

PLAN 1

DRAFT PLANNING SCHEME AMENDMENT & PLANNING APPLICATION
PLN-19-0151, 7-7A Wellington Street, Longford

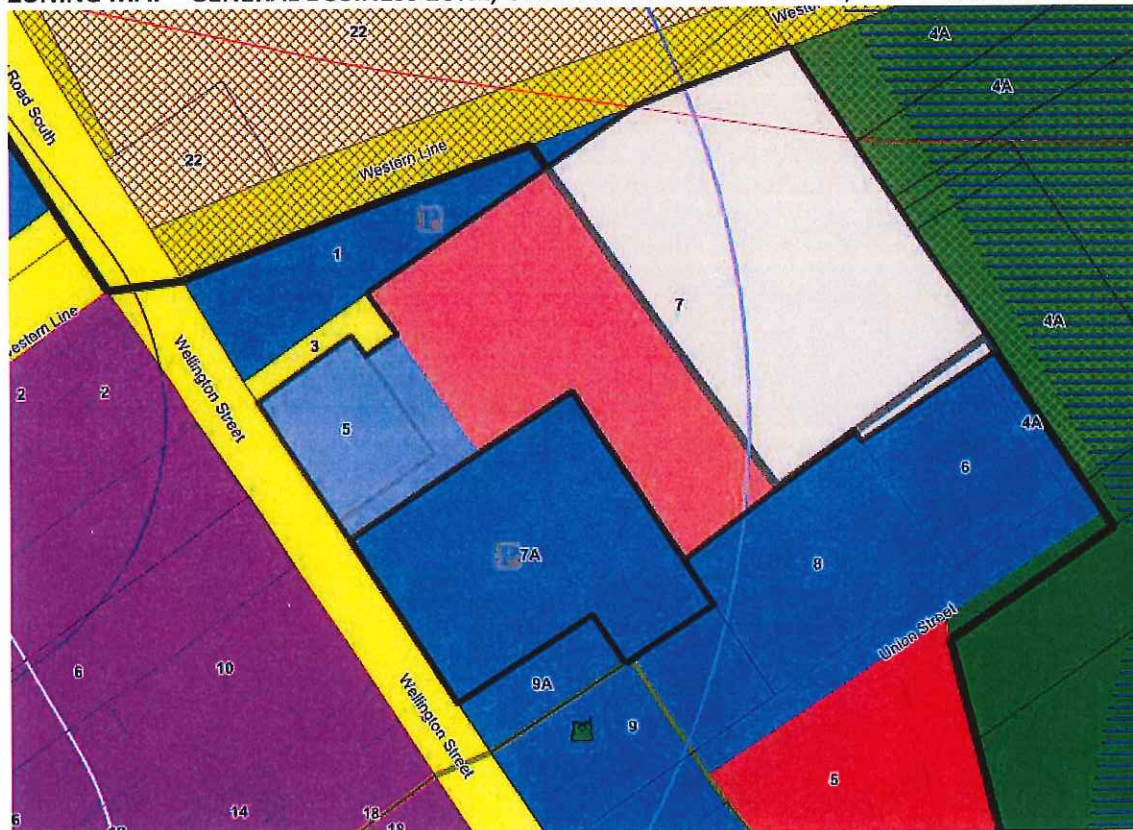
ATTACHMENTS:

- A Application & Plan of Subdivision
- B Responses from referral agencies

AERIAL PHOTOGRAPH & SERVICES MAP for 7-7A WELLINGTON STREET, LONGFORD



ZONING MAP - GENERAL BUSINESS ZONE, GENERAL RESIDENTIAL ZONE, RURAL RESOURCE ZONE



1-336
PLANNING APPLICATION
Proposal

Description of proposal: Section 43A Application as detailed in accompanying report by All Urban
Planning Pty Ltd , 9 July 2019
.....
.....
.....
.....
.....

(attach additional sheets if necessary)

If applying for a subdivision which creates a new road, please supply three proposed names for the road, in order of preference:

1..... 2..... 3.....

Site address: 7 & 7A Wellington Street
.....
.....

CT no: CT 56464/1 & CT155372/3

Estimated cost of project \$ 20,000
(include cost of landscaping, car parks etc for commercial/industrial uses)

Are there any existing buildings on this property? Yes / No
If yes – main building is used as

If variation to Planning Scheme provisions requested, justification to be provided:
See attached planning report
.....
.....
.....
.....
.....

(attach additional sheets if necessary)

Is any signage required? No
(if yes, provide details)

SEARCH OF TORRENS TITLE

VOLUME 56464	FOLIO 1
EDITION 11	DATE OF ISSUE 29-May-2018

SEARCH DATE : 03-Jul-2019

SEARCH TIME : 10.06 AM

DESCRIPTION OF LAND

Town of LONGFORD

Lot 1 on Strata Plan 56464 (formerly being STR3003) and a general unit entitlement operating for all purposes of the Strata Scheme being a 2 undivided 1/3 interest

Derived from Strata Plan 56464

Derivation : Part of 43A-2R-25Ps. Gtd. to J.W. Gleadow & Anor.

Prior CT 4675/19

SCHEDULE 1

M689310 TRANSFER to HILL STREET NORTH PROPERTY GROUP PTY LTD
Registered 29-May-2018 at 12.02 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

The registered proprietor holds the lot and unit entitlement

subject to any interest noted on common property

Folio of the Register volume 56464 folio 0

D3625 BENEFITING EASEMENT: a right of support easement over the land marked Support Easement 1.00 wide (HIFG) on Diagram 44678

D3625 BENEFITING EASEMENT: a pipeline easement and a right of carriageway over the land marked Right of Way 4.00 wide (HIJEFG) on Diagram 44678 Registered 10-Jan-2013 at 12.02 PM

D112028 BURDENING EASEMENT: a General Parking Easement (appurtenant to Lot 3 on Sealed Plan 155372) over the land marked Parking Easement on Strata Plan 56464 Registered 07-Jun-2016 at noon

D112028 BURDENING EASEMENT: a Loading Ramp Easement (appurtenant to Lot 3 on Sealed Plan 155372) over the land marked Loading Ramp Easement QTVSR on Strata Plan 56454

D122028 BURDENING EASEMENT: a Right of Carriageway and a Right of Drainage (appurtenant to Lot 3 on Sealed Plan 155372) over the land marked Right of Way & Drainage Easement 'A' (but excluding the area marked

- QTVSR) on Strata Plan 56454
- D122028 BURDENING EASEMENT: a Right of Carriageway and a Right of Drainage (appurtenant to Lot 3 on Sealed Plan 155372) over the land marked Right of Way and Drainage Easement 7.00 wide VW on Strata Plan 56454
- D122028 BURDENING EASEMENT: a Right of Drainage (appurtenant to Lot 3 on Sealed Plan 155372) over the land marked Drainage Easement XYZ Variable Width on Strata Plan 56454

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



Conveyancing and Law of Property Act 1884

STRATUM PLAN

No. 3003

Sheet 1 of 3 Sheets

City or Town Longford

REGISTERED NUMBER

Locality 7 Wellington Street

56464

Reference to Title C.T. 2131-81

Site comprises the whole portion of Lot 1 on Plan Diagram No. 26-17TH 4678 in the

