar access.

8.5.7 No significant earthworks, retaining walls, cut or fill are required to facilitate future residential development.

8.5.8 The site is setback at least 200m from land zoned Rural Resource, Significant Agriculture or Environmental Management. The setback to the Environmental Management Zone (>2km) is considered more than sufficient to comply with the requirements of part (f) of the Performance Criteria.

8.5.9 It is considered that the proposed development satisfies the Performance Criteria.

8.6 Discretion 3 – Lot Design

8.6.1 Section 13.5.1 A4 of the Interim Scheme states:

No lot is an internal lot.

8.6.2 As internal lots are proposed, the development does not comply with the Acceptable Solution. As such, the application invokes discretion, and must be assessed against the relevant Performance Criteria.

8.6.3 Section 13.5.1 P4 states:

An internal lot must satisfy all of the following:

(a) access is from a road existing prior to the planning scheme coming into effect, unless site constraints make an internal lot configuration the only reasonable option to efficiently utilise land;

(b) it is not reasonably possible to provide a new road to create a standard frontage lot;

(c) the lot constitutes the only reasonable way to subdivide the rear of an existing lot;

(d) the lot will contribute to the more efficient utilisation of rural living land;

(e) the amenity of neighbouring land is unlikely to be unreasonably affected by subsequent development and use;

(f) the lot has access to a road via an access strip, which is part of the lot, or a right-of-way, with a width of no less than 3.6m;

(g) passing bays are provided at appropriate distances along the access strip to service the likely future use of the lot;

(h) the access strip is adjacent to or combined with no more than three other internal lot access strips and it is not appropriate to provide access via a public road;

(i) a sealed driveway is provided on the access strip prior to the sealing of the final plan.

(j) the lot addresses and provides for passive surveillance of public open space and public rights of way if it fronts such public spaces.

8.6.4 Road access is from Sunnyview Place. The road was in existence prior to 2015.

8.6.5 Given the existing subdivision pattern, it is not considered reasonably possible to provide a new road to create a standard frontage lot. The internal lot layout is the only reasonable way to subdivide the lot.

8.6.6 By increasing the lot density, the layout provides for the more efficient utilisation of Rural Living-zoned land.

8.6.7 The amenity of neighbouring properties is unlikely to be unreasonably affected by subsequent development and use, although more detail is provided regarding specific issues raised elsewhere in this report.

8.6.8 Each lot has access to a road via either an access strip or a right of way. These accesses are at least 3.6m wide.

8.6.9 The bushfire report that forms part of this application recommends the provision of passing bays at specified distances and dimensions. Passing bays that are compliant with the Bushfire Code will provide an adequate level of service. The first passing bay shall be located where the access strip meets the road.

8.6.10 The access strip for each lot is adjacent to or combined with no more than three other internal lot access strips. It is not considered appropriate to provide a public road.

8.6.11 It is recommended that a condition be included on any permit that requires the access strip for each lot to be sealed prior to the sealing of the final plan, should Council acting as the Planning Authority grant approval.

8.6.12 The lot does not front any public open space.

8.6.13 The proposed development satisfies the Performance Criteria contained in Section 13.5.1 P4 of the Interim Scheme.

8.7 Discretion 4 – Public Open Space

8.7.1 There is no Acceptable Solution for Section 13.5.3 A2.

8.7.2 As such, the application invokes discretion for this standard, and must be assessed against the relevant Performance Criteria.

8.7.3 Section 13.5.3 P2 states:

Public Open Space must be provided as land or cash in lieu, in accordance with the relevant Council policy.

8.7.4 Should Council, acting as the Planning Authority, determine to approve the proposed subdivision, it is recommended that a condition requiring a financial contribution in lieu of public open space, in accordance with the relevant Council Policy, be included on any permit.

8.7.5 As such, the proposed development satisfies the Performance Criteria contained in Section 13.5.3 P2 of the Interim Scheme.

8.8 Discretion 5 – Services

8.8.1 There is no Acceptable Solution for Section 13.5.4 A2.

8.8.2 As such, the application invokes discretion for this standard, and must be assessed against the relevant Performance Criteria.

8.8.3 Section 13.5.4 P2 states:

Each lot must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.

8.8.4 Given the proposed size of the lots, it is considered that there is adequate room on site to accommodate an on-site wastewater treatment system that is suitable for the future use and development of the land. It is recommended that a condition be imposed on any permit requiring a wastewater report that addresses the location and suitability of the existing system on Lot 1, and recommendations for a system on Lot 2.

8.8.5 As such, the proposed development satisfies the Performance Criteria contained in Section 13.5.4 P2 of the Interim Scheme.

8.9 Discretion 6 – Services

8.9.1 The Acceptable Solution for Section 13.5.4 P3 states:

Each lot must be connected to a stormwater system able to service the building area by gravity.

8.9.2 There is no public stormwater system that services the area.

8.9.3 As such, the application invokes discretion for this standard, and must be assessed against the relevant Performance Criteria.

8.9.4 Section 13.5.4 P3 states:

Each lot must be capable of accommodating an on-site stormwater management system adequate for the likely future use and development of the land.

8.9.5 Given the proposed size of the lots, it is considered that there is adequate room on site to accommodate an on-site stormwater management system that is suitable for the likely future use and development of the land. It is recommended that a condition be imposed on any permit requiring a stormwater management report to be prepared and submitted in conjunction with engineering design drawings.

8.9.6 As such, the proposed development satisfies the Performance Criteria contained in Section 13.5.4 P3 of the Interim Scheme.

8.10 Discretion 7 – Sight Distances at Accesses, Junctions and Level Crossings

8.10.1 The Acceptable Solution for Section E5.6.4 A1 states:

Sight distances at:

(a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and

(b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.

8.10.2 A desktop assessment concluded that the access has a sight distance of approximately 40-50m, which is less than that required by Table E5.1.

8.10.3 As such, the application invokes discretion for this standard, and must be assessed against the relevant Performance Criteria.

8.10.4 Section E5.6.4 P1 states:

The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:

(a) the nature and frequency of the traffic generated by the use;

(b) the frequency of use of the road or rail network;

(c) any alternative access;

(d) the need for the access, junction or level crossing;

(e) any traffic impact assessment;

(f) any measures to improve or maintain sight distance; and

(g) any written advice received from the road or rail authority.

8.10.5 Council's Senior Technical Officer has provided the following comment in regard to sight distance:

It is arguable whether this section of the code applies as the access is existing and not new.

As the access is located at the head of the cul-de-sac the sight distances are not strictly applicable in this instance as they apply to left turn and right turn manoeuvres into two way roads.

The sight distance does however comply with Fig 3.2 in AS2890.1 for a domestic driveway and are considered safe and reasonable in this instance.

8.10.6 As such, the proposed development satisfies the Performance Criteria contained in Section E5.6.4 P1 of the Interim Scheme.

8.11 Discretion 8 – Vehicular Passing Areas Along an Access

8.11.1 The Acceptable Solution in Section E6.7.3 A1 states:

Vehicular passing areas must:

(a) be provided if any of the following applies to an access:

(i) it serves more than 5 car parking spaces;

(ii) is more than 30 m long;

(iii) it meets a road serving more than 6000 vehicles per day;

(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;

(c) have the first passing area constructed at the kerb;

(d) be at intervals of no more than 30 m along the access.

The application proposes vehicular passing bays, but at intervals greater than every 30m. The proposed passing bays are compliant with bushfire standards.

8.11.2 As such, the application invokes discretion for this standard, and must be assessed against the relevant Performance Criteria.

8.11.3 Section E6.7.3 P1 states:

Vehicular passing areas must be provided in sufficient number, dimension and siting so that the access is safe, efficient and convenient, having regard to all of the following:

(a) avoidance of conflicts between users including vehicles, cyclists and pedestrians;

(b) avoidance of unreasonable interference with the flow of traffic on adjoining roads;

(c) suitability for the type and volume of traffic likely to be generated by the use or development;

(d) ease of accessibility and recognition for users.

8.11.4 Council's Senior Technical Officer has provided the following comment:

Access to the property is off the head of a short cul-de-sac, which services only 6 properties. As a passing bay is proposed at the road no undue delays or conflicts should arise from vehicles waiting to enter or exit the driveway.

The driveway is approximately 120m in length from the road to the lot proper where the shared access to the proposed lots will diverge. Access to the adjacent lots branch off at approximately the 40m and 60m marks providing additional passing opportunity.

Given the low traffic volumes generated by the development (approx. 10 additional vehicle movements per day) it is considered that the proposed access will provide sufficient passing opportunity for safe and easy access.

8.11.5 As such, the proposed development satisfies the Performance Criteria contained in Section E6.7.3 P1 of the Interim Scheme.

8.12 Discretion 9 – Stormwater Management

8.12.1 Section E7.7.1 A1 states:

Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.

8.12.2 There is no public stormwater system in the area able to service the development.

8.12.3 As such, the application invokes discretion for this standard, and must be assessed against the relevant Performance Criteria.

8.12.4 Section E7.7.1 P1 states:

Stormwater from new impervious surfaces must be managed by any of the following:

(a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles

(b) collected for re-use on the site;

(c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council.

8.12.5 Council's Senior Technical Officer has recommended that a condition be imposed on any permit requiring that the stormwater run off from the new impervious surface (i.e., the driveway works) be managed on site, and that any run-off from the site is to be no greater than pre-existing run-off.

8.12.6 As such, the proposed development satisfies the Performance Criteria contained in Section E7.7.1 P1.

8.13 Discretion 10 – Development on Dispersive Soils

8.13.1 There is no Acceptable Solution for Section E21.7.1 A1.

8.13.2 As such, the application invokes discretion for this standard,

and must be assessed against the relevant Performance Criteria.

8.13.3 Section E21.7.1 P1 states:

Development must be designed, sited and constructed to minimise the risk of dispersive soils to property and the environment having regard to the following, as appropriate:

(a) the dispersive potential of soils in the vicinity of proposed buildings, driveways, services and the development area generally;

(b) the potential of the development to affect or be affected by erosion, including gully and tunnel erosion;

(c) the dispersive potential of soils in the vicinity of water drainage lines, infiltration areas/trenches, water storages, ponds, dams and disposal areas;

(d) the level or risk and potential consequences for property and the environment from potential erosion, including gully and tunnel erosion;

(e) management measures that would reduce risk to an acceptable level.

8.13.4 The application was supported by a Dispersive Soils Management Plan, prepared by a suitably qualified person.

8.13.5 The supporting report concludes that should the management recommendations contained in the report not be adhered to, there is a moderate risk associated with dispersive soils and potential erosion on the site. However, the report states, provided the recommendations are adhered to, the development represents a low risk, and is concluded to be compliant with the Performance Criteria.

8.13.6 It is recommended that, should Council acting as the Planning Authority approve the application, a condition requiring the recommendations contained in the report be adhered to should be included on any permit.

8.13.7 As such, the proposed development satisfies the Performance Criteria contained in Section E21.7.1 P1 of the Interim Scheme.

9. Concerns raised by representors

9.1. The application was advertised in accordance with the statutory requirements of the *Land Use Planning and Approvals Act 1993*.

9.2. One (1) representation was received during the statutory public advertising period. The concerns of the representor are listed below:

Concerns of Representor	***Planning Response***
Stormwater Management	
The existing drainage flow paths across the proposed LOT 2 flows to the existing gully through 42 Honeywood Drive. There is documented evidence that this water flow already negatively impacts our driveway by flowing / flooding over our driveway and eroding the soil parallel to the driveway (see Figures 1, 2, 3, 4 and videos attached to this emailed representation) and surrounding land on our property. The proposed subdivision and subsequent building on LOT 2 would increase pre-existing runoff and exacerbate water to 42 Honeywood Drive contrary to E.7.1. A3.	*The flow paths indicated on the proposal plan are existing natural flow paths as a result of the lay of the land and dominated by a gully contained predominantly on lot 2 and through the representors land where it joins a watercourse to the south.* *Stormwater runoff from adjacent land naturally falls to the low point and through the representor's property and to the watercourse below.* *The representor's driveway also acts as a cut-off drain and directs water from the eastern portion of the catchment to the culvert in the low point under their driveway.* *Existing flooding of the driveway could be mitigated with a larger culvert.* *The proposed subdivision has potential to increase runoff onto the representor's property if the stormwater from the sealed driveway is not managed on the subject property. The sealing of the driveway will reduce the infiltration and potentially result in an increased flow rate at the end of the sealed driveway. This point is however approximately 180m from the boundary with the representor's property, leaving sufficient space for the runoff to be managed on site to reduce flows to*

	predevelopment before reaching the representors property. *A condition requiring the developer to provide a stormwater management report, including calculations, detailing measures to limit stormwater runoff to pre-development levels in conjunction with the engineering design plans has been recommended.*
Due to the slope of proposed LOT 2 heading South (across our property) any future dwelling / buildings will have concentrated water runoff impacting 42 Honeywood Drive Honeywood contrary to E.7.1. A3.	*This would be independently assessed if/when a development application is received for new building(s).*
Our land is impacted from water runoff and draining water from 5 Sunnyview Place, Honeywood whenever there is consistent rain and / or heavy rain and over winter with the land remaining congested over the following weeks. *Recent work undertaken by the current owners of 5 Sunnyview Place Honeywood to address their own water issues has resulted in increased water runoff onto our driveway, resulting in damaging erosion to the soil surrounding our driveway in addition to damage to the driveway itself.*	*The matter has been referred to Council's Plumbing Inspector for follow up.*
Map on page 8 indicates plans to construct a low berm along boundary to retain flows within LOT 1. This is of particular concern because this has the potential to increase pre-existing run offs and negatively impact 42 Honeywood Drive where there is already water runoff issues from LOT 1 and proposed LOT 2.	*The proposed bund has potential to alter existing overland flow paths and is not supported.*
Stormwater from new impervious	*Refer to Discretion 9, above.*

surfaces must be disposed of by gravity to public storm water infrastructure (E7.7.1 A1). Where is the drainage from the new road and driveway, and dwellings / buildings going to go taking in to account the natural slope of the land, pre-existing flow to the gully that runs through our property? *In addition, the Brighton Interim Planning policy (2015) E7.7.1 A3 b) requires that "stormwater runoff with be no greater than the pre-existing runoff or any increase can be accommodated within existing or upgraded public storm water infrastructure". The proposed subdivision will increase pre-existing run-off that will flow on to our property given the slope of the land and dispersive soil of the proposed subdivision.*	*The application has been assessed by Council's Senior Technical Officer and is deemed to perform well. It is recommended that conditions be imposed on any permit, should approval be granted, addressing stormwater management.*
Increased water flow and runoff from LOT 1 & 2 on to 42 Honeywood Drive will lead to increased vegetation growth which then increases bush fire risk and maintenance requirements.	*Refer to Discretion 9, above.*
As identified in the Bushfire Hazard Report for proposed LOT 2 subdivision prior to sealing of titles on-site vegetation clearing must be conducted. This will increase pre-existing runoff on to 42 Honeywood Drive; causing increased soil erosion and damage to the driveway.	*Refer to Discretion 9, above.*
Increased water pooling resulting from increased runoff during rain (and the weeks following) would potentially make it difficult for utility and emergency service vehicles to access our wooded area as they would get bogged.	*Refer to Discretion 9, above.*

Dispersive Soils	
The dispersive soils assessment report has noted that a specific surface layer for new driveways surfaces for surface stability is required; where does the resulting runoff from the driveway fall given that it will slope down to the south i.e., again towards our property?	*The dispersive soil report concludes that:* *Provided all the recommendations in this management report are adhered to the development represents a low risk, and it is concluded to be compliant with D13.4.3P4 and E21.7.1P1 of the Brighton interim planning scheme.* *A condition requiring compliance with the Dispersive Soil Report and the publication "Dispersive soils and their management – Technical manual" (DPIWE Tas 2009) is recommended.*
Their report does not adequately address how development on this site will impact the area surrounding the proposed building on LOT 2 and subsequent neighbouring properties (contrary to E21.7.1 P1a &b). Nor does the report describe sufficient management practices to stop additional water runoff on to our dispersive soil and contribute to an area that already has water from LOTS 1 and 2 pool on our property (contrary to E21.7.1 P1 c and d).	*This would be independently assessed if/when a development application is received for new building(s).* *Re: stormwater management. Addressed above.*
Lot Design	
In the application's assessment against Clause 13.5.1 (Lot Designs) the planner reports that A4 P4 d) "the lot will contribute to more efficient utilisation of rural living land". This is debatable given proposed LOT 1 has a number of soil erosion, tunnelling and water drainage issues that make the land unusable.	*Both the lot design (Discretion 2) and the dispersive soils (Discretion 10) have been addressed in the assessment above.*
The applicant's submission for subdivision report also claims that P4 e) the amenity of neighbouring land is unlikely to be unreasonably affected	

by subsequent development and use. We strongly dispute this claim. Clearly the increase in water runoff from LOT 2 (and planned changes to LOT 1 reported above) on to 42 Honeywood Dr will further damage that land through increased water flow and subsequent erosion.	
Overlooking of the property at 42 Honeywood Dr will result in loss of privacy.	*Likely 100m+ separation between a new dwelling which is ample separation in the Rural Living Zone.*
Liability	
Who is liable for increased damage to our property and the associated cost of repairs, increased maintenance and decrease in property value if the subdivision is approved?	*It is recommended that a condition be imposed requiring the developer to undertake stormwater management in accordance with a plan prepared by a suitably qualified and experienced civil engineer. The works will be supervised by an engineer and require certification from the engineer at the completion of works.*

10. Referrals

10.1. Development Engineering

The application was referred to Council's Senior Technical Officer, who has provided comments, conditions and advice.

10.2. TasWater

The application was referred to TasWater. TasWater has provided a Submission to Planning Authority Notice (TasWater Ref No TWDA 2020/01316-BTN, dated 10 December 2020), which is to be included with any permit, should approval be granted.

11. Section 35K Endorsement

11.1. On 3 February 2021, Council received a notice from the Tasmanian Planning Commission under Section 35(K)(1)(a) of the *Land Use Planning and Approvals Act 1993* to modify a draft Local Provisions Schedule (LPS).

11.2. Section 35(K)(2)(d) relevantly states:

> *(2) If a planning authority is directed under subsection (1)(a) to modify a draft LPS –*
>
> *(a) …*
>
> *(b) …*
>
> *(c) …*
>
> *(d) the planning authority must not issue a permit, or do any other thing that would, if the draft LPS as modified were an LPS, be a contravention of the LPS.*

11.3. The application has been assessed against the provisions of the draft LPS (as modified), and it is concluded that the application does not conflict with those provisions.

11.4. Should Council determine to issue a permit, it is the Officer's opinion that the Planning Authority's decision would not be in contravention of the Brighton draft LPS and would therefore satisfy the requirements of Section 35K(2)(d) of the Act.

12. Conclusion

12.1. The proposal is for a two lot subdivision in the Rural Living Zone at 5 & 6 Sunnyview Place, Honeywood.

12.2. The key issues relate to the subdivision standards for the Rural Living Zone (e.g., lot design), stormwater management and dispersive soils management.

12.3. The proposed development has been assessed against the relevant provisions of the *Brighton Interim Planning Scheme 2015,* and is considered to perform well.

12.4. The development application is recommended for approval, subject to conditions.

RECOMMENDATION:

That pursuant to the *Brighton Interim Planning Scheme 2015*, Council approve application SA 2020/029 for the proposed Two (2) Lot Subdivision in the Rural Living Zone at 5 & 6 Sunnyview Place, Honeywood, and a permit be granted subject to the following conditions:

General

(1) The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.

(2) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, whichever is later, in accordance with Section 53 of the *Land Use Planning and Approvals Act* 1993.

(3) The development and works must be carried out in accordance with:

a) BUSHFIRE HAZARD REPORT, Proposed 2 Lot Subdivision, Address: 5 Sunnyview Place, Honeywood TAS 7017, Title Reference: C.T.143314/4 Prepared by James Rogerson, Provisional Bushfire Hazard Practitioner (BFP-P) VERSION – 01 Date: 30/10/2020

b) DISPERSIVE SOIL ASSESSMENT, 5 Sunnyview Place, Honeywood, January 2021 prepared by Geo-Environmental Solutions.

c) The Dispersive Soils and their Management: Technical Reference Manual (DPIW, 2009)

(4) Prior to Council sealing the final plan of survey the developer must provide certification from a suitably qualified person that all works required by the Bushfire Hazard Report have been complied with.

TasWater

(5) The use and/or development must comply with the requirements of TasWater, as detailed in the form Submission to Planning Authority Notice, TasWater Ref No TWDA 2020/01316-BTN, dated 10 December 2020, as attached to this permit.

Lot Size

(6) All lot sizes must comply with the relevant standards of the Brighton Interim Planning Scheme 2015.

Public Open Space

(7) In accordance with the provisions of Section 117 of the Local Government (Building and Miscellaneous Provisions) Act 1993, payment of a cash contribution for Public Open Space must be made to the Council prior to sealing the Final Plan of Survey. The cash contribution amount is to be equal to 5% of the value of the land being described as lots 2 in the plan of subdivision at the date of lodgement of the Final Plan of Survey.

The value is to be determined by a Land Valuer within the meaning of the Land Valuers Act 2001 at the developers' expense.

(8) The cash-in-lieu of public open space must be in the form of a direct payment made before the sealing of the final plan of survey or, alternatively, in the form of a Bond or Bank guarantee to cover payment within ninety (90) days after demand, made after the final plan of survey has taken effect.

Easements

(9) Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Council's Municipal Engineer. The cost of locating and creating the easements shall be at the subdivider's full cost.

Endorsements

(10) The final plan of survey must be noted that Council cannot or will not provide a means of drainage to all lots shown on the plan of survey.

Final plan

(11) A final approved plan of survey and schedule of easements as necessary, together with two (2) copies, must be submitted to Council for sealing for each stage. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.

(12) Prior to Council sealing the final plan of survey for each stage, security for an amount clearly in excess of the value of all outstanding works and maintenance required by this permit must be lodged with the Brighton Council. The security must be in accordance with section 86(3) of the *Local Government (Building & Miscellaneous Provisions) Act* 1993. The amount of the security shall be determined by the Council's Municipal Engineer in accordance with Council Policy 6.3 following approval of any engineering design drawings and shall not to be less than $5,000.

(13) All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey for each stage. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied.

(14) The subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

Engineering

(15) The subdivision must be carried out in accordance with the Tasmanian Subdivision Guidelines October 2013 (attached).

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

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

a) all existing and proposed services required by this permit;

b) all existing and proposed roadwork required by this permit;

c) measures to be taken to provide sight distance in accordance with the relevant standards of the planning scheme;

d) measures to be taken to limit or control erosion and sedimentation;

e) any other work required by this permit.

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

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

Water quality

(20) A soil and water management plan (here referred to as a 'SWMP') prepared in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South, must be approved by Council's Municipal Engineer before development of the land commences.

(21) Temporary run-off, erosion and sediment controls must be installed in accordance with the approved SWMP and must be maintained at full operational capacity to the satisfaction of Council's Municipal Engineer until the land is effectively rehabilitated and stabilised after completion of the development.

(22) The topsoil on any areas required to be disturbed must be stripped and stockpiled in an approved location shown on the detailed soil and water management plan for reuse in the rehabilitation of the site. Topsoil must not be removed from the site until the completion of all works unless approved otherwise by the Council's Municipal Engineer.

(23) All disturbed surfaces on the land, except those set aside for roadways, footways and driveways, must be covered with topsoil and, where appropriate, re-vegetated and stabilised to the satisfaction of the Council's Municipal Engineer.

Property Services

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

(25) Any existing services shared between lots are to be separated to the satisfaction of Councils Municipal Engineer.

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

(27) Property services must be extended the length of the access strip to the lot proper, or conduits for future services provided, to the satisfaction of Council's Municipal Engineer.

Telecommunications and electrical reticulation

(28) Electrical and telecommunications services must be provided to each lot in accordance with the requirements of the responsible authority and to the satisfaction of Council's Municipal Engineer.

(29) Prior to sealing the final plan of survey, the developer must submit to Council:

a) A "Provisioning of Telecommunications Infrastructure – Confirmation of final payment" or "Certificate of Practical Completion of Developer's Activities" from NBN Co.

b) A Letter of Release, or equivalent, from TasNetworks confirming that all conditions of the Agreement between the Owner and authority have been complied with and that future lot owners will not be liable for network extension or upgrade costs, other than individual property connections (basic connection) at the time each lot is further developed.

Vehicular Access

(30) A sealed vehicle access must be provided from the road carriageway to service each lot.

(31) The shared vehicular access to Lots 1 and 2 must be constructed/upgraded for the entire length of the R.O.W. to Lot 1 and Lot 2 lot proper (approx. 125m) and, unless approved otherwise by Council's Municipal Engineer, be:

a) Constructed with a durable all weather pavement

b) Designed so as stormwater runoff is not concentrated onto adjacent properties.

c) Surfaced with a material to resist abrasion from traffic and to minimise the entry of water. The surfacing material may be a spray seal, asphalt, concrete, pavers or other approved material.

d) A min trafficable width of 4.0m with a minimum sealed width of 3.0m

e) Provided with passing pays of 2.0m additional width and 20 metres long (excluding tapers) every 100 metres.

f) As required by BUSHFIRE HAZARD REPORT, Proposed 2 Lot Subdivision, Address: 5 Sunnyview Place, Honeywood TAS 7017, Title Reference: C.T.143314/4 Prepared by James Rogerson, Provisional Bushfire Hazard Practitioner (BFP-P) VERSION – 01 Date: 30/10/2020.

Stormwater

(32) Stormwater from the proposed development must be managed on site such that any stormwater runoff from the site, for a storm with an ARI of 20 years, will be no greater than pre-existing runoff to the satisfaction of Council's Municipal Engineer.

(33) Prior to the approval of Engineering Design Drawings the developer must submit a Stormwater Management Report, including calculations, prepared by a suitably qualified person demonstrating compliance with the conditions of this permit for approval by Councils Municipal Engineer. Once approved the Report will form part of the endorsed documents.

Any measures required by the report must be included in the engineering design drawings and implemented prior to the sealing of the Plan of Survey for the subdivision.

Advice: The report must consider the dispersive nature of the soils on the site.

Wastewater

(34) Prior to Council sealing the final plan of survey the developer must provide a Wastewater Report, prepared by a suitably qualified person, demonstrating that the wastewater system for the existing house is contained entirely on Lot 1 and that Lot 2 is capable of accommodating an on-site wastewater system suitable for any future development of the site to the satisfaction of Council's Senior Environmental Health Officer.

Any measures required by the report must be implemented prior to the sealing of the Plan of Survey for the subdivision.

Maintenance and Defects Liability Period

(35) The subdivision must be placed onto a twelve (12) month maintenance and defects liability period in accordance with Council Policy following the completion of the works in accordance with the approved engineering plans and permit conditions.

(36) Prior to placing the subdivision onto the maintenance and defects liability period the Supervising Engineer must provide certification that the works comply with the Council's Standard Drawings, specification and the approved plans.

Construction Amenity

(37) The development must only be carried out between the following hours unless otherwise approved by the Council's Manager Development Services:

- Monday to Friday 7:00 a.m. to 6:00 p.m.
- Saturday 8:00 a.m. to 6:00 p.m.
- Sunday and State-wide public holidays 10:00 a.m. to 6:00 p.m.

(38) All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:

a) Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.

b) The transportation of materials, goods and commodities to and from the land.

c) Obstruction of any public footway or highway.

d) Appearance of any building, works or materials.

(39) Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Manager Development Services.

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

(41) The developer must make good and/or clean any footpath, road surface or other element damaged or soiled by the development to the satisfaction of the Council's Municipal Engineer.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT:

A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.

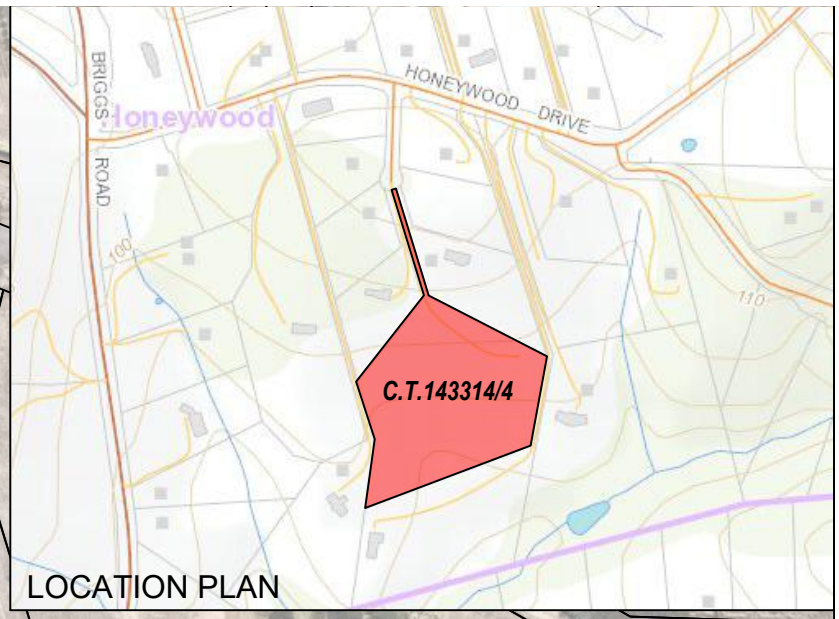
B. The owner is advised that an engineering plan assessment and inspection fee of 1% of the value of the approved engineering works (minimum of $300.00), or as otherwise specified in Council's Schedule of Fees, must be paid to Council prior to the approval of engineering plans.

C. No work on or affecting any Council road reservation is to be commenced until the Brighton Council has issued a WORKS IN ROAD RESERVATION PERMIT. Application for the issue of the necessary works permit is to be made to the Brighton Council's Asset Services department prior to the proposed date of commencement of any works.

D. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application.

DECISION:

ROGERSON & BIRCH SURVEYORS
UNIT 1, 2 KENNEDY DRIVE
CAMBRIDGE 7170
PHONE: (03)6248 5898
EMAIL: admin@rbsurveyors.com
WEB: www.rbsurveyors.com



SUNNYVIEW PLACE

6.05

EXISTING R.O.W
(PRIVATE)
6.00m WIDE

PROPOSED R.O.W
(PRIVATE)
6.00m WIDE

DRAINAGE EASEMENT
2.00m WIDE

118.80

119.59

142.49

113.08

189.81

68.33

70.51

114.75

98.46

74.07

EXISTING
HOUSE

EXISTING
SHED

30X30 MIN
BUILDING
AREA

30X30 MIN
BUILDING
AREA

20m BOUNDARY OFFSET

20m BOUNDARY OFFSET

1
1.501ha

2
1.501ha

Development Standards for Subdivision
13.5.1 Rural Living - Area B
A1-Lot areas comply with A1.
A2-Does not comply-is subject to code 117. Does comply with P2.
A3-Exception. Lot 2 is an internal Lot.
A4-Does not comply. Does comply with P4.
A5-Complies.

Potential Dispersive Soils - Code 117.DIS

This plan has been prepared only for the purpose of obtaining preliminary subdivsional approval from the local authority and is subject to that approval.

All measurements and areas are subject to the final survey.