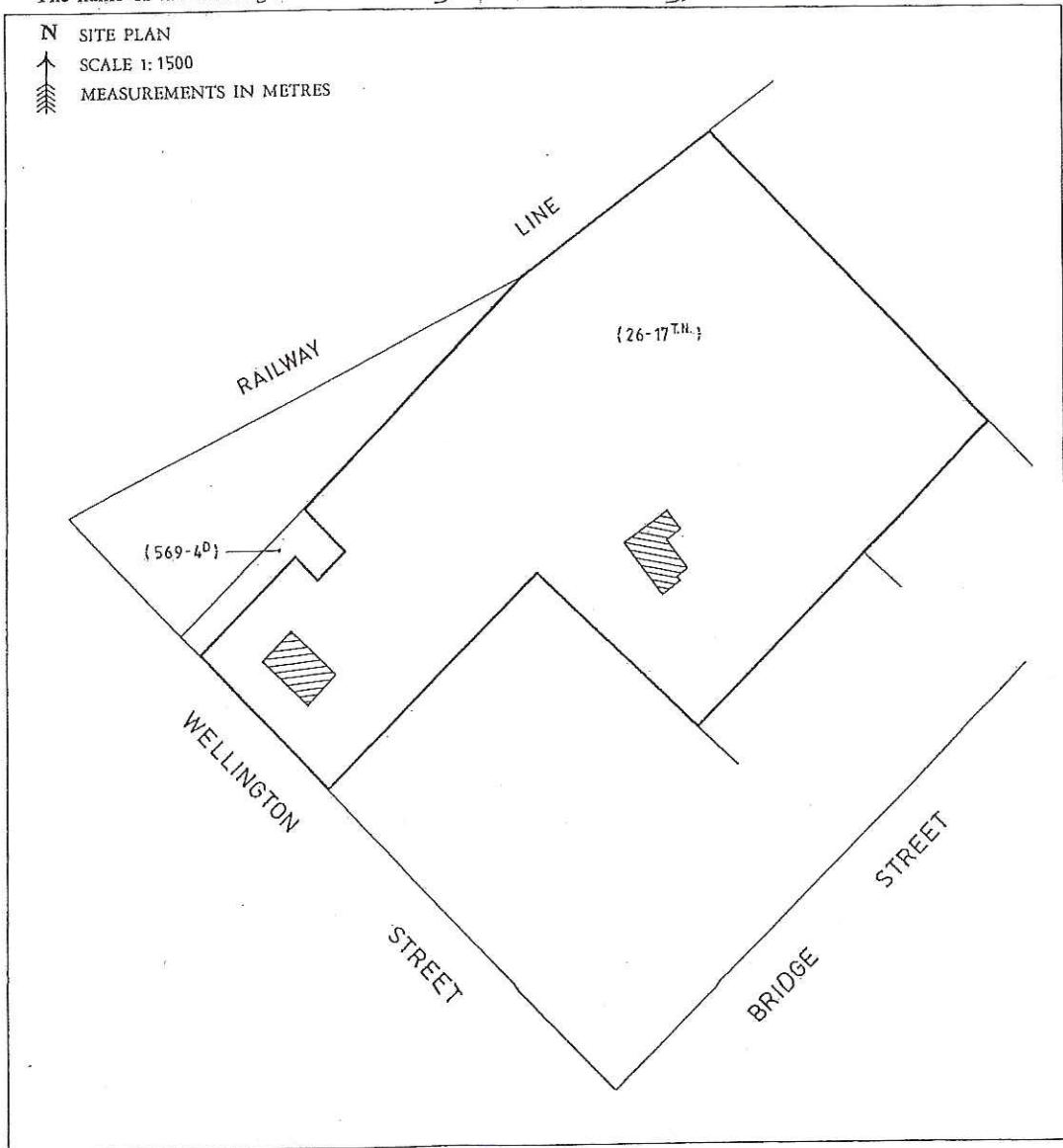
Lands Titles Office

The name of the building is 7 Wellington Street Longford

External surface boundaries of the site and the location of the building in relation thereto to be delineated in this space



- N SITE PLAN
- ↑ SCALE 1:1500
- ↑ MEASUREMENTS IN METRES



REGISTERED this 26th day of JUNE 1990, No. 3003

This plan is lodged for registration by ZEEMAN KABLE AND PAGE

[Signature]
Recorder of Titles

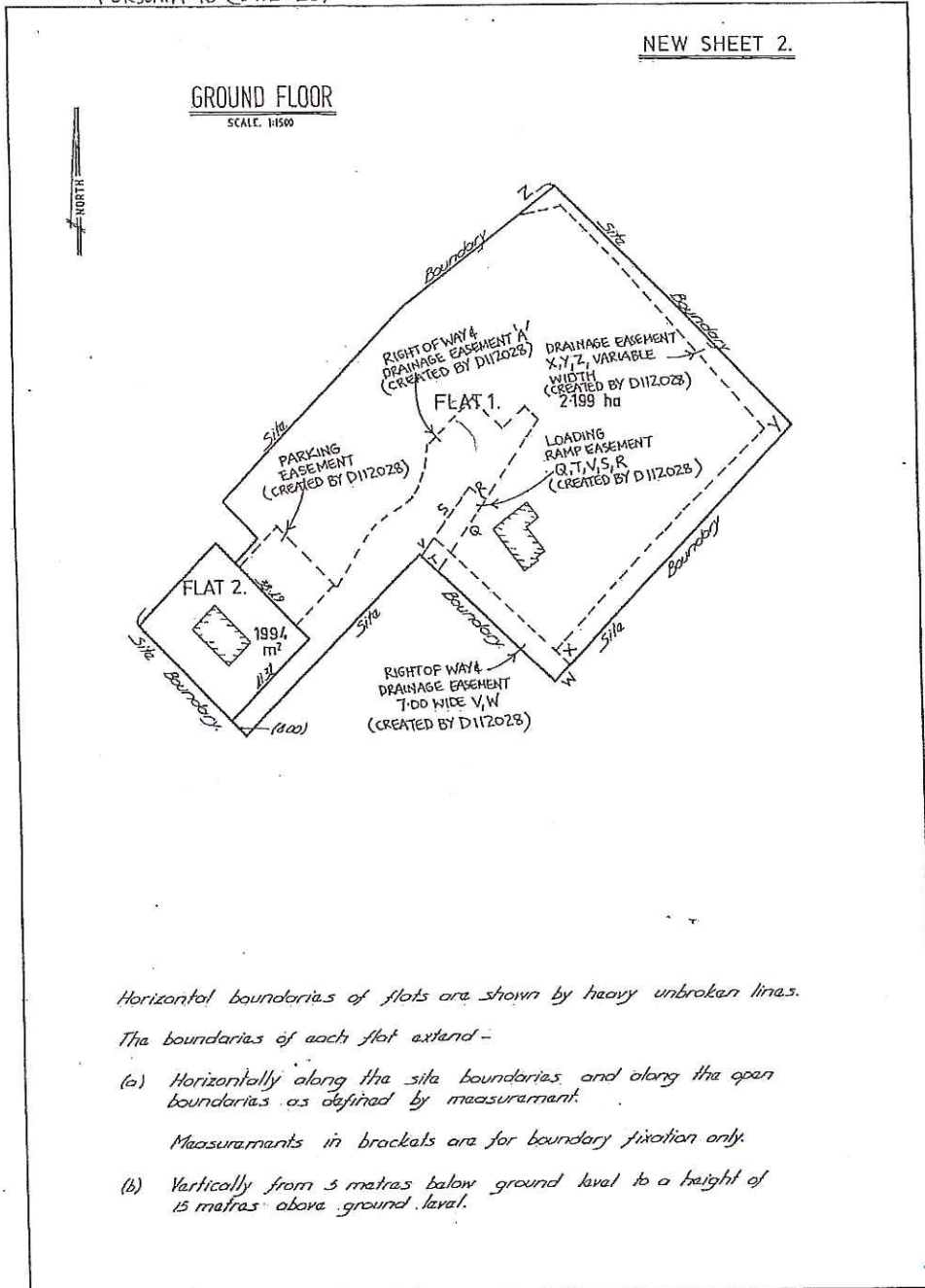
US-D 754

Sheet 2 of 3 Sheets

STRATUM PLAN

56464

[Signature] of 7 Wallington Street Longford
 Town-Clerk/Council Clerk (insert here name of the building)
 PURSUANT TO (D112028)