REV	AMENDMENTS	DRAWN	DATE	APPR.
E				
D				
C				
B				
A	Proposed boundary changed, detail survey contours added	MF	17-11-20	MF

OWNER: *GREGORY KEVIN EASTERMAN*
TITLE REFERENCE: *C.T.143314/4*
LOCATION: *5 SUNNYVIEW PLACE*
HONEYWOOD

Proposed Subdivision

Date: *6-8-2020*	***Reference:*** *EASGR01 11289-01*
Scale: *1:1250 (A3)*	***Municipality:*** *BRIGHTON*

Engineers & Planners

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Phone (03) 6231 2555
Fax (03) 6231 1535
infohbt@jmg.net.au

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Johnstone McGee & Gandy Pty Ltd
ABN 76 473 834 852
ACN 009 547 139
as trustee for Johnstone McGee & Gandy Unit Trust

www.jmg.net.au

JMG Ref: 203150PH

23 November 2020

Patrick Carroll, Senior Planner
Brighton Council
1 Tivoli Road, Old Beach Tas 7017
Via email – admin@brighton.tas.gov.au

Dear Patrick,

APPLICATION FOR SUDBVISION PERMIT – SA 2020/00029, 5 Sunnyview Place, Honeywood

Please refer to the following with regards to two 'request for additional information' (RFI) letters from Brighton Council, with the first received on 27 August 2020 and the second received on 10 September 2020.

The required additional information is addressed in sequence below.

1. ITEM 1 – BUSHFIRE HAZARD MANAGEMENT

A Bushfire Hazard Management Plan has been prepared and is currently being reviewed by the Tasmanian Fire Service (TFS). Once the review of it has been completed a copy will be provided to Brighton Council in response to the RFI.

2. ITEM 2 – CONCEPT SERVICES PLAN

Concept Servicing Plans to address the following requirements have been prepared and can be found in Attachment A:

a. Contours showing AHD levels at 2m intervals or less;
b. Natural drainage lines, watercourses on or adjacent to the site;
c. The location, capacity of any existing services or easements on the site or connected to the site;
d. Existing vehicle access to the site and adjoining sites;
e. Proposed driveways within the site – including any connections to other driveways and how they are to be drained;
f. Main utility service connection points and easements.

3. ITEM 3 – FURTHER INFORMATION FOR LOT DESIGN (13.5.1)

An assessment against Clause 13.5.1 (Lot Design) follows.

13.5.1 Lot Design

Objective: ***To provide for new lots that:*** ***a) have appropriate area and dimensions to accommodate development consistent with the Zone Purpose and any relevant Local Area Objectives or Desired Future Character Statements;*** ***b) contain building areas which are suitable for residential development, located to avoid hazards and values and will not lead to land use conflict and fettering of resource development use on adjoining rural land;*** ***c) are not internal lots, except if the only reasonable way to provide for infill development in existing subdivided areas.***	
A4 *No lot is an internal lot.*	***P4*** *An internal lot must satisfy all of the following:* *a) access is from a road existing prior to the planning scheme coming into effect, unless site constraints make an internal lot configuration the only reasonable option to efficiently utilise land;* *b) it is not reasonably possible to provide a new road to create a standard frontage lot;* *c) the lot constitutes the only reasonable way to subdivide the rear of an existing lot;* *d) the lot will contribute to the more efficient utilisation of rural living land;* *e) the amenity of neighbouring land is unlikely to be unreasonably affected by subsequent development and use;* *f) the lot has access to a road via an access strip, which is part of the lot, or a right-of-way, with a width of no less than 3.6m;* *g) passing bays are provided at appropriate distances along the access strip to service the likely future use of the lot;* *h) the access strip is adjacent to or combined with no more than three other internal lot access strips and it is not appropriate to provide access via a public road;* *i) a sealed driveway is provided on the access strip prior to the sealing of the final plan;* *j) the lot addresses and provides for passive surveillance of public open space and public rights of way if it fronts such public spaces.*

As both lots within the proposed subdivision are internal lots, the Acceptable Solution (A4) is not met. Therefore, an assessment against the Performance Criteria (P4) is as follows:

- As the lot to be subdivided is to the rear of other internal lots and lots with direct access to Sunnyview Place, such constraints mean that an internal lot configuration is the only reasonable option to efficiently utilise land, satisfying sub-clause (a);
- As the access driveway to the lot that is the subject of this application is placed between two other access driveways to other internal lots, creation of a standard frontage lot is not possible, satisfying sub-clause (b);
- The subdivision site is already an internal lot and as there is no alternative frontage for either of the lots due to their location being behind other internal lots, the proposal is considered the only reasonable way to subdivide the rear of an existing lot, satisfying sub-clause (c);
- As the subject site of this proposal is approximately twice the size of the rural living lots north of the subject site and the subdivision into two lots will improve efficient utilisation of rural living land, sub-clause (d) is considered to be furthered;
- Given the subject site is only to be subdivided to provide one additional lot and uses allowed within the 'Rural Living' zone (which the site is within) are of a nature that will not detract from the amenity of neighbouring land, subsequent development and use of the site will likely be in accordance with sub-clause (e);
- Within the proposed subdivision, lot 1 will have an access strip 6m wide and lot 2 will have a 6m wide Right of Way over lot 1's 6m wide access strip, as shown on the subdivision plans in Attachment B. This arrangement satisfies sub-clause (f); As the width of the access strip is 119m long, it has been considered against *Clause E6.7.3 'Vehicular Passing Areas Along an Access'* within the Development Standards of the Parking and Access Code. As the access strip width is 6m, it exceeds the minimum width requirement of 5.5m specified in the Clause. Furthermore, it will not require passing areas and the maximum interval requirements (of no more than 30 m along the access) are not applicable as the entirety of the access strip width is 6m. Sub-clause (g) is therefore considered to be satisfied;
- The 'lots' access strip is combined with no more than 3 others, satisfying sub-clause (h);
- A sealed driveway is provided on the access strip as shown on the updated subdivision plan attached in Attachment B;
- As the lot does not front any public open space or public rights of way, sub-clause (j) is not considered applicable.

On the basis of the above, the proposal is considered to satisfy the Performance Criteria (P4).

4. ITEM 4 – TAS WATER FURTHER INFORMATION

The Concept Servicing Plans found in Attachment A display the water servicing requirements as outlined by TasWater in recent discussions with JMG. A new water meter is provided within the Sunnyview Place cul-de-sac head and the property connection extends down the shared driveway within a private services easement and into the proposed Lot 2.

We trust this satisfies Council's request however if further information or clarification is required with respect to this request, please contact me on 6231 2555 or at planning@jmg.net.au.

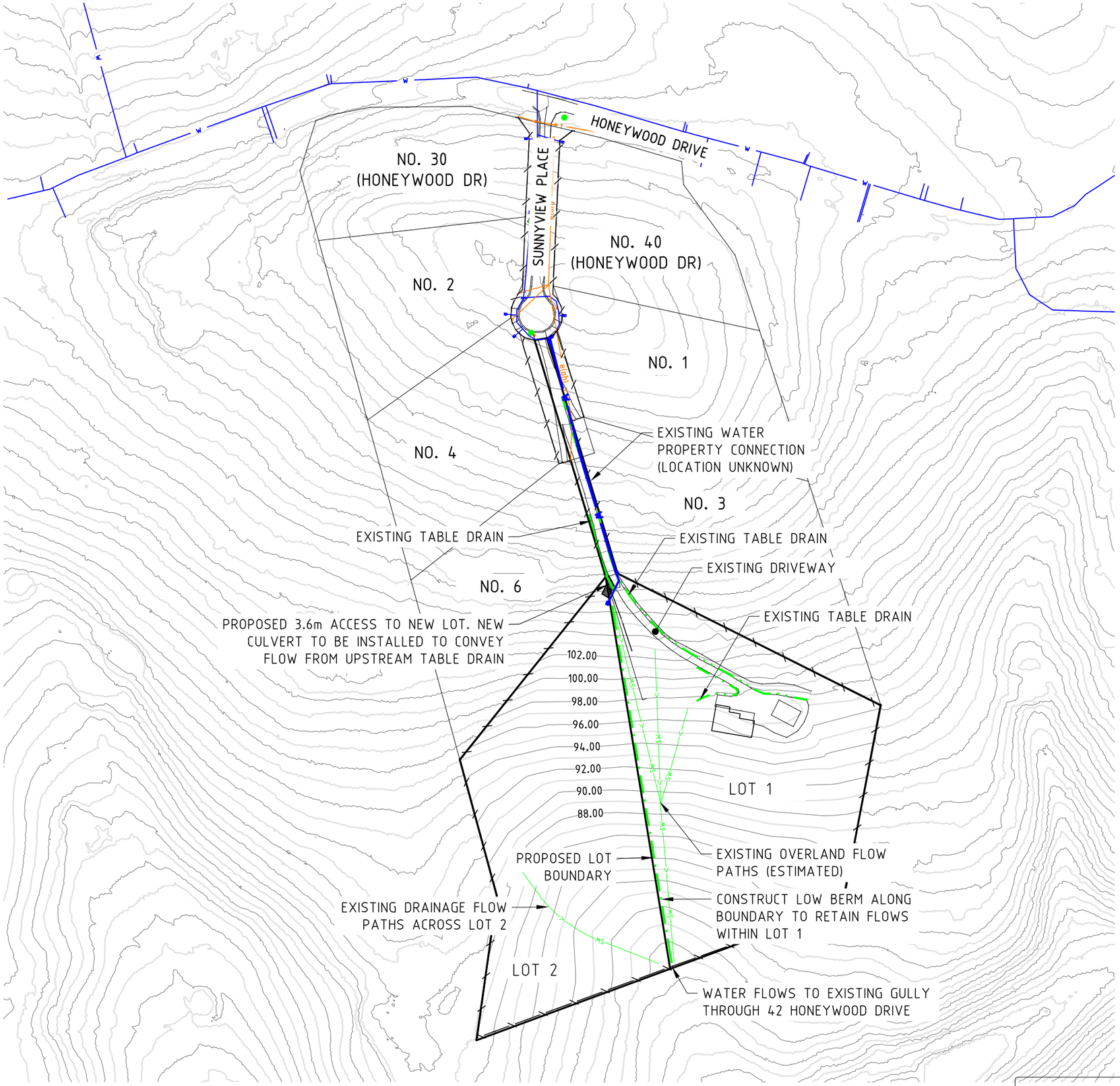
Yours faithfully

JOHNSTONE McGEE & GANDY PTY LTD

Gabrielle Priest
TOWN PLANNER

ATTACHMENT A

Concept Services Plan



NOT FOR CONSTRUCTION

REV	DATE	REMARK
P1	06.11.2020	FOR CLIENT REVIEW

SAFETY IN DESIGN REPORT
In accordance with the Workplace Health & Safety Acts and Regulations JMG have considered the potential hazards and risks that are specific to this design.

The following risks which are unique to this design have been identified:	NIL
This report does not relieve contractors from their responsibilities under the Act to identify, report, mitigate and manage all aspects of risk and safety.	

Engineers & Planners
Johnstone McGee & Gandy Pty. Ltd.
ACN 009 547 139 ABN 76 473 834 852
117 Harrington Street, Hobart, Tas (03) 6231 2555
49-51 Elizabeth Street, Launceston, Tas (03) 6334 5548
www.jmg.net.au infohbt@jmg.net.au infoltn@jmg.net.au

PROJECT
5 SUNNYVIEW PLACE,
HONEYWOOD
SUBDIVISION

TITLE
OVERALL SITE PLAN

Accepted Discipline Head (Discipline Head)	Date
Accepted Team Leader (Team Leader)	Date
Approved Group Manager (Group Manager)	Date

This document must be signed "Approved" by JMG to authorise it for use. JMG accept no liability whatsoever for unauthorised or unlicensed use.

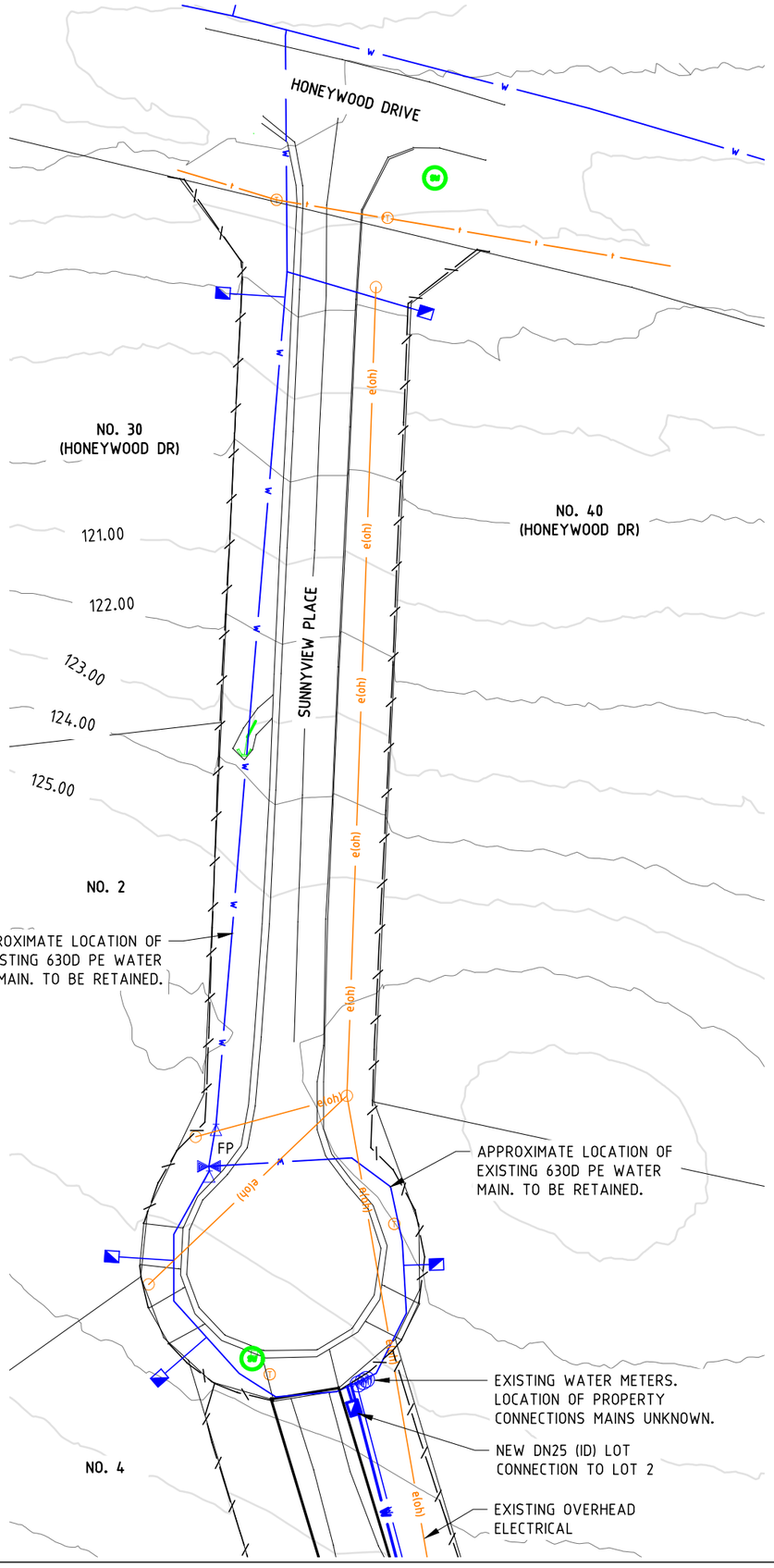
SCALES @ A3	DESIGNED BY	DRAWN BY
	CJM	RWH
1:2000	PLOT DATE	10/11/2020

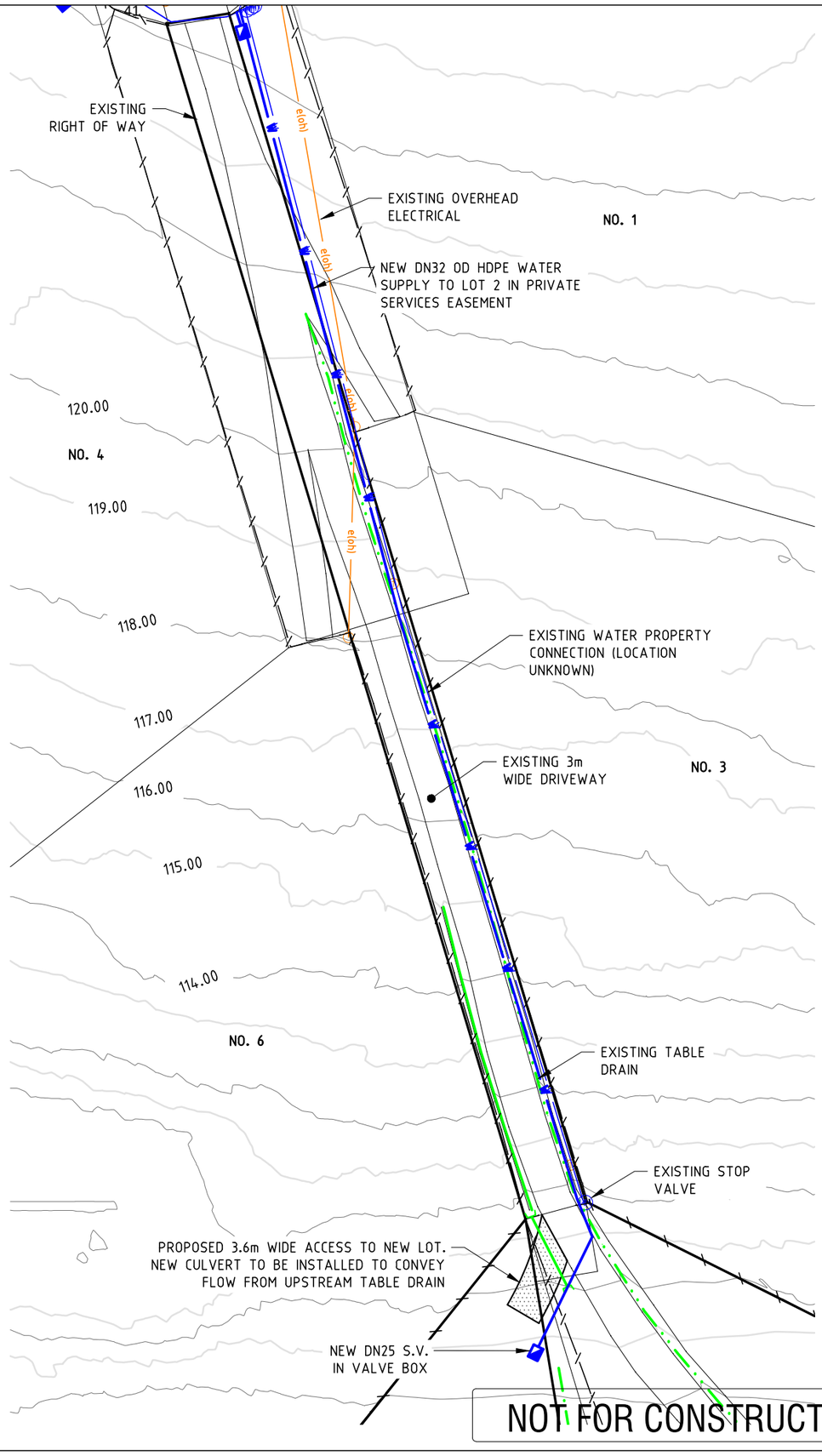
DO NOT SCALE. Use only figured dimensions. Locations of structure, fittings, services etc on this drawing are indicative only. CONTRACTOR to check Architects & other project drawings for co-ordination between structure, fabric, fixtures, fittings, services etc. CONTRACTOR to site check all dimensions and exact locations of all items. JMG accepts no responsibility for dimensional information scaled or digitally derived from this document.

PLOT DETAILS CIVIL3D BASE.DWG

PROJECT NO. J203150PH

DWG NO.	REVISION
C01	P1





NOT FOR CONSTRUCTION

REV	DATE	REMARK
P1	06.11.2020	FOR CLIENT REVIEW

SAFETY IN DESIGN REPORT

In accordance with the Workplace Health & Safety Acts and Regulations JMG have considered the potential hazards and risks that are specific to this design.

The following risks which are unique to this design have been identified:	NIL
This report does not relieve contractors from their responsibilities under the Act to identify, report, mitigate and manage all aspects of risk and safety.	

Engineers & Planners

Johnstone McGee & Gandy Pty. Ltd.

ACN 009 547 139 ABN 76 473 834 852

117 Harrington Street, Hobart, Tas (03) 6231 2555
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PROJECT

5 SUNNYVIEW PLACE, HONEYWOOD SUBDIVISION

TITLE

ROAD, DRIVEWAY & DETAILED SERVICES PLAN

Accepted Discipline Head (Discipline Head)	Date
Accepted Team Leader (Team Leader)	Date
Approved Group Manager (Group Manager)	Date

This document must be signed "Approved" by JMG to authorise it for use. JMG accept no liability whatsoever for unauthorised or unlicensed use.

SCALES @ A3	DESIGNED BY	DRAWN BY
	CJM	RWH
1:500	PLOT DATE	10/11/2020

DO NOT SCALE. Use only figured dimensions. Locations of structure, fittings, services etc on this drawing are indicative only. CONTRACTOR to check Architects & other project drawings for co-ordination between structure, fabric, fixtures, fittings, services etc. CONTRACTOR to site check all dimensions and exact locations of all items. JMG accepts no responsibility for dimensional information scaled or digitally derived from this document.

PLOT DETAILS CIVIL3D BASE.DWG

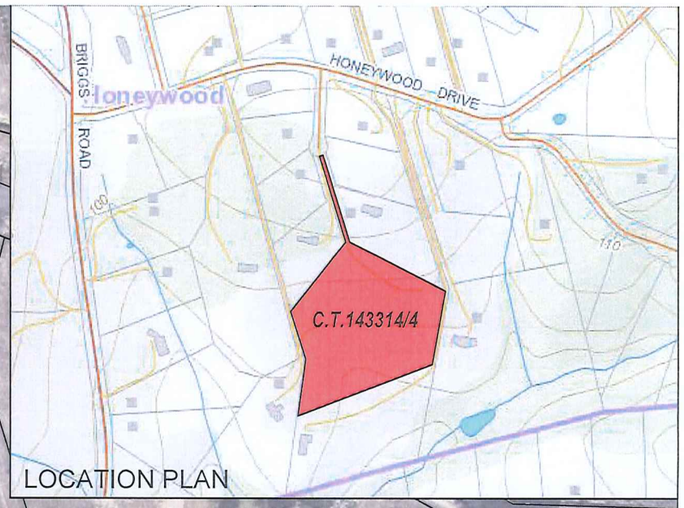
PROJECT NO. J203150PH

DWG NO.	REVISION
C02	P1

ATTACHMENT B

Subdivision Plans

ROGERSON & BIRCH SURVEYORS
UNIT 1, 2 KENNEDY DRIVE
CAMBRIDGE 7170
PHONE: (03)6248 5898
EMAIL: admin@rbsurveyors.com
WEB: www.rbsurveyors.com



SUNNYVIEW PLACE

6.05

EXISTING R.O.W
(PRIVATE)
6.00m WIDE

PROPOSED R.O.W
(PRIVATE)
6.00m WIDE

DRAINAGE EASEMENT
2.00m WIDE

119.59

180

142.49

113.08

EXISTING HOUSE

EXISTING SHED

30X30 MIN BUILDING AREA

30X30 MIN BUILDING AREA

89.81

98.46

68.33

1
1.501ha

2
1.501ha

20m BOUNDARY OFFSET

20m BOUNDARY OFFSET

74.07

70.51

114.75

Development Standards for Subdivision
13.5.1 Rural Living - Area B
A1-Lot areas comply with A1.
A2-Does not comply-is subject to code 117. Does comply with P2.
A3-Exception. Lot 2 is an internal Lot.
A4-Does not comply. Does comply with P4.
A5-Complies.

Potential Dispersive Soils - Code 117.DIS

This plan has been prepared only for the purpose of obtaining preliminary subdivsional approval from the local authority and is subject to that approval.

All measurements and areas are subject to the final survey.

REV	AMENDMENTS	DRAWN	DATE	APPR.
E				
D				
C				
B				
A	Proposed boundary changed, detail survey contours added	MF	17-11-20	MF

OWNER: GREGORY KEVIN EASTERMAN
TITLE REFERENCE: C.T.143314/4
LOCATION: 5 SUNNYVIEW PLACE HONEYWOOD

Proposed Subdivision

Date:	Reference:
6-8-2020	EASGR01 11289-01
Scale:	**Municipality:**
1:1250 (A3)	BRIGHTON

ROGERSON & BIRCH SURVEYORS

UNIT 1, 2 KENNEDY DRIVE
CAMBRIDGE 7170
PHONE: (03)6248 5898
EMAIL: admin@rbsurveyors.com
WEB: www.rbsurveyors.com

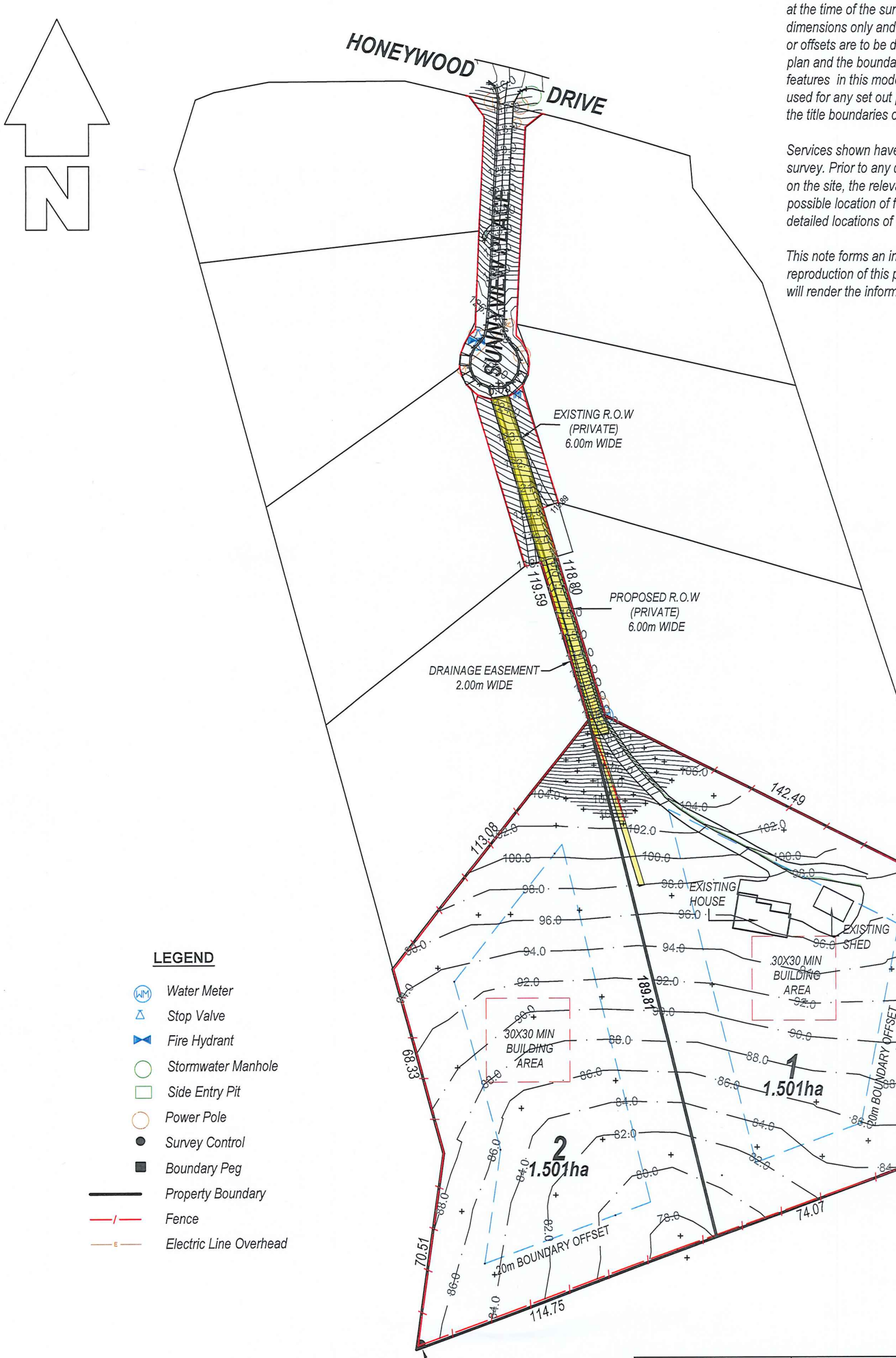
NOTES:

This plan and associated digital model is prepared for Greg Easterman from a combination of field survey and existing records for the purpose of designing new constructions on the land and should not be used for any other purpose.

The title boundaries as shown on this plan were not marked at the time of the survey and have been determined by plan dimensions only and not by field survey. No measurements or offsets are to be derived between the features on this plan and the boundary layer. The relationship between the features in this model and the boundary layers cannot be used for any set out purposes or to confirm the position of the title boundaries on site.

Services shown have been located where visible by field survey. Prior to any demolition, excavation or construction on the site, the relevant authority should be contacted for possible location of further underground services and detailed locations of all services.

This note forms an integral part of the Plan/Data. Any reproduction of this plan/model without this note attached will render the information shown invalid.



LEGEND

- Water Meter
- Stop Valve
- Fire Hydrant
- Stormwater Manhole
- Side Entry Pit
- Power Pole
- Survey Control
- Boundary Peg
- Property Boundary
- Fence
- Electric Line Overhead

Client Reference Number:	HORIZONTAL DATUM is GDA2020, Coordinates are Plane
N/A	Coordinate Origin: O.SPK E 523926.301 N 5268754.717 PER RTK GPS

REV	AMENDMENTS	DRAWN	DATE	APPR.
E				
D				
C				
B				
A	Proposed boundary changed	MF	17-11-20	MF

Contour & Detail Plan

FOR: GREG EASTERMAN

LOCATION: 5 SUNNYVIEW PLACE, HONEYWOOD

Date:	Contour interval:	Reference:
26/10/2020	0.250m	EASGR01 11289-02
Drawn: JR	Scale: 1:1,500 (A3)	Bearing Datum: MGA94 per RTK GPS & SP143314
Approved: CR	C.T. Reference: 143314/4	Vertical Datum: AHD83 per SPM10143

BUSHFIRE HAZARD REPORT

Proposed 2 Lot Subdivision

Address: 5 Sunnyview Place, Honeywood TAS 7017

Title Reference: C.T.143314/4

Prepared by James Rogerson, Provisional Bushfire Hazard Practitioner
(BFP-P)
VERSION – 01
Date: 30/10/2020

Contents

Disclaimer: The information contained within this report is based on the instructions of AS 3959-2018 the standard states that *"Although this Standard is designed to improve the performance of building when subjected to bushfire attach in a designated bushfire-prone area there can be no guarantee that a building will survive a bushfire event of every occasion. This is substantially due to the degree of vegetation management, the unpredictable nature and behaviour of fire and extreme weather conditions." (Standards Australia Limited, 2011)*

2 INTRODUCTION

2.1 Background

This Bushfire Hazard Report and associated Bushfire Hazard Management Plan (BHMP) has been prepared by James Rogerson of Rogerson and Birch Surveyors on behalf of the proponent to form part of supporting documentation for the proposed two lot subdivision of 5 Sunnyview Place, Honeywood.