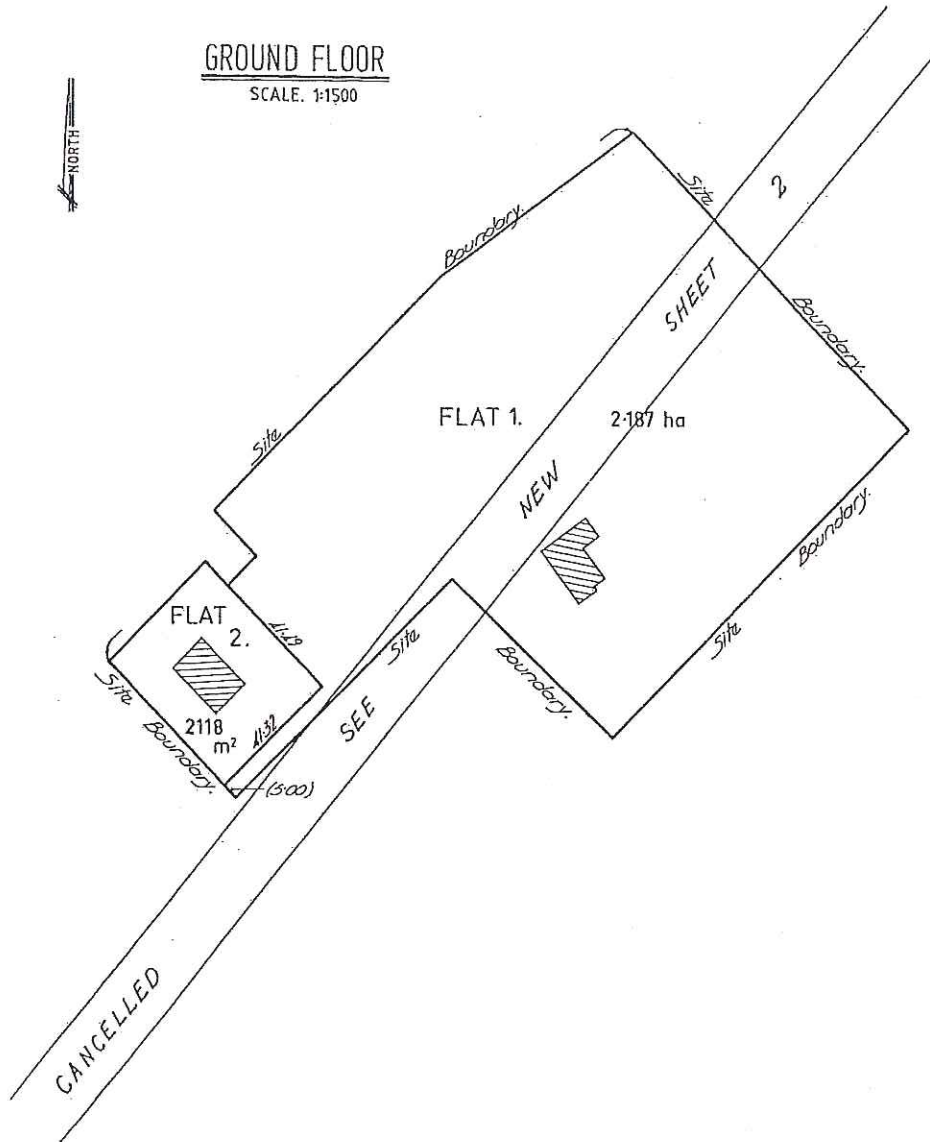


M. 3294

Sheet 2 of 3 Sheets

[Signature]
Town Clerk/Council Clerk

No. 3003



HORIZONTAL BOUNDARIES OF FLATS ARE SHOWN BY HEAVY UNBROKEN LINES.

THE BOUNDARIES OF EACH FLAT EXTEND -

(A) HORIZONTALLY ALONG THE SITE BOUNDARIES AND ALONG THE OPEN BOUNDARIES AS DEFINED BY MEASUREMENT.

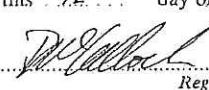
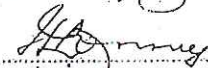
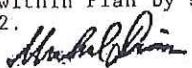
MEASUREMENTS IN BRACKETS ARE FOR BOUNDARY FIXATION ONLY.

(B) 5 METRES BELOW VERTICALLY FROM GROUND LEVEL TO A HEIGHT OF 15 METRES ABOVE GROUND LEVEL.

Sheet 3 of 3 Sheets

No. 3003

Town Clerk/Council Clerk

The address for service of notices on the company is:— 7 Wellington Street, Longford. 7301			<p style="text-align: center;"><u>SURVEYOR'S CERTIFICATE</u></p> I, <i>Dallas John McCulloch</i> of <i>Louisaston</i> a surveyor registered under the Land Surveyor's Act 1909, hereby certify that the building erected on the site described and delineated on sheet 1 of this plan is within the external boundaries of the title stated on sheet 1. Dated this <i>12th</i> day of <i>JUNE</i> 19 <i>90</i> .  Registered Surveyor	
<u>UNIT ENTITLEMENTS</u>				
Flat	Unit Entitlement	FOR OFFICE USE ONLY		
<i>1</i>	<i>2</i>	<i>4675</i>	<i>19</i>	
<i>2</i>	<i>1</i>	"	<i>20</i>	
TOTAL	<i>3.</i>			
<p style="text-align: center;"><u>COUNCIL CLERK'S CERTIFICATE</u></p> I certify that the subdivision shown in this plan has been approved by the <i>Longford Municipal</i> Council Dated this <i>15th</i> day of <i>June</i> 19 <i>90</i> .  Town Clerk/Council Clerk				
<p style="text-align: center;">FOR OFFICE USE ONLY</p> B371565 APPLICATION amending the within Plan by substituting new sheet 2.  Recorder of Titles 31/7/90				

SEARCH OF TORRENS TITLE

VOLUME 155372	FOLIO 3
EDITION 8	DATE OF ISSUE 08-May-2018

SEARCH DATE : 03-Jul-2019

SEARCH TIME : 10.05 AM

DESCRIPTION OF LAND

Town of LONGFORD

Lot 3 on Sealed Plan 155372

Derivation : Part of 43A-2R-25Ps Gtd to John Ward Gleadow & Henry Jennings

(Prior CTs 51381/1 and 51381/2

SCHEDULE 1

C887438, M575263 & M686688 TRANSFER to HILL STREET NORTH
PROPERTY GROUP PTY LTD Registered 08-May-2018 at 12.
02 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

SP155372 EASEMENTS in Schedule of Easements

SP155372 FENCING COVENANT in Schedule of Easements

C988832 BURDENING ELECTRICITY INFRASTRUCTURE EASEMENT with
the benefit of a restriction as to user of land in
favour of Aurora Energy Pty Ltd over the Electricity
Infrastructure Easement on Sealed Plan 155372
(Subject to Provisions) Registered 24-Mar-2011 at
noon

C978888 BENEFITING EASEMENT: a right of support easement over
the land marked Support Easement 1.00 wide (HIFG) on
Sealed Plan 155372

C973888 BENEFITING EASEMENT: a pipeline easement and a right
of carriageway over the land marked Right of Way 4.00
wide (HIJEFG) on Sealed Plan 155372 Registered
10-Jan-2013 at 12.01 PM

D112028 BENEFITING EASEMENT: a General Parking Easement
limited in height from 5.00 below ground level to 15.
00 above ground level over the land marked Parking
Easement on Sealed Plan 155372 Registered
07-Jun-2016 at noon

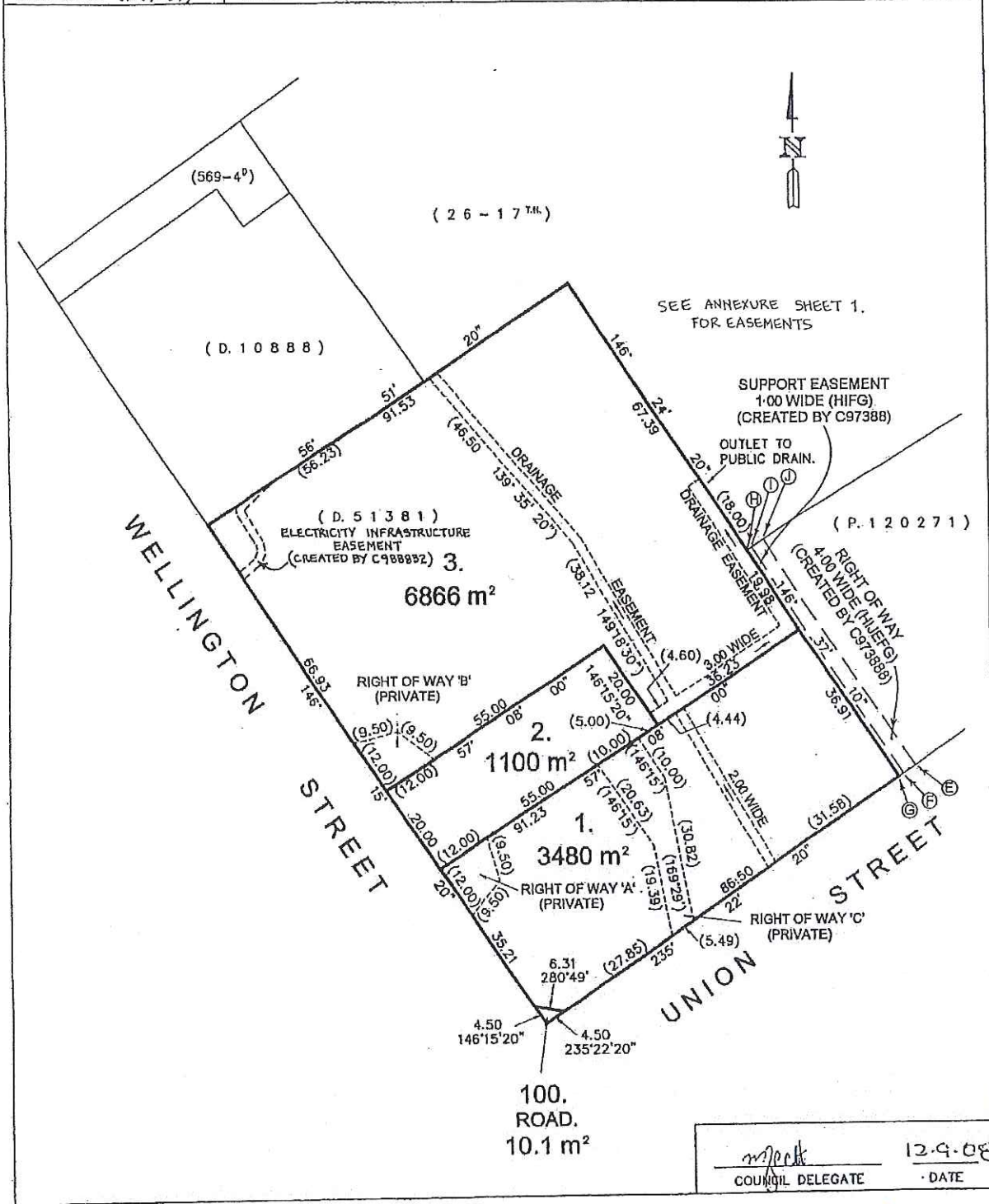
D112028 BENEFITING EASEMENT: a Loading Ramp Easement limited
in height from 5.00 below ground level to 15.00 above
ground level over the land marked Loading Ramp