Under the Brighton Interim Planning Scheme 2015, E1.0 Bushfire-Prone Areas Code and Planning Directive 5.1 (PD5.1). It is a requirement that a subdivision application within a bushfire-prone area must accomplish a minimum Bushfire Attack Level (BAL) rating of BAL-19 for all future dwellings on newly formed allotments. This report also includes an associated BHMP which is also a requirement under PD5.1.

The proposed development is within a Bushfire-Prone Area overlay and there is bushfire-prone vegetation within the site & within 100m from the site. Therefore, this site is within a bushfire-prone area.

2.2 Scope

This Bushfire Report offers an investigation and assessment of the bushfire risk to establish the level of bushfire threat and vulnerability on the land for the purpose of subdivision. This report includes the following:

- A description of the land and adjacent land, and description of the use or development that may be at threat by a bushfire on the subject site;
- Calculates the level of a bushfire threat and offers opinions for bushfire mitigation measures that are consistent with AS3959-2018, the Guidelines for Development in Bushfire-Prone Areas (Tasmanian Fire Service or TFS) and Planning Directive 5.1.
- Subdivision Proposal Plan (Appendix B)
- Bushfire Hazard Management Plan (Appendix C)
- Planning Certificate (Appendix D)

2.3 Scope of BFP Accreditation

I, James Rogerson am a provisionally accredited Bushfire Practitioner (BFP-P) to assess bushfire hazard and endorse BHMP's under the the *Chief Officers Scheme for the Accreditation of Bushfire Hazard Practitioners.* I have successfully completed the *Planning for Bushfire Prone Areas Short Course* at University of Technology Sydney.

2.4 Limitations

The site assessment has been conducted and report written on the understanding that:

- The report only deals with the potential bushfire risk, all other statutory assessments are outside the scope of this report;
- The report only classifies the size, volume and status of the vegetation at the time the site assessment was conducted;
- Impacts on future development and vegetation growth have not been considered in this report. No action or reliance is to be placed on this report, other than which it was commissioned.

2.5 Proposal

The proposal is the subdivision of the current title C.T.143314/4 into 2 resultant titles.

Lot 1 –Contains an existing class 1a dwelling, a class10a shed and all weather driveway with a proposed approximate area of 1.501ha
Lot 2 – Is vacant and comprising of the remainder of the current title with a proposed approximate area of 1.501ha. Lot 2 will have benefit over a ROW for the access off Sunnyview Place.

3 PRE-FIELD ASSESSMENT

3.1 Site Details

Table 1

Owner Name(s)	Gregory Kevin Easterman
Location	5 Sunnyview Place, Honeywood TAS 7017
Title Reference	C.T.143314/4
Property ID	2595685
Municipality	Brighton
Zoning	13.0 Rural Living
Planning Overlays	117.DIS – Potential Dispersive Soils, 117.FRE – Bushfire Prone Areas
Water Supply for Firefighting	The property is serviced by reticulated water
Public Access	Access to the property is off Sunnyview Place, via Honeywood Drive
Fire History	There was a bushfire in and surrounding the site in 1966-1967 fire season
Existing Development	Class 1a dwelling, class10a shed and all-weather driveway.

Figure 1 Location of subject site. Source: The LIST, © State of Tasmania

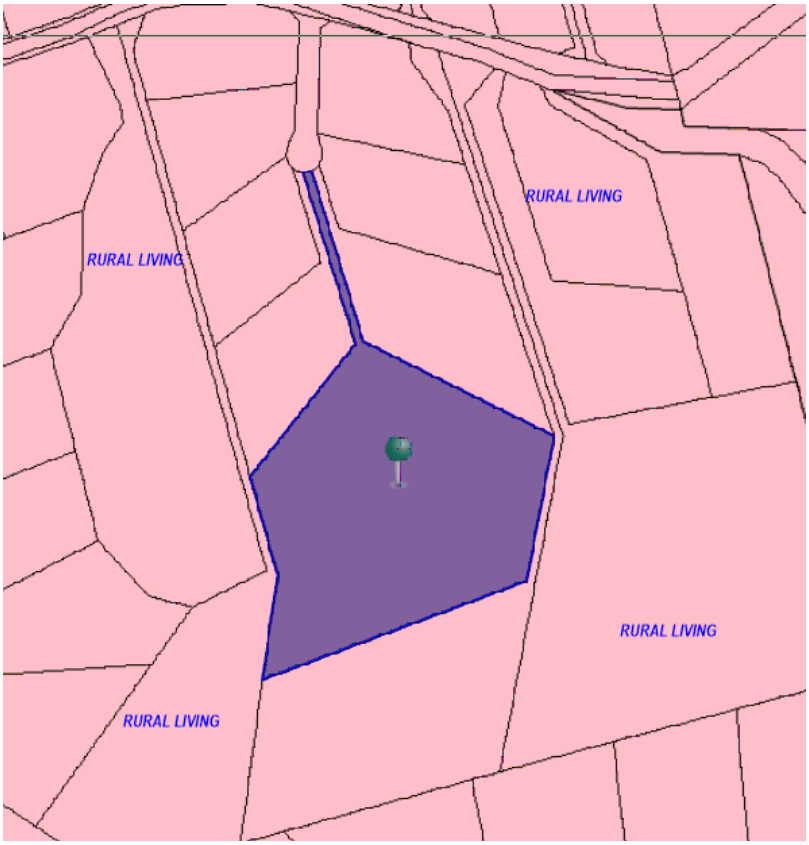


Figure 2 Planning Scheme Zoning of site and surrounding properties (subject site in blue) Source: The LIST, © State of Tasmania

3.2 TasVeg 4.0

There is one classified vegetation community on the subject site, there is also two other communities on the surrounding land and parcels. Figure 3 below shows the classified vegetation from TASVEG4.0 (Source: The LIST).

Please note that TASVEG4.0 classification does not necessarily reflect ground conditions.

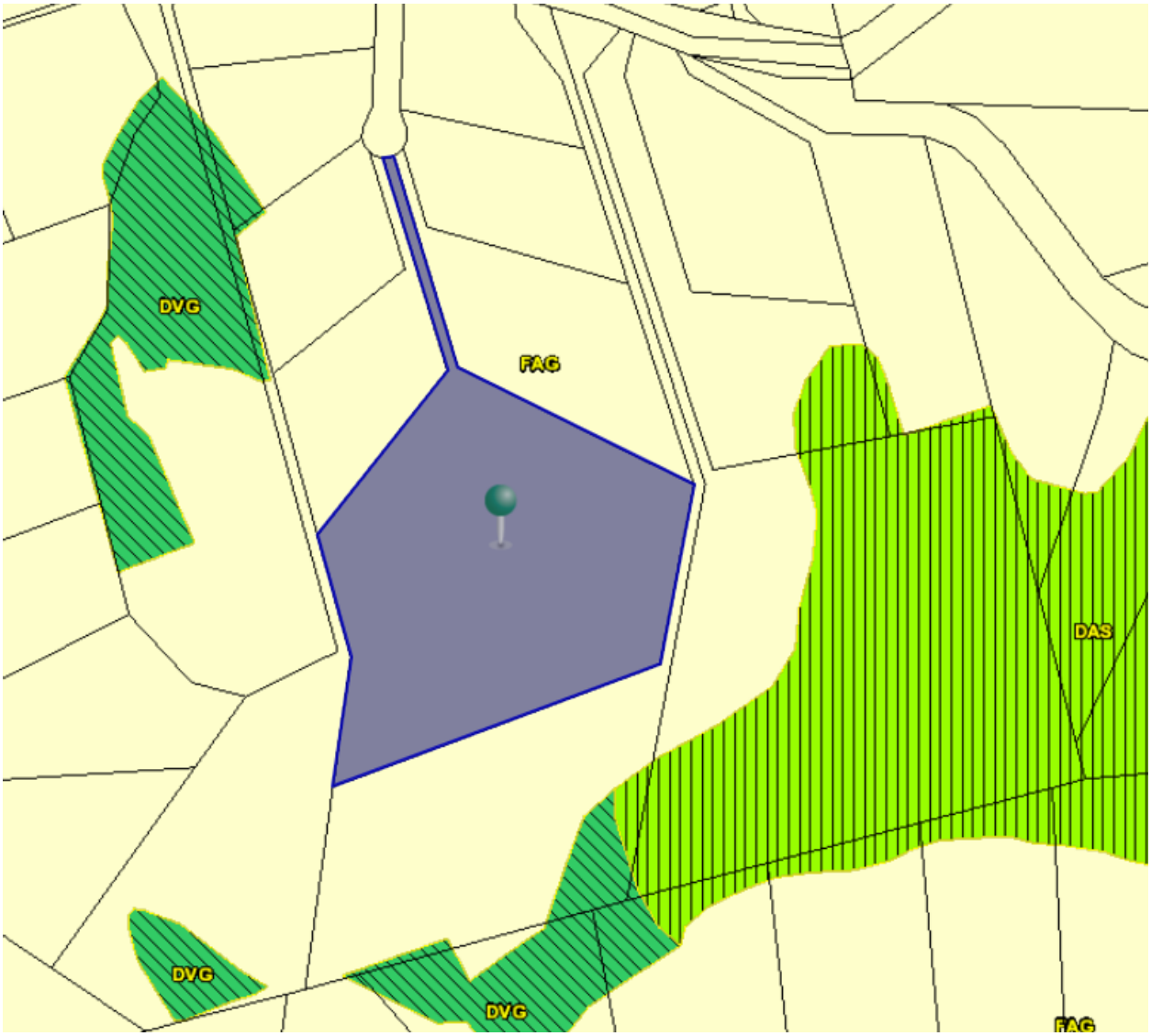


Figure 3 TASVEG4.0 communities on subject site and surrounding land. FAG – Agricultural land, DVG – Eucalyptus viminalis grassy forest and woodland, DAS – Eucalyptus amydgalina forest and woodland on sandstone.

4 SITE ASSESSMENT

The site assessment was conducted by James Rogerson (BFP-P) on the 23rd October 2020.

4.1 Bushfire Hazard Assessment

E1.3.1 Bushfire Prone Areas Code and Planning Directive 5.1 (PD5.1) defines Bushfire-prone areas as follows;

> *a) Land that is within the boundary of a bushfire-prone area shown on an overlay on a planning scheme map; or*
>
> *b) Where there is no overlay on a planning scheme map, or where the land is outside the boundary of a bushfire-prone area shown on such map, land that is within 100m of an area of bushfire –prone vegetation equal or greater than 1ha.*

The subject site is within a bushfire-prone areas overlay for the Brighton Interim Planning Scheme 2015 and the subject site is within 100m of an area of bushfire-prone vegetation equal or greater than 1ha. And there is bushfire-prone vegetation inside the site. Therefore, this proposed subdivision is within a bushfire-prone area as per the Brighton Valley Interim Planning Scheme 2015.

For the purposes of the BAL Assessment, vegetation within 100m of the proposed subdivision site were assessed and classified in accordance with AS3959-2018 Simplified Procedure (Method 1) (relevant fire danger index: 50 – which applies across Tasmania).

BUSHFIRE THREAT DIRECTION

The primary bushfire threat to the subdivision is from the unmanaged grassland within and adjacent to the site.

Further bushfire threat is from woodland to the east/south-east of the site which borders a creek.

Prevailing Winds: The prevailing winds for this site are primarily north westerly.

4.2 Vegetation and Effective Slope

Vegetation and relevant effective slopes within 100m of the proposed subdivision have been inspected and classified in accordance with AS 3959-2018. Effective Slope refers to the slope of the land underneath the classified bushfire-prone vegetation relative to the building site and not the slope between the vegetation and the building site. The effective slope affects a fires rate of spread and flame length and is an acute aspect of bushfire behaviour.

WITHIN THE SITE

The site at present contains an existing class 1a dwellings in addition to existing class10a shed and all-weather gravel driveway which is providing site access off the cul-de-sac on Sunnyview Place. The subject site is a large internal rural property 3.002ha in area. Across the parcel the land is sloping downhill from end of the access strip in a south direction. There is a small gully within the proposed lot 2. Land directly surrounding the dwelling is well maintained and predominately used as private open space, as such the land is classified as LOW THREAT in accordance with Section 2.2.3.2 (e) (f) of AS3959-2018. The remainder of the property (excluding the land directly surrounding the house) is grassed. Although, the grass appears well maintained by the owner and local wildlife, with the size of the area and current minimum use of the land it has the potential to become a bushfire threat and is therefore classed as GROUP G GRASSLAND in accordance with Table 2.6 of AS3959-2018. Refer to figure 4 (page 10) below for slope angles within the site.

NORTH OF THE SITE

To the north of the site upslope are the other developed properties of the current subdivision. These properties are all large rural lots with existing development comprising of dwellings, sheds and bitumen/concrete/gravel driveways. The land directly surrounding the dwelling is well maintained and used as private open space and is classed as LOW THREAT per Section 2.2.3.2 (e) (f) of AS3959-2018. The remainder of the properties is grassed. Although the grass appears well maintained by the owner and local wildlife, due to the size and minimum land use it has the potential be a bushfire threat therefore classing this as GROUP G GRASSLAND in accordance with Table 2.6 of AS3959-2018. There are some small patches of standing eucalyptus vegetation within these properties also.

EAST OF THE SITE

East of the site across slope are again large rural properties with existing development. The property closet to the east boundary of the subject site is 44 Honeywood Dr. Existing development on this property comprises of a class 1a dwelling various class 10 sheds and bitumen/gravel driveway. This property is an internal lot and is separated to the subject site by a maintained bitumen access for the property to the south. The land directly surrounding the dwelling is well maintained and used as private open space and is classed as LOW THREAT per Section 2.2.3.2 (e) (f) of AS3959-2018. Along the west boundary of this property is a long strip of eucalyptus trees with a clear understory and is classed as GROUP B WOODLAND in accordance with Table 2.6 of AS3959-2018. Further from the dwelling is grassed. This grass is well managed by owners and local wildlife regularly and being the only grassed area on the property it is used often and therefore classed as LOW THREAT per Section 2.2.3.2 (e) (f) of AS3959-2018. The remainder of the property is covered by eucalyptus trees classed as GROUP B WOODLAND per Table 2.6 of AS3959-2018. A creek and small dam are present in the south of this lot. The other property to the east of the subject site is 46 Honeywood Dr. This property is

an internal vacant lot with the majority of this lot being grassed and therefore is classed as GROUP G GRASSLAND Per Table 2.6 of AS3959-2018.
In the SE corner of this lot is a small patch of eucalyptus trees classed as GROUP B WOODLAND per Table 2.6 of AS3959-2018. This patch of trees is part of the woodland classed fuel on the property to the south (44 Honeywood Dr).

SOUTH OF THE SITE

South of the site downslope >5° - 10° is 42 Honeywood Dr. This property is a large developed rural internal lot accessed by the above mentioned bitumen access. Existing development within this property comprises of an existing class 1a dwelling, class 10a shed and bitumen/concrete driveway. The land directly surrounding the dwelling and shed is well maintained and used as private open space and is classed as LOW THREAT per Section 2.2.3.2 (e) (f) of AS3959-2018. The majority of the remainder of the lot is grassed. Although the grass appears well maintained by the owner and local wildlife, due to the size and minimum land use it has the potential be a bushfire threat therefore classing this as GROUP G GRASSLAND in accordance with Table 2.6 of AS3959-2018. In the SE corner of this lot is a small patch of eucalyptus trees classed as GROUP B WOODLAND per Table 2.6 of AS3959-2018. This patch of trees is part of the woodland classed fuel on the property to the east (44 Honeywood Dr).

WEST OF THE SITE

West of the subject site across slope/upslope are two large developed rural properties. The north most of these properties is 18 Honeywood Drive, with existing development comprising of an existing class 1a dwelling, various class 10a sheds and gravel driveway. The land directly surrounding the dwelling is well maintained and used as private open space and is classed as LOW THREAT per Section 2.2.3.2 (e) (f) of AS3959-2018. The southern half of this lot (closest to the subject site) is grassed. Although the grass appears well maintained by the owner and local wildlife, due to the size and minimum land use it has the potential be a bushfire threat therefore classing this as GROUP G GRASSLAND in accordance with Table 2.6 of AS3959-2018. The remainder of the property (excluding a strip of managed land under a power line) has eucalyptus trees classed as GROUP B WOODLAND in accordance with Table 2.6 of AS3959-2018. The south most of these properties is 20 Honeywood Drive. This property is an internal lot with existing development comprising of an existing class 1a dwelling, various class 10a sheds and gravel driveway. The land directly surrounding the dwelling and shed is well maintained and used as private open space and is classed as LOW THREAT per Section 2.2.3.2 (e) (f) of AS3959-2018. The majority of the remainder of the lot is grassed. Although the grass appears well maintained by the owner and local wildlife, due to the size and minimum land use it has the potential be a bushfire threat therefore classing this as GROUP G GRASSLAND in accordance with Table 2.6 of AS3959-2018. At the south boundary of this lot is a small patch of eucalyptus trees classed as GROUP B WOODLAND per Table 2.6 of AS3959-2018.

Figure 4 below shows the relationship between the subject site and the surrounding vegetation.

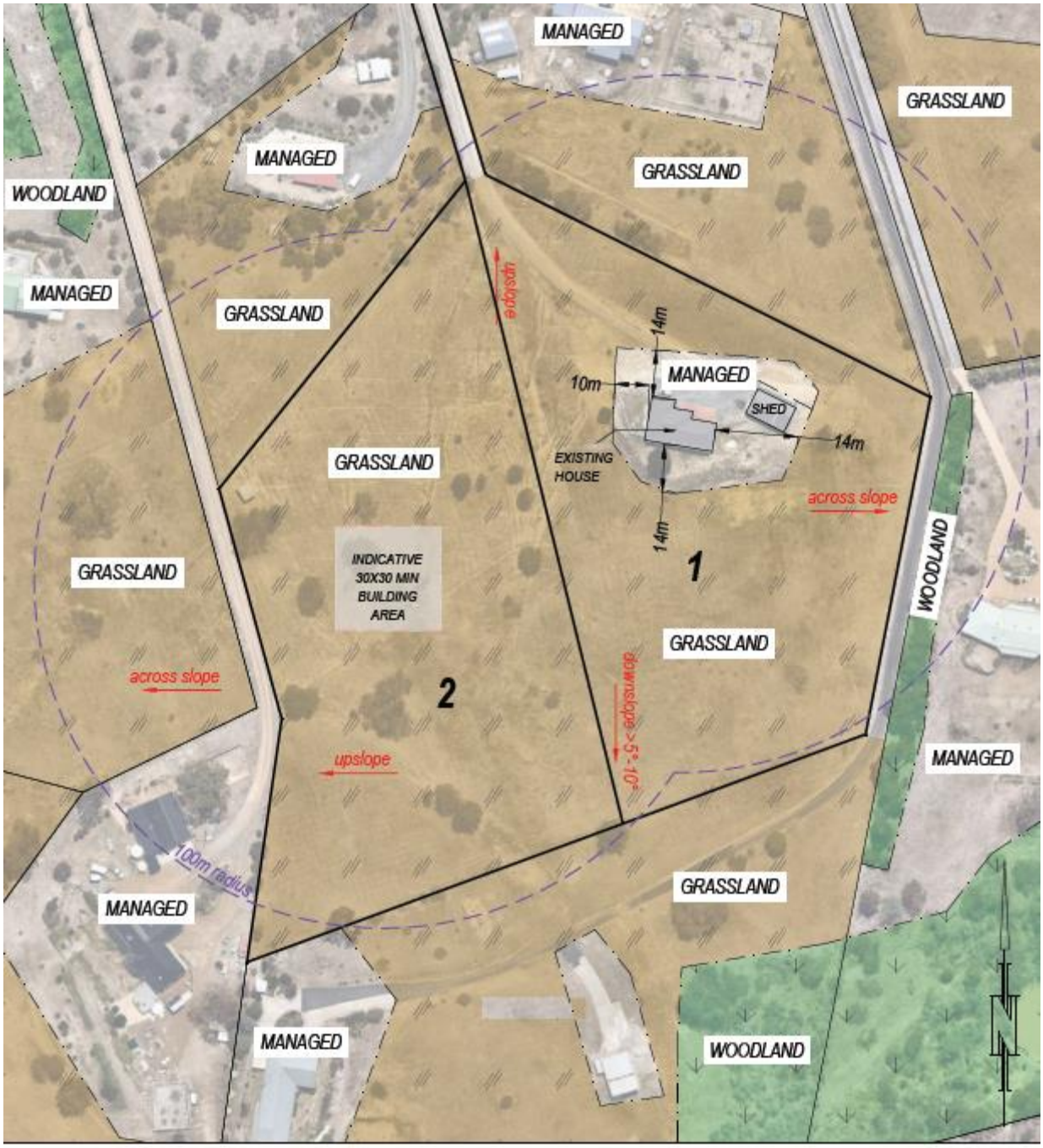


Figure 4 classified vegetation (within 100m of site) and existing separation from bushfire-prone vegetation (not to scale)

4.2 Bushfire Attack Level (BAL)

Table 2 BAL rating for each lot and required separation distances

LOT 1 – EXISTING DWELLING				
DIRECTION OF SLOPE	**NORTH**	**EAST**	**SOUTH**	**WEST**
Vegetation Classification	MANAGED GRASSLAND	MANAGED GRASSLAND WOODLAND	MANAGED GRASSLAND	MANAGED GRASSLAND
Existing Horizontal distance to classified vegetation	14m	24m (G) 65m (B)	14m	10m
Effective Slope under vegetation	Upslope	Across slope	Downslope >5°-10°	Across slope
Exemption*				
Current BAL value for each side of the site	BAL-12.5	BAL-12.5	BAL-19	BAL-19
Separation distances to achieve BAL-19	10m	10m	13m	10m
Separation distances to achieve BAL-12.5	14m	14m	19m	14m

LOT 2 – VACANT				
DIRECTION OF SLOPE	**NORTH**	**EAST**	**SOUTH**	**WEST**
Vegetation Classification	GRASSLAND	GRASSLAND	GRASSLAND	GRASSLAND
Existing Horizontal distance to classified vegetation	0m	0m	0m	0m
Effective Slope under vegetation	Upslope	Across slope	Downslope >5°-10°	Upslope/Across slope
Exemption*				
Current BAL value for each side of the site	FZ	FZ	FZ	FZ
Separation distances to achieve BAL-19	10m	10m	13m	10m
Separation distances to achieve BAL-12.5	14m	14m	19m	14m

*The Bushfire Attack Level shall be classified BAL-LOW per Section 2.2.3.2 of AS3959-2018 where the vegetation is one or a combination of any of the following Exemptions:

a) Vegetation of any type that is more than 100m from the site.
b) Single areas of vegetation less than 1 hectare in area and not within 100m of other areas of vegetation being classified.
c) Multiple areas of vegetation less than 0.25 ha in area and not within 20m of the site, or each other.
d) Strips of vegetation less than 20m in width (measured perpendicular to the elevation exposed to the strip of vegetation) regardless of length and not within 20m of the site or each other, or other areas of vegetation being classified.
e) Non-vegetated areas, including waterways, roads, footpaths, buildings and rocky outcrops.
f) Low threat vegetation, including grassland managed in a minimal fuel condition, maintained lawns, golf courses, maintained public reserves and parklands, vineyards, orchards, cultivated gardens, commercial nurseries, nature strips and windbreaks.

NOTE: Minimal fuel condition means there is insufficient fuel available to significantly increase the severity of the bushfire attack (recognizable as short-cropped grass for example, to a nominal height of 100mm).

The BAL level will also be classified as BAL-LOW if Grassland fuel is <50m from the site for any effective slope per Table 2.6 of AS3959-2018.

BAL ratings are as stated below:

BAL LOW	BAL 12.5	BAL 19	BAL 29	BAL 40	BAL FZ
There is insufficient risk to warrant any specific construction requirements, but there is still some risk	Ember attack and radiant heat below 12.5 kW/m²	Increasing ember attack and windborne debris, radiant heat between 12.5 kW/m² and 19 kW/m2	Increasing ember attack and windborne debris, radiant heat between 19kW/m² and 29 kW/m2	Increasing ember attack and windborne debris, radiant heat between 29 kW/m² and 40 kW/m². Exposure to flames from fire front likely	Direct Exposure to flames, radiant heat and embers from the fire front

5 BUSHFIRE PROTECTION MEASURES

5.1 Hazard Management Areas (HMA)

Hazard Management Area is *"the area between a habitable building or building area and bushfire-prone vegetation, which provides access to a fire front for fire fighting, which is maintained in a minimal fuel condition and in which there are no other hazards present which will significantly contribute to the spread of bushfire."* (Tasmania Planning Commission, 2017).

Compliance:

Building areas of all lots require a Hazard Management Area to be established and maintained between the bushfire vegetation and the area at distance equal to, or greater than specified for the BAL table 2.6 of AS3959-2018.

At present the existing dwelling on all lot 1 has separation distances compliant with a BAL-19 rating. Lot 1 can also achieve a BAL rating of BAL-12.5 with some requisite fuel removal to the south and west aspects. Lot 2 does not have separation distances compliant with a BAL-19 rating. All aspects need to be able to reach a BAL-19 rating to be compliant with E1.6.1 A1 (b). All aspects are currently BAL-FZ for lot 2's building area. A BAL-19 HMA for lot 2 can be achieved with some on-site vegetation clearing to reach the required separation distances specified in the BAL table 2.6 of AS3959-2018. Requisite fuel removal that needs to occur for the balance to establish their HMA's must happen prior to sealing of titles.

The land directly surrounding the existing dwelling on lot 1 needs to be kept in a minimal fuel condition as it is presently and needs to continue to do so in perpetual.

The minimum separation distances for each lot are as stated below. Due to existing land use within lot 1 minimum separation distances may already be achieved.

LOT 1 – Separation Distances (Existing Dwelling)				
Aspect	North	East	South	West
BAL-19	10m	10m	13m	10m
BAL-12.5	14m	14m	19m	14m

LOT 2 – Separation Distances (Vacant)				
Aspect	North	East	South	West
BAL-19	10m	10m	13m	10m
BAL-12.5	14m	14m	19m	14m

The Tasmanian Fire Service provides the following advice regarding the implementation and maintenance of Hazard management areas:

- Removing of fallen limbs, sticks, leaf and bark litter
- Maintaining grass at less than a 100mm height
- Removing pine bark and other flammable mulch (especially from against buildings)
- Thinning out understory vegetation to provide horizontal separation between fuels
- Pruning low-hanging tree branches (<2m from the ground) to provide vertical separation between fuel layers
- Pruning larger trees to maintain horizontal separation between canopies
- Minimize the storage of flammable materials such as firewood
- Maintaining vegetation clearance around vehicular access and water supply points
- Use of low-flammability species for landscaping purposes where appropriate
- Clearing out any accumulated leaf and other debris from roof gutters.

Additional site-specific fuel reduction or management may be required. An effective hazard management area does not require removal of all vegetation. Rather, vegetation must be designed and maintained in a way that limits opportunity for vertical and horizontal fire spread in the vicinity of the building being protected. Retaining some established trees can even be beneficial in terms of protecting the building from wind and ember attack

5.2 Public and Fire Fighting Access

Public Access

The proposed subdivision fronts Sunnyview Place, via Honeywood Drive. Sunnyview Place is a sealed bitumen road which terminates with a cul-de-sac and is maintained by the Brighton Council. Sunnyview Place has a typical carriageway width of 5m.

No upgrades required to Sunnyview Place.

Property Access

Current Conditions:

The existing access off Sunnyview Place is an all-weather gravel driveway. The initial strip of this access is within 3 ROW's benefitting lots 3, 4 and 5 on the current title for a length of 60m. The remainder of the initial access strip is to be shared with a ROW to benefit proposed lot 2. This portion is approx. 66m. The remainder of the existing assess belong solely to lot 1 with an approx. length of 90m to the parking area. The approx. total length of the existing access is 216m with a typical width of 3m-4m. There is adequate room for a hammerhead "Y" turning area for lot 1.

There is no current access for lot 2 off the existing access.

Figure 5 Site entrance off Sunnyview Pl (ROW's) (photo taken just off the end of the cul-de-sac)

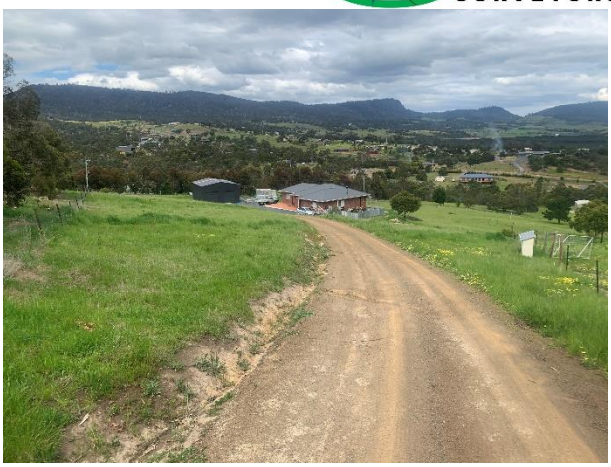


Figure 6 Lot 1's solely owned access

Compliance:

Lot 1

Access to the building area for lot 1 is greater than 200m and therefore must comply with the relevant standards described in table 3 below. As the initial part of the access is servicing 3 or more properties, passing bays of 2m additional carriageway width and 20m length must be provided every 100m. The passing bays must be developed prior to certificate of title being issued.

Lot 2

Access to the building area for lot 2 is greater than 200m and therefore must comply with the relevant standards described in table 3 below. As the initial part of the access is servicing 3 or more properties, passing bays of 2m additional carriageway width and 20m length must be provided every 100m. The passing bays must be developed prior to certificate of title being issued.

The required clearances for the access' need to be maintained.

Table 2

Access Standards: (access length than 200m) As per E.1.6.2 and Table E2 (C) of PD5.1 a) All-weather construction; b) Load capacity of at least 20 t, including bridges and culverts; c) Minimum carriageway width of 4m; d) Minimum vertical clearance of 4m; e) Minimum horizontal clearance of 0.5m from the edge of the carriageway; f) Cross falls less than 3 degrees (1:20 or 5%) g) Dips less than 7 degrees (1:8 or 12.5%); h) Curves with a minimum inner radius of 10m; i) Maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed road; and j) Terminate with a turning area for fire appliances provided by one of the following i. A turning circle with a minimum outer radius of 10m; or ii. A property access encircling the building; or iii. A hammerhead 'T' or 'y' turning head 4m wide and 8m long. Access is provided to 3 or more properties then passing bays of 2m additional carriageway width and 20m length provided every 100m.

5.3 Water Supply for Fire Fighting

Current Conditions:

The building areas are serviced by reticulated water. However, the closest existing fire hydrant is to the north of the site in the cul-de-sac of Sunnyview Place. This hydrant exceeds the maximum hose lay length (120m) of a fire appliance. Distance from the hydrant to the furthest part of the existing dwelling on lot 1 is approx. 250m. The distance from the hydrant to the rear of the proposed building area on the balance is approx. 270m.