- Easement QTSR on Sealed Plan 155372
- D122028 BENEFITING EASEMENT: a Right of Carriageway and a Right of Drainage limited in height from 5.00 below ground level to 15.00 above ground level over the land marked Right of Way & Drainage Easement 'A' (but excluding the area marked QTVSR) on Sealed Plan 155372
- D122028 BENEFITING EASEMENT: a Right of Carriageway and a Right of Drainage limited in height from 5.00 below ground level to 15.00 above ground level over the land marked Right of Way and Drainage Easement 7.00 wide VW on Sealed Plan 155372
- D122028 BENEFITING EASEMENT: a Right of Drainage limited in height from 5.00 below ground level to 15.00 above ground level over the land marked Drainage Easement XYZ Variable Width on Sealed Plan 155372
- D17763 AGREEMENT pursuant to Section 71 of the Land Use Planning and Approvals Act 1993 Registered 28-Nov-2011 at noon
- E135584 MORTGAGE to Australia and New Zealand Banking Group Limited Registered 08-May-2018 at 12.03 PM

UNREGISTERED DEALINGS AND NOTATIONS

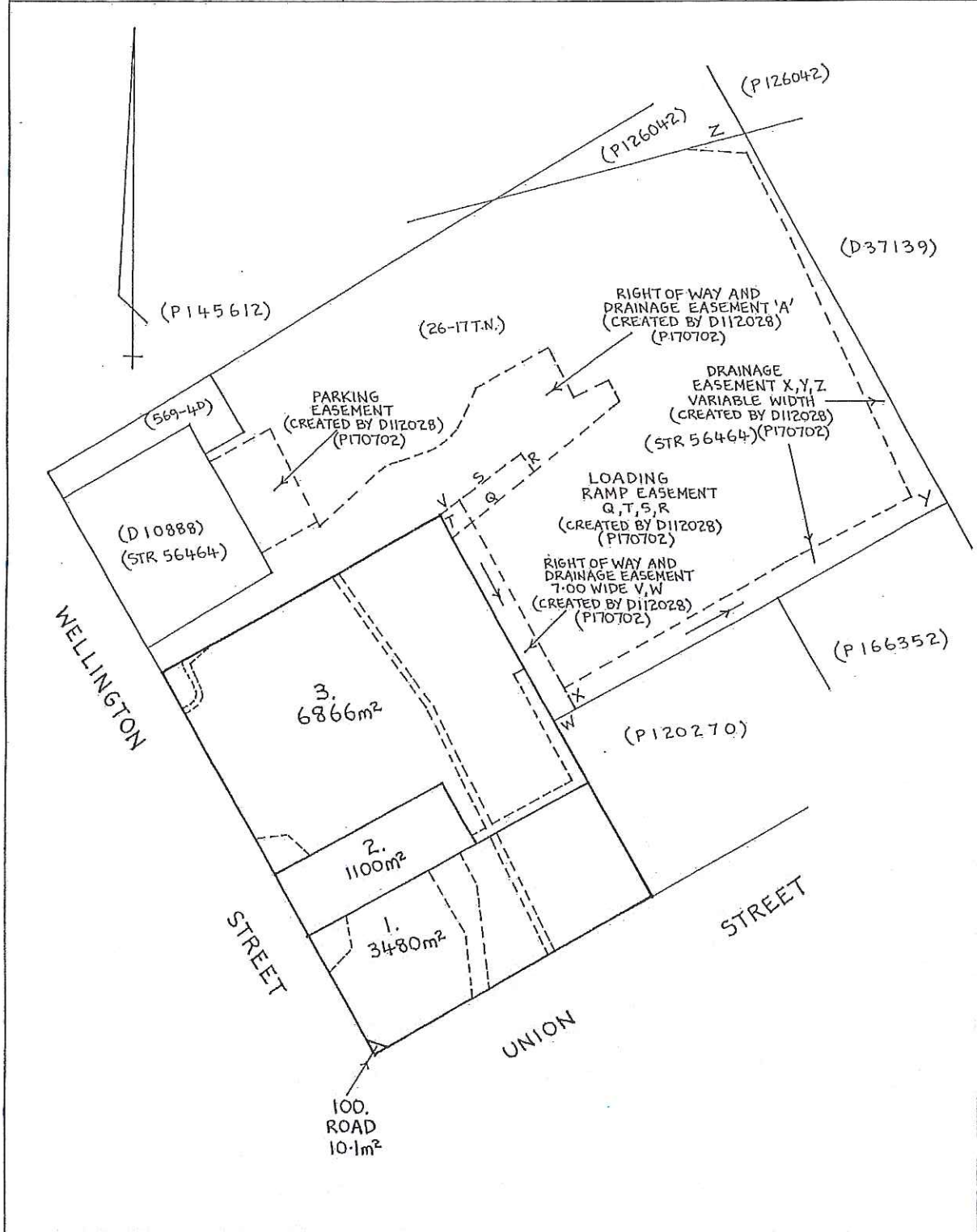
No unregistered dealings or other notations

OWNER DENLYN PTY. LTD.	PLAN OF SURVEY		REGISTERED NUMBER SP 155372
FOLIO REFERENCE G.T.51381-1 C.T.51381-2.	BY SURVEYOR R.V.TAIT G. J. WALKEM & CO.		APPROVED EFFECTIVE FROM 26 SEP 2008 <i>Mice Kawa</i> Recorder of Titles
GRANTEE PART OF 43°2'25" GTD. TO JOHN WARD GLEADOW AND HENRY JENNINGS.	LOCATION TOWN OF LONGFORD		
MAPSHEET MUNICIPAL CODE No 123 (5039-33)	LAST UPI No FBM12, FBM67.	LAST PLAN No. D.51381	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN
SCALE 1:750		LENGTHS IN METRES	



mpeck 12.9.08
COUNCIL DELEGATE DATE

PLAN OF SURVEY ANNEXURE SHEET SHEET 1 OF 1 SHEETS	OWNER FOLIO REFERENCE C.T. 51381-1 C.T. 51381-2	Registered Number SP 155372
	SCALE 1:1000 LENGTH IN METRES	APPROVED 11 FEB 2016 EFFECTIVE FROM <i>Alice Kawa</i> Recorder of Titles
SIGNED FOR IDENTIFICATION PURPOSES CREATED TO SUPPORT TRANSFER OF EASEMENTS 11/2/2016 Council Delegate _____ Date _____	THIS ANNEXURE SHEET FORMS PART OF THE ATTACHED INDEX PLAN. THE SURVEYORS CERTIFICATE EXTENDS TO THE DETAILS ON THIS SHEET Registered Land Surveyor _____ Date _____	



Registered Number

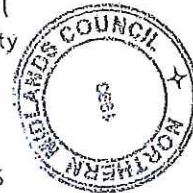
SP 155372

COUNCIL APPROVAL

(Insert any qualification to the permit under section 83(5), section 109 or section 111 of the Local Government (Building & Miscellaneous Provisions) Act 1993) The subdivision shown in this plan is approved

In witness whereof the common seal of Northern Midlands Council has been affixed, pursuant to a resolution of the Council of the said municipality passed the 12th day of September 2008, in the presence of us Mayor Member Member Council Delegate

Handwritten signatures of council members



Council Reference 27/003/495 207-447

NOMINATIONS

For the purpose of Section 88 of the Local Government (Building & Miscellaneous Provisions) Act 1993 the owner has nominated

RAE & PARTNERS Solicitor to act for the owner G.J. WALKEM & CO. Surveyor to act for the owner

OFFICE EXAMINATION:

Indexed .../...

Computed GM.24/2/08

Examined GM.24/2/2008

SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP 155372

PAGE 1 OF 2 PAGE/S

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

Easements

Lots 1 and 3 on the Plan are subject to a right of drainage in favour of the Northern Midlands Council over the drainage easement marked "Drainage Easement 2.00 wide" shown passing through such Lots.

Lot 2 &

Lot 3 on the Plan is subject to a right of drainage in favour of the Northern Midlands Council over the drainage easement marked "Drainage Easement 3.00 wide" shown passing through such Lot.

Lot 2 on the Plan is together with a right of drainage in favour of the Northern Midlands Council over the drainage easement marked "Drainage Easement 3.00 wide" shown passing through Lot 3.

Lot 1 on the plan is subject to a right of carriageway over "right of way "A" (private) and "C" (private)" in favour of Lot 2.

Lot 2 is together with a right of carriageway over "right of way "A" (private), "B" (private) and "C" (private)" marked on the plan.

Lot 3 on the plan is subject to a right of carriageway over "right of way "B" (private)" in favour of Lot 2.

Fencing Covenant


DENLYN PTY LTD

The owner of each Lot shown on the plan covenants with the Vendor that the Vendor shall not be required to fence.



y. Jones

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: Denlyn Pty Ltd FOLIO REF: 51381/2 and 51381/1 SOLICITOR & REFERENCE: Rae & Partners Lawyers S. Chellis/81341	PLAN SEALED BY: Northern Midlands Council DATE: <u>12.9.08</u> <u>27.003/496</u> REF NO.  Council Delegate
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.	

<p>ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 2 OF 2 PAGES</p>	<p>Registered Number SP 155372</p>
<p>SUBDIVIDER: Denlyn Pty Ltd FOLIO REFERENCE: 51381/2 and 51381/1</p>	

EXECUTED by DENLYN PTY LTD
(ACN 009 556 692) the registered proprietor of the land comprised in Certificates of Title Volume 51381 Folio 2 and Volume 51381 Folio 1 in accordance with Section 127(1) of the Corporations Act 2001

.....
Director

.....
Director/Secretary

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

1-350

AllUrbanPlanning PTY LTD

**Section 43A Combined
Planning Scheme
Amendment and Application
for Planning Permit for
Subdivision at 7 & 7A
Wellington Street, Longford**

Date 9 July 2019

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Executive Summary

The proposal is for a combined amendment to the *Northern Midlands Interim Planning Scheme 2013* (Planning Scheme) and application for a planning permit for a 1 lot subdivision to separate an existing house from the shopping centre carpark at 7 and 7A Wellington Street, Longford pursuant to Section 43A of the *Land Use Planning and Approvals Act* (Act) for Hill Street North Property Group.

The proposal relates primarily to 7 Wellington Street which is a separate, but effectively a balance title for the shopping centre on 7A Wellington Street. It includes carparking and loading areas for the shopping centre, a shed used by Australia Post as a mail distribution centre and a house that was occupied by the previous owners of the shopping centre. This title (CT 56464/1) has mixed zoning including General Business over the shopping centre access from Wellington Street and carpark, General Residential through the central portion and Rural Resource zoning to the rear.

The proposal involves a planning scheme amendment to allow the proposed subdivision to separate the house from the commercial activities of the shopping centre, namely the carpark areas and Australia Post depot.

1. Introduction

All Urban Planning Pty Ltd has been engaged by Hill Street Property Group Pty Ltd to prepare a combined application pursuant to Section 43A of the Land Use Planning Approvals Act 1993 (LUPAA) for rezoning and a site-specific use qualification for 7 Wellington Road, Longford along with an application for a 1 lot subdivision to separate the existing house from the commercial activities that support the adjacent shopping centre at 7A Wellington Street.

The Council may initiate and certify an amendment to the Scheme if it is satisfied that it is consistent with the requirements of Section 32 of the Act.

Accordingly, to support this Amendment, this assessment has been prepared to:

- Provide the strategic rationale for the proposed amendment;
- Detail the site and the surrounding uses;
- Provide a full description of the proposed amendment;
- Determine that the proposal is in accordance with the State Policies;
- Establish that the proposal is in accordance with the Northern Tasmania Regional Land Use Strategy (NTRLUS);
- Demonstrate that the application can further the objectives set out in Schedule 1 of the Act; and
- Finally, that a permit should be issued for the intended subdivision once the amendment is in place.

1.1 Title Information & Owners Consent

The proposed Planning Scheme Amendment relates to the following land:

Address	Title	Area	Owner
7 Wellington Street, Longford	CT 56464/1	Approx. 2.199ha	Hill Street Property Group Pty Ltd

The proposed application for subdivision includes an easement over the shopping centre title at 7A Wellington Street (CT155372/3) also owned by Hill Street North Property Group Pty Ltd.

Owners consent from Hill Street North Property Group Pty Ltd accompanies the application.

CT56464/1 forms part of strata plan CT56464/0 which includes a separate strata lot for the United service station at 5 Wellington Street, Longford under CT 56464/2. The proposed planning scheme amendment and plan of subdivision do not involve any change to the service station strata lot. That land is therefore not included in the application.

2. Existing Planning Controls

2.1 Zoning

The subject title is zoned a combination of General Business, General Residential and Rural Resource as shown in Figure 1 below. The existing service station and shopping centre titles at 5 and 7 Wellington Street are zoned General Business. Land further to the east towards the Macquarie River is zoned Open Space and the Western rail line, adjoining part of the site to the north, is zoned Utilities.