Note: the above mentioned fire hydrant is not currently shown on *The LIST Map*.

Compliance:

All lots must be provided with a firefighting water supply that meet the requirements for Acceptable Solution A2 of section E:1.6.3 of PD5.1. Firefighting water supply requirements must be provided prior to occupancy of future dwellings or in the case of existing buildings before the issue of titles. Static water supply requirements are as below in table 4.

Table 4 – Requirements for Static Water Supply E1.6.3 A2 E5

A. Distance between building area to be protected and water supply
   a) the building area to be protected must be located within 90m of the fire fighting water point of a static water supply; and
   b) the distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area

B. Static Water supplies
   a) may have a remotely located offtake connected to the static water supply;
   b) may be a supply for combined use (fire fighting and other uses) but the specified minimum quantity of fire fighting water must be available at all times;
   c) must be a minimum of 10,000L per building area to be protected. This volume of water must not be used for any other purpose including fire fighting sprinkler or spray systems;
   d) must be metal, concrete or lagged by non-combustible materials if above ground; and
   e) if a tank can be located so it is shielded in all directions in compliance with section 3.5 of Australian Standard AS 3959-2009 Construction of buildings in bushfire-prone areas, the tank may be constructed of any material provided that the lowest 400mm of the tank exterior is protected by:
      (i) metal;
      (ii) non-combustible material; or
      (iii) fibre-cement a minimum of 6mm thickness.

C. Fittings, pipework and accessories (including stands and tank supports)
   Fittings and pipework associated with a fire fighting water 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) if buried, have a minimum depth of 300mm [S1];
   (e) provide a DIN or NEN standard forged Storz 65mm 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 220mm length);
   (h) ensure underground tanks have either an opening at the top of not less than 250mm diameter or a coupling compliant with this Table; and
   (i) if a remote offtake is installed, ensure the offtake is in a position that is:
      (i) visible;
      (ii) accessible to allow connection by fire fighting equipment;
      (iii) at a working height of 450 – 600mm above ground level; and
      (iv) protected from possible damage, including damage by vehicles.

D. Signage for static water connections
   The fire fighting water point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must:

a) comply with water tank signage requirements within Australian Standard AS 2304-2011 Water storage tanks for fire protection systems; or
b) comply with the Tasmania Fire Service Water Supply Guideline published by the Tasmania Fire Service.

E. Hardstand

A hardstand area for fire appliances must be:

a) no more than 3m from the fire fighting water point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like);
b) no closer than 6m from the building area to be protected;
c) a minimum width of 3m constructed to the same standard as the carriageway; and
d) connected to the property access by a carriageway equivalent to the standard of the property access.

Figure 7 Existing fire hydrant (not shown on *The LIST Map*)

5.4 Construction Standards

All future habitable buildings within the specified building areas or additions to existing dwellings on each lot must be designed and constructed to the minimum BAL ratings specified in the Bushfire Hazard Management Plan (Appendix C) and to BAL construction standards in accordance with AS3959-2018 or subsequent edition as applicable at the time of building approval.

The BAL-12.5 and BAL-19 building setback lines on the BHMP defines the minimum setbacks for habitable buildings.

Future class10a buildings within 6m of a Class 1a must be constructed to the same BAL as the dwelling.

6 STATUTORY COMPLIANCE

The applicable bushfire requirements are specified in Planning Directive 5.1 – Bushfire-Prone Areas Code.

Clause	Compliance
E1.4 Use or development exempt from this code	N/A
E1.5 Use Standards	
E1.5.1 Vulnerable Uses	N/A
E1.5.2 Hazardous Uses	N/A
E1.5 Development Standards for Subdivision	
E1.6.1 Provision of Hazard Management Areas.	To comply with the Acceptable Solution A1, the proposed plan of subdivision must; • Show building areas for each lot; and • Show hazard management areas between these building areas and that of the bushfire vegetation with the separation distances required for BAL 19 in Table 2.6 of *Australian Standard AS 3959 – 2018 Construction of buildings in bushfire-prone areas.* The proposed BHMP indicates that the proposed buildings area on lot 1 can accommodate a BAL rating of BAL-12.5. The proposed building area on the balance can achieve a BAL-19 rating with some on-site vegetation clearing to reach the required separation distances specified in the BAL table 2.6 of AS3959-2018. Vegetation clearing for the balance to reach BAL-12.5 and BAL-19 must be done prior to sealing of titles. Subject to the compliance with the BHMP the proposal satisfy the Acceptable Solution.
E1.6.2 Public and firefighting access; A1	Access length to the existing dwelling is greater than 200m. and therefore must meet the requirements outlined in section 5.2 of the report. Access length to the building area lot2 is greater than 200m and therefore must meet the requirements outlined in section 5.2 of the report. Subject to the compliance with the BHMP the proposal satisfies the Acceptable Solution.
E1.6.3 A1- b) Provision of water supply for firefighting purposes.	Both lots must comply with static water supply requirements (as outlined in section 5.3). Subject to the implementation of static water supply requirements outlined in Section 5.3 & BHMP being implemented, the proposal complies with the clause

7 CONCLUSION & RECOMMENDATIONS

The proposed subdivision is endorsed that each lot can meet the requirements of PD5.1, E1.0 Bushfire-prone Areas Code for a maximum BAL rating of BAL-12.5 for lot 1 and BAL-19 for lot 2. Providing compliance with measures outlined in the BHMP (Appendix C) and sections 5 & 6 of this report.

Recommendations:

- The HMA's within the subdivision be applied in accordance with section 5.1 of this report and the BHMP (Appendix C) prior to the issue of titles.
- Requisite fuel removal for lot 2 in order to establish the BAL-19 HMA must be done prior to the issue of titles.
- Brighton Council condition the planning approval on the compliance with the BHMP (Appendix C).
- Static water supply, hardstand and turning head area for lot 1 needs to be installed prior to sealing of titles.

8 REFERENCES

Department of Primary Industries and Water, The LIST, viewed OCT/NOV 2020, www.thelist.tas.gov.au

Standards Australia, 2018, *AS 3959-2018 – Construction of buildings in bushfire-prone areas*, Standards Australia, Sydney.

Tasmanian Planning Commission, 2015, *Sorell Interim Planning Scheme 2015,* viewed OCT/NOV 2020, www.iplan.tas.gov.au

Building Act 2016. The State of Tasmania Department of Premier and Cabinet. https://www.legislation.tas.gov.au/view/html/inforce/current/act-2016-025

Building Regulations 2016. The State of Tasmania Department of Premier and Cabinet. https://www.legislation.tas.gov.au/view/html/inforce/current/sr-2016-110

9 APPENDIX A – SITE PHOTOS

Figure 8 Grassland fuel to the north of the existing dwelling and managed land (existing dwelling) in the background

Figure 9 Grassland (foreground) & woodland (background) to the east

Figure 10 Grassland fuel to the south

Figure 11 Grassland fuel to the west

Figure 12 View of proposed building area on lot 2 (looking S, SW)

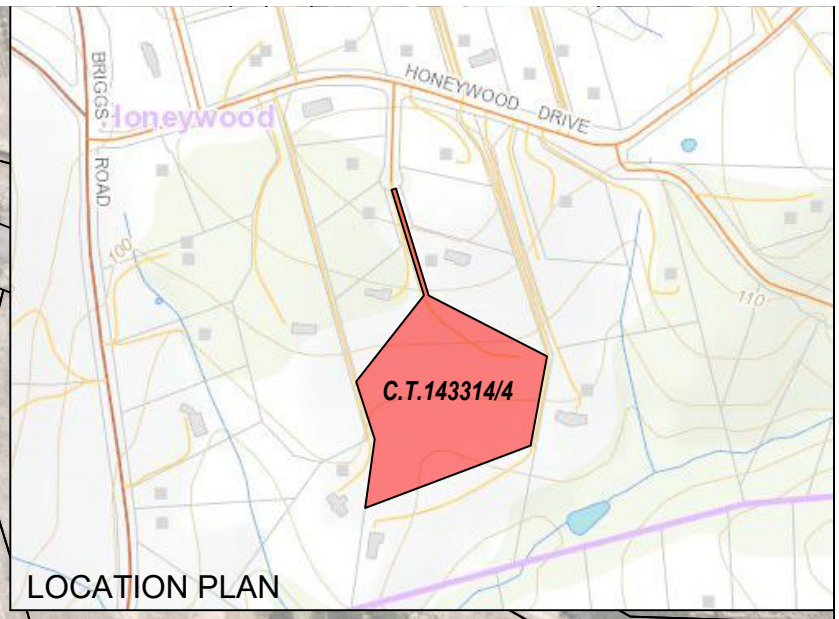
Figure 13 Existing house, managed land & "Y" hammerhead on lot 1

Figure 14 View of proposed lot 2 (looking S, SW)

Figure 15 Broader view of lot 1 (looking SE)

10 APPENDIX B – SUBDIVISION PROPOSAL PLAN

ROGERSON & BIRCH SURVEYORS
UNIT 1, 2 KENNEDY DRIVE
CAMBRIDGE 7170
PHONE: (03)6248 5898
EMAIL: admin@rbsurveyors.com
WEB: www.rbsurveyors.com



LOCATION PLAN

SUNNYVIEW PLACE
6.05
EXISTING R.O.W (PRIVATE) 6.00m WIDE
PROPOSED R.O.W (PRIVATE) 6.00m WIDE
DRAINAGE EASEMENT 2.00m WIDE
118.80
119.59
142.49
113.08
189.81
68.33
70.51
114.75
98.46
74.07
EXISTING HOUSE
EXISTING SHED
30X30 MIN BUILDING AREA
30X30 MIN BUILDING AREA
20m BOUNDARY OFFSET
20m BOUNDARY OFFSET
2
1.501ha
1
1.501ha

Development Standards for Subdivision
13.5.1 Rural Living - Area B
A1-Lot areas comply with A1.
A2-Does not comply-is subject to code 117. Does comply with P2.
A3-Exception. Lot 2 is an internal Lot.
A4-Does not comply. Does comply with P4.
A5-Complies.

Potential Dispersive Soils - Code 117.DIS

This plan has been prepared only for the purpose of obtaining preliminary subdivsional approval from the local authority and is subject to that approval.

All measurements and areas are subject to the final survey.

REV	AMENDMENTS	DRAWN	DATE	APPR.
E				
D				
C				
B				
A	Proposed boundary changed, detail survey contours added	MF	17-11-20	MF

OWNER: GREGORY KEVIN EASTERMAN
TITLE REFERENCE: C.T.143314/4
LOCATION: 5 SUNNYVIEW PLACE
HONEYWOOD

Proposed Subdivision

Date:	Reference:
6-8-2020	EASGR01 11289-01
Scale:	**Municipality:**
1:1250 (A3)	BRIGHTON

11 APPENDIX C – BUSHFIRE HAZARD MANAGEMENT PLAN

Tom O'Connor
Planning & Assessment Officer
On behalf of Chief Officer,
Tasmania Fire Service
20/11/2020

SUNNYVIEW PLACE

72

A PASSING BAY REQUIRES AN ADDITIONAL 2m OF WIDTH IN CARRIAGEWAY FOR A LENGTH OF 20m EVERY 100m WHEN THERE IS 3 OR MORE PROPERTIES RELYING ON THE ACCESS. INDICATIVE PASSING BAY SHOWN.

PROPOSED R.O.W (PRIVATE) 6.00m WIDE

DRAINAGE EASEMENT 2.00m WIDE

NEW INDICATIVE PASSING BAYS. BOTH LOTS REQUIRE A PASSING BAY EVERY 200m. A PASSING BAY REQUIRES AN ADDITIONAL 2m OF WIDTH IN CARRIAGE WAY FOR A LENGTH OF 20m.

NEW INDICATIVE ACCESS FOR THE BALANCE LOT, MINIMUM 4m CARRIAGEWAY WITH MINIMUM 0.5m HORIZONTAL CLEARANCE FROM THE EDGE OF CARRIAGE WAY.

ACCESS LENGTH >30m AND THEREFORE MUST PROVIDE TURNING FOR FIRE APPLIANCES. ADEQUATE AREA EXISTS, INDICATIVE 4m WIDE x 8m LONG "Y" TURNUNG HEAD SHOWN.

ACCESS LENGTH >30m AND THEREFORE MUST PROVIDE TURNING FOR FIRE APPLIANCES. ADEQUATE AREA EXISTS, FOR A 4m WIDE x 8m LONG "Y" TURNUNG HEAD.

INDICATIVE 30X30 MIN BUILDING AREA

BAL-19 SETBACK

BAL-12.5 SETBACK

EX. HOUSE BAL-12.5

SHED

20m BOUNDARY OFFSET

WOODLAND

MANAGED

GRASSLAND

1

2

10.00 14.00 19.00 13.00

W *INDICATE STATIC WATER SUPPLY TANK*

BUILDING AREA

HAZARD MANAGEMENT AREA

ROGERSON & BIRCH SURVEYORS
UNIT 1, 2 KENNEDY DRIVE
CAMBRIDGE 7170
PHONE: (03)6248 5898
EMAIL: admin@blcsurveyors.com.au
WEB: www.rbsurveyors.com

BUSHFIRE HAZARD MANAGEMENT PLAN

LOCATION:	5 Sunnyview Place, Honeywood 7017
TITLE REFERENCE:	C.T.143314/4
PROPERTY ID:	2595685
MUNICIPALITY:	Brighton
DATE:	4th November 2020 (v1)
SCALE: 1:1,500 @ A3	REFERENCE: EASGR01

REQUIREMENTS

1. HAZARD MANAGEMENT AREAS (HMA)
   - 1.1. HMA to be established to distances indicated on this plan and as set out in Section 5.1 of the Bushfire Hazard Report.
   - 1.2. Vegetation in the HMA needs to be strategically modified and then maintained in a low fuel state to protect future dwellings from direct flame contact and intense radiant heat. An annual inspection and maintenance of the HMA should be conducted prior to the bushfire season. All grasses or pastures must be kept short (<100 mm) within the HMA. Fine fuel loads at ground level such as leaves, litter and wood piles must be minimal to reduce the quantity of wind borne sparks and embers reaching buildings; and to halt or check direct flame attack.
   - 1.3. Some trees can be retained provided there is horizontal separation between the canopies; and low branches are removed to create vertical separation between the ground and the canopy. Small clumps of established trees and/or shrubs may act to trap embers and reduce wind speeds.
   - 1.4. No trees to overhang houses to prevent branches or leaves from falling on the building.
   - 1.5. Non-combustible elements including driveways, paths and short cropped lawns are recommended within the BHMA.
   - 1.6. Fine fuels (leaves bark, twigs) should be removed from the ground periodically (per-fire season) and all grasses or pastures must be kept short (<100 mm).
2. CONSTRUCTION STANDARDS
   - 2.1. Future dwellings or additions to existing dwellings within the specified building areas to be designed and constructed to BAL ratings shown on this plan in accordance with AS3959-2018 at the time of building approval
   - 2.2. Future outbuildigs within 6m of a class 1a dwelling must be constructed to the same BAL as the dwelling
   - 2.3. Siting of building outside the specified building areas will require further assessment.
3. PUBLIC AND FIRE-FIGHTING ACCESS REQUIREMENTS
   - 3.1. Access to all lots must comply with the design and construction requirements specifed in Section 5.2 of the Bush Fire Report.
4. STATIC FIRE-FIGHTING WATER SUPPLY

4.1 New habitable dwellings and existing dwellings must be supplied with a static water supply that is;
- Dedicated soley for fire fighting purposes;
- Minimum capacity of 10,000L;
- is accessible by fire fighting vehicles and within 3.0m of a hardstand area; and
- Consistant with the specifications outlined in section 5.3 if the Bushfire Report.