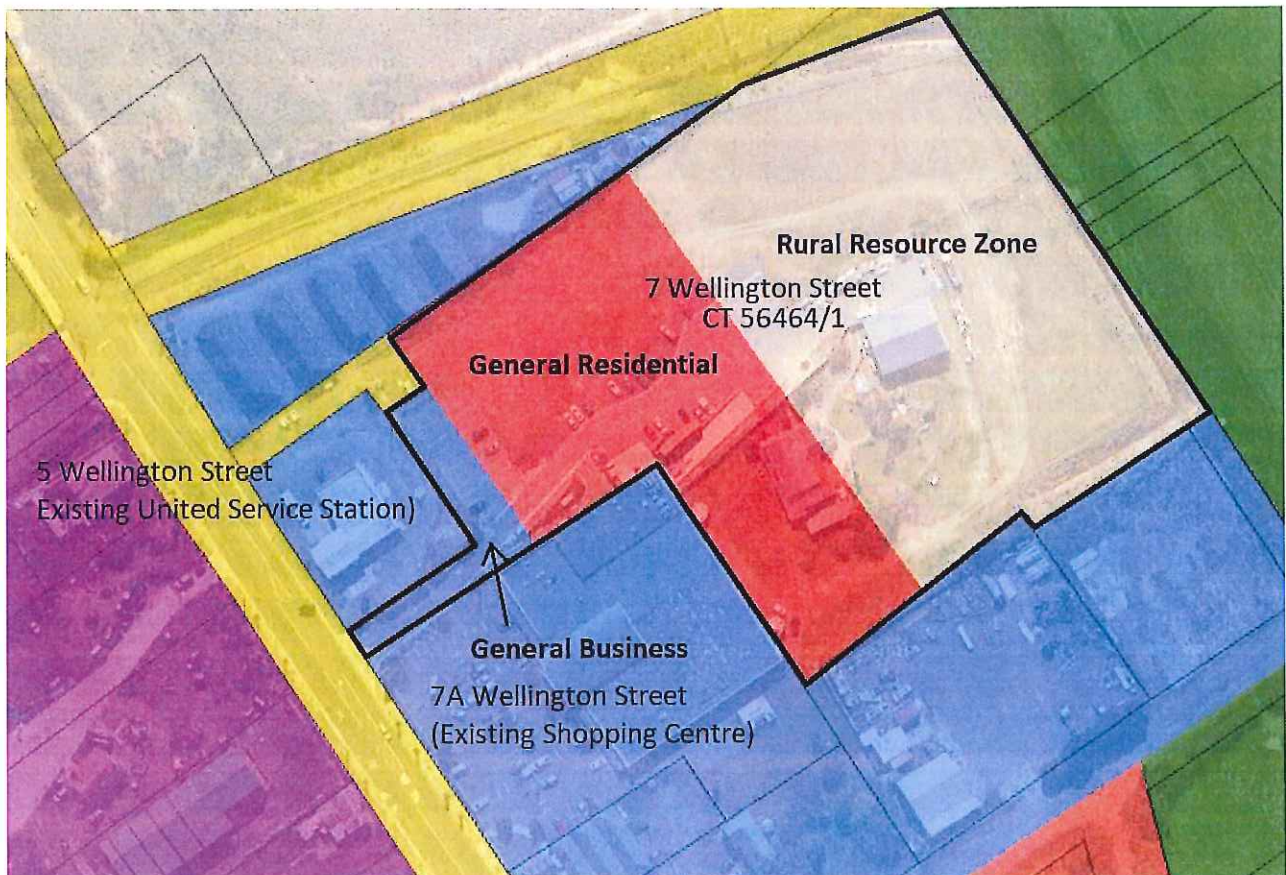


Figure 1 - Existing zoning and title boundary (Source: annotated from theList)

The mixed zoning of the land seems to approximate (but not accurately reflect) the existing use of the title with:

- General Business zoning over the portion of the land used for access and carparking for the shopping centre;
- General Residential for the existing house; and
- Rural Resource over the balance of the land to the rear.

The current zoning does not reflect the existing overflow parking and loading areas of the shopping centre or the approved mail distribution centre in the shed at the rear. Ideally these would be zoned General Business.

The proposed subdivision is presently prohibited under the provisions of the planning scheme in that:

- The existing General Residential zone does not accurately reflect the curtilage of the existing house;
- Clause 26.4.2 for Subdivision in the Rural Resource Zone prevents subdivision unless it is to improve the productive capacity of the land (for agriculture); or is for the purpose of creating a lot for an approved non-agricultural use other than residential and the productivity of the land will not be materially diminished; and
- Clause 26.4.3 prohibits strata titling of the house from the balance of that title.

26.4.2 Subdivision

<p>Objective</p> <p>To ensure that subdivision is only to:</p> <p>a) improve the productive capacity of land for resource development and extractive industries; or</p> <p>b) enable subdivision for environmental and cultural protection or resource processing where compatible with the zone; or</p> <p>c) facilitate use and development for allowable uses by enabling subdivision subsequent to appropriate development.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 Lots must be:</p> <p>a) for the provision of utilities and is required for public use by the Crown, public authority or a municipality; or</p> <p>b) for the consolidation of a lot with another lot with no additional titles created; or</p> <p>c) to align existing titles with zone boundaries and no additional lots are created.</p>	<p>P1 The subdivision</p> <p>a) must demonstrate that the productive capacity of the land will be improved as a result of the subdivision; or</p> <p>b) is for the purpose of creating a lot for an approved non-agricultural use, other than a residential use, and the productivity of the land will not be materially diminished.</p>

26.4.3 Strata Division

26.4.3.1 In this scheme, division of land by stratum title is prohibited in the Rural Resource Zone.

The purpose and relevant Local Area Objectives of the respective zones are as follows:

General Business

Zone Purpose (21.1)

- *To provide for business, community, food, professional and retail facilities serving a town or group of suburbs.*
- *To create through good urban design:*
 - a) an attractive and safe environment; and*
 - b) activity at pedestrian levels with active road frontages offering interest and engagement to shoppers and; and*
 - c) appropriate provision for car parking, pedestrian access and traffic circulation.*

Local Area Objectives (21.1.2):

- *To consolidate growth within the existing urban land use framework of the towns of Campbell Town, Longford and Perth.*
- *To manage development in the General business zone so as to conserve and enhance the quality of the Heritage Precincts in the Campbell Town, Longford, and Perth town centres.*
- *To ensure developments within street reservations contribute positively to the context of the Heritage Precincts in each settlement.*

General Residential

Zone Purpose (10.1)

- *To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.*
- *To provide for compatible non-residential uses that primarily serve the local community.*
- *Non-residential uses are not to be at a level that distorts the primacy of residential uses within the zones, or adversely affect residential amenity through noise, activity outside of business hours traffic generation and movement or other off site impacts.*
- *To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.*

Local Area Objectives (10.1.2)

- *To consolidate growth within the existing urban land use framework of the towns and villages.*
- *To manage development in the General residential zone as part of or context to the Heritage Precincts in the towns and villages.*

- *To ensure developments within street reservations contribute positively to the Heritage Precincts in each settlement.*

Rural Resource

Zone Purpose Statements (26.1)

- *To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.*
- *To provide for other use or development that does not constrain or conflict with resource development uses.*
- *To provide for economic development that is compatible with primary industry, environmental and landscape values.*
- *To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.*

Local Area Objectives (26.1.2)

a) Primary Industries:

Resources for primary industries make a significant contribution to the rural economy and primary industry uses are to be protected for long-term sustainability. The prime and non-prime agricultural land resource provides for variable and diverse agricultural and primary industry production which will be protected through individual consideration of the local context. Processing and services can augment the productivity of primary industries in a locality and are supported where they are related to primary industry uses and the long-term sustainability of the resource is not unduly compromised.

b) Tourism:

Tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities and the downstream processing of produce. The continued enhancement of tourism facilities with a relationship to primary production is supported where the long-term sustainability of the resource is not unduly compromised. The rural zone provides for important regional and local tourist routes and destinations such as through the promotion of environmental features and values, cultural heritage and landscape. The continued enhancement of tourism facilities that capitalise on these attributes is supported where the long-term sustainability of primary industry resources is not unduly compromised.

c) Rural Communities:

Services to the rural locality through provision for home-based business can enhance the sustainability of rural communities. Professional and other business services that meet the needs of rural populations are supported where they accompany a residential or other established use and are located appropriately in relation to settlement activity centres and surrounding primary industries such that the integrity of the activity centre is not undermined and primary industries are not unreasonably confined or restrained.

2.2 Planning Scheme Overlays

The site is identified as a Bushfire Prone Area under the planning scheme. The General Business and General Residential zoned areas of the site are also designated as within the Urban Growth Boundary under the planning scheme.

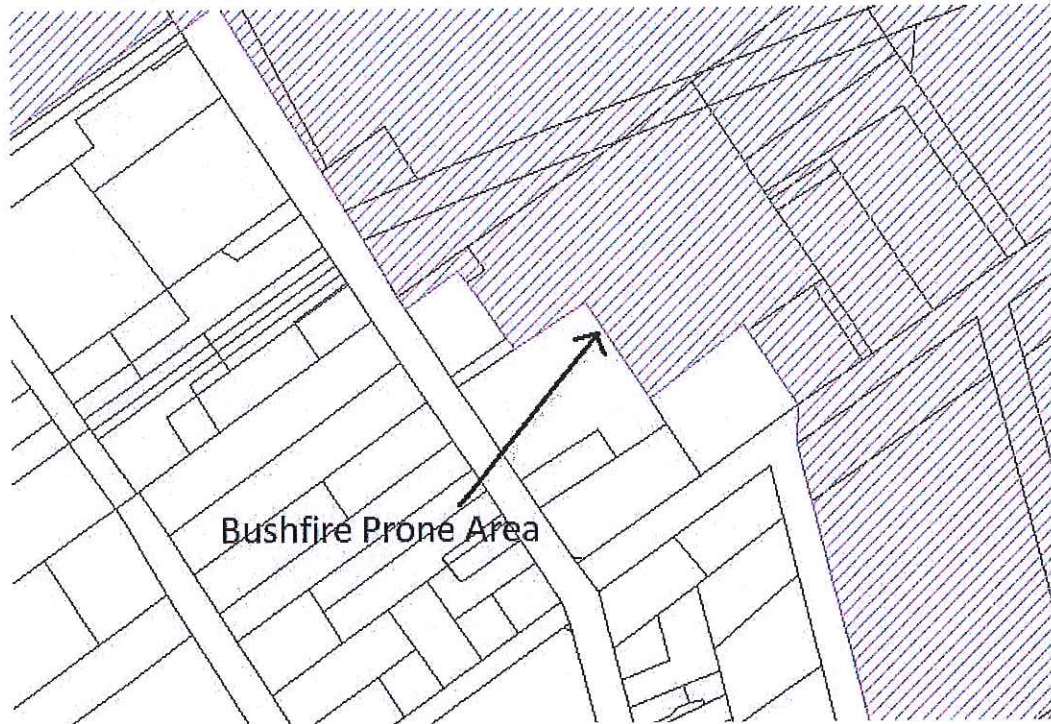


Figure 2 - Bushfire Prone Area Overlay (Source: theList)

The Bushfire Prone Areas Code would apply to the proposed subdivision unless TFS or an accredited person certifies under Clause E1.4 that there is insufficient increase in risk to the use or development from bushfire to warrant any specific bushfire protection measures.

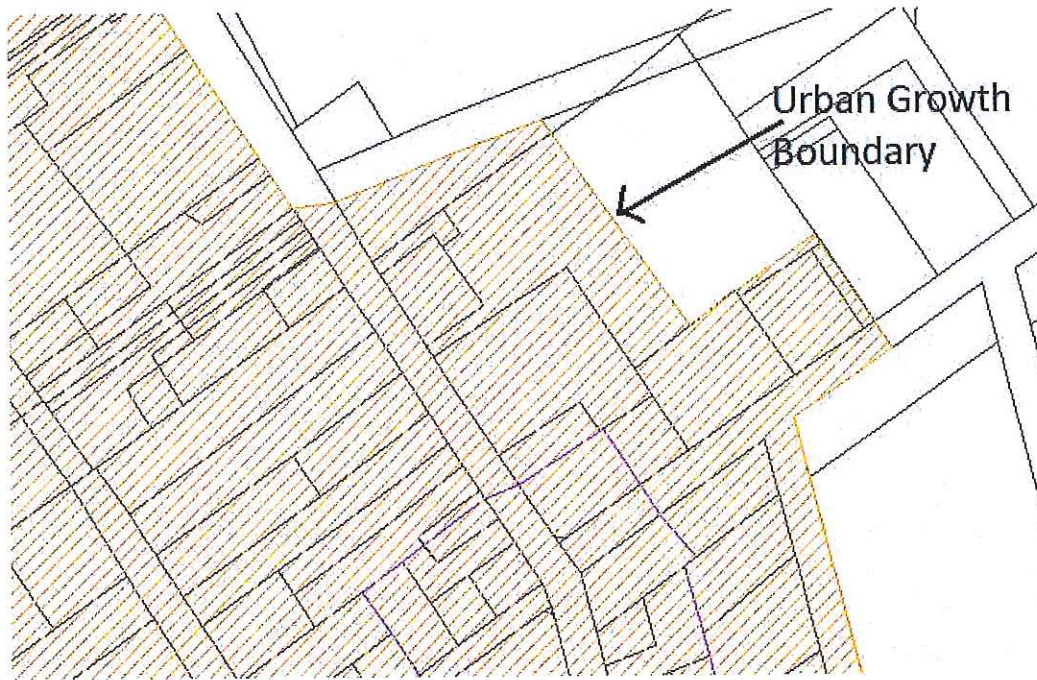


Figure 3 - Urban Growth Boundary (Source: theList)

The Urban Growth Boundary is relevant to the strategic provisions within Sections 2 and 3 of the planning scheme rather than the operative provisions. The boundary is relevant to the Settlement Strategy and in accordance with Clause 3.6 seeks to:

Consolidate residential growth within the existing settlement pattern based on the urban growth boundaries of serviced centres and the directions established in Council's Development Plans [as reviewed and revised from time to time] for the major towns of Longford, Perth, Evandale and Campbell Town and Cressy. ...

3. Strategy

3.1 Northern Tasmanian Regional Land Use Strategy

The Northern Region is comprised of the eight municipal areas of the Launceston, Northern Midlands, Meander Valley, West Tamar, George Town, Dorset, Break O' Day and Flinders councils. The Northern Regional Land Use Framework provides strategic context at a regional level for planning schemes within the region and contains strategies for the future use and development of land within the region.

The Northern region is characterised by a distinct settlement hierarchy with the urban area of Greater Launceston as the higher order and dominant population centre, together with towns, villages and hamlets. Settlements are generally separated by natural or productive rural areas and have their own character and identity. Regional strategies advocate that settlements support local and regional economies, concentrate the investment in the improvement of services and infrastructure and enhance the quality of life in those centres.

The Northern region has significant natural and cultural assets including areas of important biodiversity, areas and sites of cultural heritage, important landscapes and recreation opportunities, and natural resources which are integral to the consideration of the strategic use of land.

This planning scheme is based on the Regional Model Planning Scheme, derived from the Regional Land Use Framework, the mechanisms by which land use strategies for sustainable economic, environmental and social outcomes are delivered at a Regional level, through the appropriate allocation of zones and the inclusion of regionally consistent development controls for use and development.

The application of zoning responds to the unique circumstances of the Northern Region with the settlement hierarchy reflected in some zones only being relevant to the population densities of Launceston urban area and the principal use of the Rural Resources Zone reflecting the highly dispersed and variable nature of the Region's productive rural resources. Each of the zones contains regionally consistent core elements in the provisions that respond to the regional strategies.

Consistent with the Regional Land Use Framework and settlement hierarchy, Northern Midlands Council will manage land use and development according to the following local principles and strategies:

3.2 Settlement - Urban Growth Boundary

- a) *Encourage growth within the existing settlement pattern in the main towns of Longford, Cressy, Perth, Evandale, Campbell Town, Ross and Avoca as the foci for commercial, residential, industrial, community and other development*
- b) *Allow urban development within the capacity of existing services outside the urban growth boundaries of the main settlements but only in established settlements*
- c) *Actively discourage further residential development in the rural areas outside these centres unless clearly required for the operation of a rural enterprise, except for limited low density residential development in selected areas where Council has made provision*

Comment

The proposal is considered consistent with these statements in that it reflects the existing settlement pattern in Longford and can be serviced by existing infrastructure. Any future residential use and development on the land will be within the centre of Longford - the extremities of which are defined by the Western railing formation to the north and levee banks of the Macquarie River to the north east.

3.3 Commercial Land

- a) *Provide commercial areas which best serve the needs of each town, the area generally and the commercial sector*
- b) *Provide commercial areas such that location and size have regard to the existing retail structure, the hierarchy of centres, the relationship between consumer demand and provision of services, and the density and distribution of population around the commercial centre*

Comment

The proposal will support the consolidation of the existing shopping centre and associated parking, loading and mail distribution centre on the site. The site-specific use qualification to allow parking over the balance of the title zoned Rural Resource will limit the size of commercial use on the site so that it will not conflict with the retail structure of Longford with a core business area south of Lyttleton Street.

3.4 Rural Resource

- a) *Ensure the undiminished availability for future generations of the rural resources of the area for increased but sustainable primary production and a strong diverse economic base, by identifying and protecting the rural resources of the Municipality*

Comment

The proposal relates to a very small area of Rural Resource zoning that is isolated from other areas of rural land by the Macquarie River and Western rail line to the north. The proposal does not affect any viable agricultural land and will not affect the rural resources of the Municipality. In the context of this site it is understood that Council has applied Rural Resource zoning as a "holding zone" to avoid excessive General Business zoning and commercial use on the site which may weaken the commercial core of Longford south of Lyttleton Street.

4. Site and Surrounding Uses

4.1 Surrounding Land Uses

The site is surrounded by commercial uses along Wellington and Union Streets, the Western Rail line to the north and the levees of the Macquarie River to the north east.

4.2 Existing Site Conditions

The site exists as areas of hard sealed access, parking and loading for the shopping centre, a 280m² shed occupied by Australia Post as a mail distribution centre, the existing dwelling and landscaped gardens and areas of open paddock to the north and east.

4.3 Road Network

The site has access to Wellington Road and includes a right of way in favor of the shopping centre title over all of the sealed access and loading areas. The site has right of way but no formed access to Union Street over 8 Union Street.

4.4 Flora and Fauna

The site is cleared other than the landscaped garden areas reflecting the curtilage of the existing house. There are no known flora or fauna values.

4.5 Sewer, Water and Stormwater Services

The site including the existing house are connected to existing reticulated sewer and water services.