This plan is to be read in conjunction with the preceding *Bushfire Hazard Report "Proposed 2 Lot Subdivision 5 Sunnyview Place, Honeywood TAS 7017 dated 30/10/2020.*

BHMP BY JAMES ROGERSON
PROVISIONALLY ACCREDITED BUSHFIRE PRACTITIONER
(BFP-P), SCOPE: 1, 2, 3A, 3B

12 APPENDIX D – PLANNING CERTIFICATE

BUSHFIRE-PRONE AREAS CODE

CERTIFICATE[1] UNDER S51(2)(d) *LAND USE PLANNING AND APPROVALS ACT 1993*

1. Land to which certificate applies

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

Street address:	**5 Sunnyview Place, Honeywood TAS 7017**
Certificate of Title / PID:	**C.T. 143314/4 PID:2595685**

2. Proposed Use or Development

Description of proposed Use and Development:	**SUBDIVISION OF C.T.143314 INTO 2 RESULTANT TITLES**
Applicable Planning Scheme:	**Brighton Interim Planning Scheme, 2015**

3. Documents relied upon

This certificate relates to the following documents:

Title	Author	Date	Version
SUBDIVISION PROPOSAL PLAN	ROGERSON & BIRCH SURVEYORS	17/11/2020	11289-01
BUSHFIRE HAZARD REPORT – 5 SUNNYVIEW PLACE, HONEYWOOD	JAMES ROGERSON – ROGERSON & BIRCH SURVEYORS	30/10/2020	01
BUSHFIRE HAZARD MANGAEMENT PLAN– 5 SUNNYVIEW PLACE, HONEYWOOD	JAMES ROGERSON – ROGERSON & BIRCH SURVEYORS	04/11/2020	01

[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:

☐	**E1.4 / C13.4 – Use or development exempt from this Code**	
	Compliance test	**Compliance Requirement**
☐	E1.4(a) / C13.4.1(a)	

☐	**E1.5.1 / C13.5.1 – Vulnerable Uses**	
	Acceptable Solution	**Compliance Requirement**
☐	E1.5.1 P1 / C13.5.1 P1	***Planning authority discretion required. A proposal cannot be certified as compliant with P1.***
☐	E1.5.1 A2 / C13.5.1 A2	
☐	E1.5.1 A3 / C13.5.1 A2	

☐	**E1.5.2 / C13.5.2 – Hazardous Uses**	
	Acceptable Solution	**Compliance Requirement**
☐	E1.5.2 P1 / C13.5.2 P1	***Planning authority discretion required. A proposal cannot be certified as compliant with P1.***
☐	E1.5.2 A2 / C13.5.2 A2	
☐	E1.5.2 A3 / C13.5.2 A3	

☐	**E1.6.1 / C13.6.1 Subdivision: Provision of hazard management areas**	
	Acceptable Solution	**Compliance Requirement**
☐	E1.6.1 P1 / C13.6.1 P1	***Planning authority discretion required. A proposal cannot be certified as compliant with P1.***
☐	E1.6.1 A1 (a) / C13.6.1 A1(a)	
☒	E1.6.1 A1 (b) / C13.6.1 A1(b)	Provides BAL-19 for all lots (including any lot designated as 'balance')
☐	E1.6.1 A1(c) / C13.6.1 A1(c)	

☐	**E1.6.2 / C13.6.2 Subdivision: Public and fire fighting access**	
	Acceptable Solution	**Compliance Requirement**
☐	E1.6.2 P1 / C13.6.2 P1	
☐	E1.6.2 A1 (a) / C13.6.2 A1 (a)	
☒	E1.6.2 A1 (b) / C13.6.2 A1 (b)	Access complies with relevant Tables

☐	**E1.6.3 / C13.1.6.3 Subdivision: Provision of water supply for fire fighting purposes**	
	Acceptable Solution	**Compliance Requirement**
☐	E1.6.3 A1 (a) / C13.6.3 A1 (a)	
☐	E1.6.3 A1 (b) / C13.6.3 A1 (b)	
☐	E1.6.3 A1 (c) / C13.6.3 A1 (c)	
☐	E1.6.3 A2 (a) / C13.6.3 A2 (a)	
☒	E1.6.3 A2 (b) / C13.6.3 A2 (b)	Static water supply complies with relevant Table
☐	E1.6.3 A2 (c) / C13.6.3 A2 (c)	

5. Bushfire Hazard Practitioner

Name:	JAMES ROGERSON	**Phone No:**	0488372283
Postal Address:	UNIT 1-2 KENNEDY DRIVE, CAMBRIDGE PARK	**Email Address:**	JAMES@RBSURVEYORS.COM
Accreditation No:	BFP – P	**Scope:**	1, 2, 3A, 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: JAMES ROGERSON **Date:** 20/11/2020

Certificate Number:

(for Practitioner Use only)

20/11/2020

Tom O'Connor
Planning & Assessment Officer
On behalf of Chief Officer,
Tasmania Fire Service

20 Jan 2021

Patrick Carroll, Senior Planner

Brighton council

1 Tivoli Road, Old beach TAS 7017

Dear Patrick

Application for subdivision Permit- SA 2020/00029, 5 Sunnyview place Honeywood

Please refer to the following with regards to one 'request for additional information' (RFI) letters from Brighton council received on the 15th of December.

The required additional information is addressed in sequence below

1. Confines of the access strip

The driveway, passing bay, services and drainage can be provided within the confines of the access strip for reasons below

a. The owners of the neighbouring property at 6 Sunnyview place have given their consent to a passing bay of 20m by 2m to be constructed on their property on the existing right of way area and before the 6m wide access strip. A completed planning application form and certificate of title is attached to this email.
b. As the passing bay will not be constructed within the 6m wide access strip there will be no issue with constructing a 4m wide drive allowing 500mm clearance to either fence and allowing 500mm for drainage. Services will be run below the driveway.

2. Dispersive soils management report

A Dispersive soils management plan to address the following requirements has been prepared and can be found attached to this email.

a. The dispersive potential of soils in the vicinity of the proposed development
b. The potential for the development to cause or contribute to gully or tunnel erosion
c. An analysis of the level of risk to the development and the level of risk to users of the development
d. Proposed management measures to reduce risk to an acceptable level where necessary

I trust this satisfies council further request however if further information is required with respect to this request please contact me on 0434496792.

Yours faithfully

Greg Easterman

DISPERSIVE SOIL ASSESSMENT

5 Sunnyview Place

Honeywood

January 2021

GES

GEO-ENVIRONMENTAL

SOLUTIONS

Introduction

Client: Greg Eastman
Date of inspection: 15/01/21
Location: 5 Sunnyview Place, Honeywood
Land description: Approx 2.99 ha
Building type: Proposed two-lot subdivision
Investigation: Hand Auger
Inspected by: G McDonald

Background information

Map: Mineral Resources Tasmania 1:25 000 Richmond Sheet 5226
Rock type: Triassic interbedded sedimentary rocks.
Soil depth: Approx. 1.20m.
Planning overlays: Potential Dispersive Soils.
Local meteorology: Annual rainfall approx. 520 mm.
Local services: Mains water with on-site wastewater disposal required.

Site conditions

Slope and aspect: Moderate slope approx. 10-12° to the south.
Site drainage: Moderate fall to the south.
Vegetation: Mixed pasture and native flora.
Weather conditions: Cloudy approx. 11.4 mm rainfall received in preceding 7 days.
Ground surface: Moist surface conditions.

Investigation

A number of auger holes were completed to identify the distribution of, and variation in soil materials on the site. Representative auger holes were drilled on site at the proposed two lot sub-division location and chosen for testing and classification according to AS2870-2011 AS1298.3.8.1-2017.

Profile Summary

Profile Depth (m)	Horizon	Description
0.00 – 0.20	A1	Greyish Brown **SILTY SAND (SM),** slightly moist, medium dense consistency, disturbed appearance gradual boundary to
0.20 – 1.00	B2	Pale Yellowish Brown and Grey **SILTY CLAY (CI) with minor sand,** sub-angular blocky structure, slightly moist very stiff consistency, medium plasticity, gradual boundary to
1.00 – 1.20	C	**MUDSTONE**, Extremely weathered, recovered as Grey and Yellowish Brown **Silty GRAVEL**: low strength, refusal on bedrock.

Soil profile notes

The soils on site are developing on Triassic-aged sedimentary bedrocks and feature weak sandy surface horizons overlying silty clay.

Dispersive Soil Assessment

The dispersive soil assessment of the property takes into account the proposed construction area.

Potential for dispersive soils

The site has been identified as an area subject to a tunnel erosion hazard according to *'Dispersive Soils and Their Management: Technical Reference Manual´*. This is due to the soils present on site that developed from Triassic sediments that contain considerable fine sand/silt content and medium plasticity clays. Triassic sediments in the local area known to produce soils with an excess of sodium on the soil exchange complex, which can cause soil dispersion. Under some circumstances the presence of dispersive soils can also lead to significant erosion, and in particular tunnel erosion.

Based upon field survey of the property, extensive visible tunnel or gully erosion was identified. A soil sampling program was undertaken to identify the presence of dispersive soils in the proposed development areas.

Soil sampling and testing

Two samples were taken at the site for assessment of dispersion. An Emerson (1968) Dispersion test was conducted to determine if these samples were dispersive.

The soil was found to be moderately dispersive Class 2(2) – <50% of the aggregate affected. All construction on site should refer to the DPIWE management of dispersive soils publication.

All construction on site should refer to the DPIWE management of dispersive soils publication. It is recommended that construction be planned and executed in accordance with recommendations for dispersive soils. In particular, it is recommended that the dispersive soils not to be utilised as structural fill in the proposed construction areas unless adequately treated and compacted. Careful water management is also required to ensure water does not pond on the soil surface and excess water is excluded from bare exposed soil soils as well as the natural drainage depression.

Based upon the test results there is a moderate risk of soil dispersion and erosion on the site, and as such a number of specific recommendations have been made in the following sections.

Management Recommendations

A number of site and soil management measures are recommended for development on the site.

All proposed earthworks and excavations at the site must be managed by:

- Applying a geofrabric, jute mesh or similar material to the exposed batters of any cutting on site and revegetating the slope;
- Applying a surface layer of at least 50mm of suitable crushed rock/gravel to driveway surfaces (and any proposed house pad), with adequate compaction to ensure a relatively impervious surface to maintain site surface stability; and
- Vegetation on any fill batters must be established and maintained, if any bare area of soil on the batter develops then it must be top-dressed with suitable topsoil and additional vegetation planted.

- Use of any excavated material on site as structural fill must ensure adequate treatment and compaction:
    - All soil must be treated with gypsum at a rate of 1kg/m^2 and compacted in no more than 150mm thick layers;
    - The base and finished surface of the fill pad must also be treated with gypsum at the same rate; and
    - The compaction and treatment must be supervised and approved by a suitably qualified person.

The risk of erosion and tunnel erosion associated with construction must be minimised by:

- Any new water, power, or other service trenches within the property must ensure recommendations for dispersive soils are followed:
    - If buried the trench must be backfilled in layers of no more than 200mm with clay with 5% by weight gypsum added (the clay must be sufficiently moist to allow good compaction); and
    - The trench must be finished with at least 150mm depth of non-dispersive suitable topsoil and finished to a level at least 75mm above natural ground to allow for possible settlement.

- Vegetation cover must be maintained wherever possible on the property;

- Drainage of any site cut must not employ conventional rock drain construction, it must adhere to recommendations for dispersive soils (unless founded entirely in rock)

- All excavation works on site should be monitored for signs of soil dispersion and remedial action taken as required – in particular any excavated soil from the construction area is not recommended for reuse on site in landscaping unless it is appropriately treated with gypsum, compacted, and capped with topsoil

Conclusions

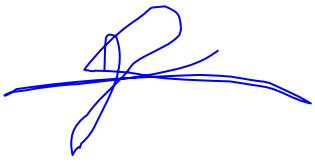
There is a moderate risk associated with dispersive soils and potential erosion on the site should the management recommendations not be followed.

All exposed soils on cut/fill batters must be covered with topsoil and seeded with well suited pasture species to avoid rainwater, runoff, surface water flows from intercepting exposed subsoils.

A number of site management recommendations have been made in this report and further information can also be found in the publication "Dispersive soils and their management – Technical manual" (DPIWE Tas 2009).

Provided all the recommendations in this management report are adhered to the development represents a low risk and it is concluded to be compliant with D13.4.3P4 and E21.7.1P1 of the Brighton interim planning scheme.

It is recommended that during construction that GES be notified of any major variation to the soil conditions as predicted in this report.



Dr John Paul Cumming B.Agr.Sc (hons) PhD CPSS GAICD
Environmental and Engineering Soil Scientist

Appendix 1– Soil test results

Laboratory Test Results

Sample Submitted By: G McDonald

Date Submitted: 15/1/21

Sample Identification: 2 samples – 5 Sunnyview Place, Honeywood

Soil to be tested: **Emerson soil dispersion test**

Result:

Sample	Texture	Emerson class	Description
Sample 1	**Clay**	**Class 2:2**	**<50% dispersion**
Sample 2	**Clay**	**Class 2:2**	**<50% dispersion**

Notes: The samples from the development area showed moderate dispersion affecting less than 50% of the aggregate.

Sample Tested by: J Cumming
15/1/21

Submission to Planning Authority Notice

Council Planning Permit No.	SA 2020 / 00029	Council notice date	27/08/2020
TasWater details			
TasWater Reference No.	TWDA 2020/01316-BTN	Date of response	10/12/2020
TasWater Contact	Phil Papps	Phone No.	0474 931 272
Response issued to			
Council name	BRIGHTON COUNCIL		
Contact details	development@brighton.tas.gov.au		
Development details			
Address	5 SUNNYVIEW PL, HONEYWOOD	Property ID (PID)	2595685
Description of development	Subdivision - 2 lots		

Schedule of drawings/documents

Prepared by	Drawing/document No.	Revision No.	Date of Issue
Rogerson & Birch	Plan of Subdivision / 11289-01	A	17/11/2020
JMG	Services Plan / C02	P1	06/11/2020

Conditions

Pursuant to the *Water and Sewerage Industry Act* 2008 (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:

CONNECTIONS, METERING & BACKFLOW

1. A suitably sized water supply with metered connections to each lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.
2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost.
3. Prior to use of the development, any water connection utilised for the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.

FINAL PLANS, EASEMENTS & ENDORSEMENTS

4. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater as evidence of compliance with these conditions when application for sealing is made.
   Advice: Council will refer the Final Plan of Survey to TasWater requesting Consent to Register a Legal Document be issued directly to them on behalf of the applicant.
5. The Plan of Survey must include a private service easement over the proposed private water pipe located on Lot 1, servicing Lot 2. The easement must benefit Lot 2 and burden Lot 1.

DEVELOPMENT ASSESSMENT FEES

6. The applicant or landowner as the case may be, must pay a development assessment fee of $211.63 and a Consent to Register a Legal Document fee of $149.20 to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater.

The payment is required within 30 days of the issue of an invoice by TasWater.

Advice

General

For information on TasWater development standards, please visit http://www.taswater.com.au/Development/Development-Standards

For application forms please visit http://www.taswater.com.au/Development/Forms

Service Locations

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

(a) A permit is required to work within TasWater's easements or in the vicinity of its infrastructure. Further information can be obtained from TasWater

(b) TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit www.taswater.com.au/Development/Service-location for a list of companies

(c) TasWater will locate residential water stop taps free of charge.

Declaration

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

Authorised by

Jason Taylor
Development Assessment Manager

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