5. Amendment Northern Midland Interim Planning Scheme

5.1 Proposed amendment

The proposed draft amendment involves:

1. Realigning the Urban Growth Boundary to follow the eastern and northern boundaries of the title as shown in Figure 4;
2. Realigning the General Residential Zone to reflect the curtilage of the existing house as shown in Figure 5;
3. Realigning the General Business Zone to include the existing carpark, access, loading areas and the mail distribution shed as shown in Figure 5; and
4. Inserting a new site specific part c) to subdivision standard at Clause 26.4.2 by amending P1 as follows:

P1

The subdivision

a) must demonstrate that the productive capacity of the land will be improved as a result of the subdivision; or

b) is for the purpose of creating a lot for an approved non-agricultural use, other than a residential use, and the productivity of the land will not be materially diminished; or

c) is for the creation of a separate lot for the existing residential use at 7 Wellington Street, Longford (CT 56464/1) and the balance lot includes the entire portion of the land in this zone.

5. Amend the Use Table 26.2 of the Rural Resource Zone to inset General retail and hire as a Permitted use with the following use qualification:

"If for carparking and loading at 7 Wellington Street, Longford (CT 56464/1) associated with the shopping centre at 7A Wellington Street, Longford (CT 155372/3)"

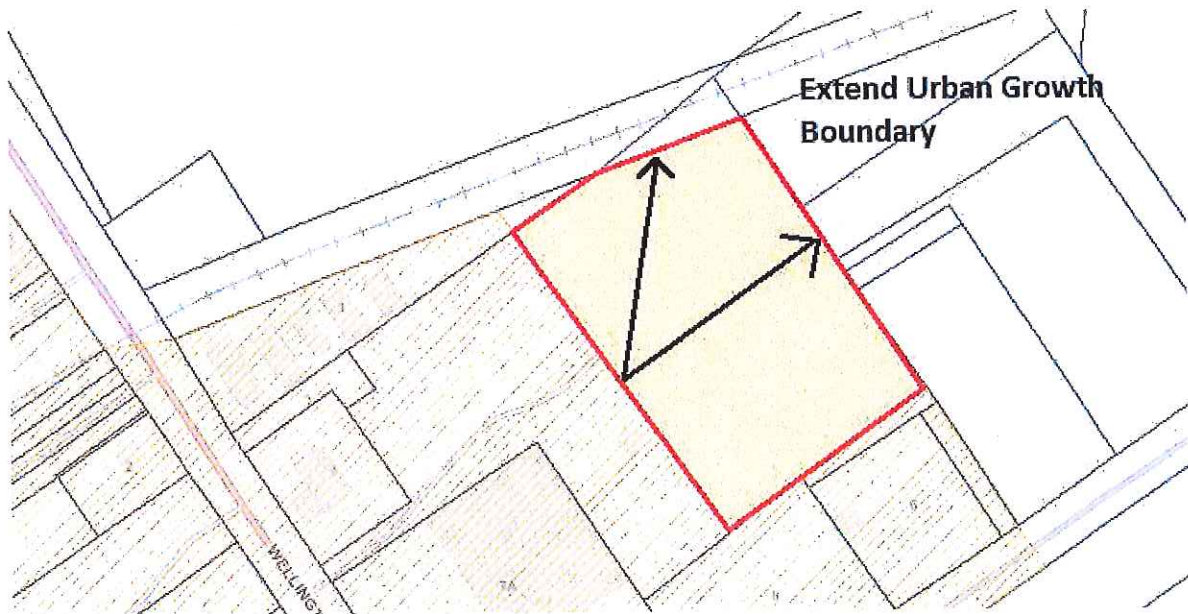


Figure 4 - Extend Urban Growth Boundary

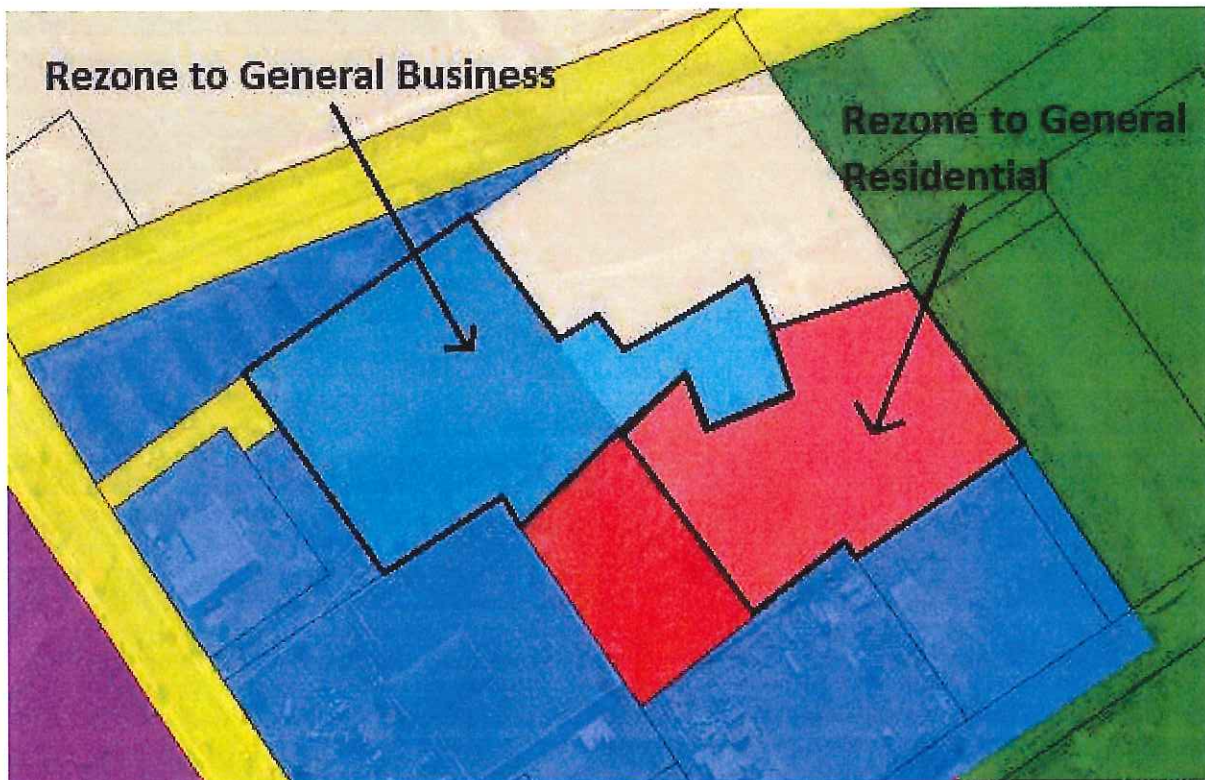


Figure 5 - Proposed rezoning

5.2 Reasoning for the Proposal

The proposed amendments will allow:

- subdivision of the existing house from the shopping centre balance title;
- reflect the existing occupation of the site for access, loading, carparking and mail distribution centre within the General Business Zone; and
- some extension to the carparking areas of the shopping centre over the balance of the title zoned Rural Resource while restricting further commercial use and intensification that has the potential to impact on the core commercial areas of Longford south of Lyttleton Street.

Pre-lodgement discussions with Council officers has confirmed that Council has previously opposed commercial rezoning on this site on the basis that it may weaken the commercial core of Longford. The proposed amendment therefore limits the expansion of the General Business zone to just the

existing parking, access and loading areas for the shopping centre. It retains a portion of Rural Resource zoning over the balance of the land as a "holding zone".

6. Land Use Planning and Approvals Act 1993

Before making a decision whether to initiate and/or certify a draft amendment, the planning authority must consider whether the application is consistent with Section 32 of LUPAA which requires:

(1) A draft amendment of a planning scheme, and an amendment of a planning scheme, in the opinion of the relevant decision-maker within the meaning of section 20(2A)–

...

(e) must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and

(ea) must not conflict with the requirements of section 300; and

(f) must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.

(2) The provisions of section 20(2), (3), (4), (5), (6), (7), (8) and (9) apply to the amendment of a planning scheme in the same manner as they apply to planning schemes.

The proposal is considered consistent with these requirements below.

6.1 Land Use Conflicts

Pursuant to section 32(1)(e), the Council must be satisfied that the proposed amendment, as far as practicable, avoids the potential for land use conflicts with use and development permissible under the Scheme applying to the adjacent area.

Comment

The proposed rezoning reflects the existing land use. The provisions of the relevant zones will continue to apply to ensure that hours of operation, noise emissions and commercial vehicle movements will be appropriate to ensure that the potential for land use conflicts with the surrounding area and within the General Residential zone will be avoided.

6.2 Impact of the Amendment on the Region as an Entity

The proposed rezoning and minor extension to the urban growth boundary to reflect existing land use within the township of Longford will not impact on the Northern region.

6.3 State Policies

The following State Policies are made under the State Policies and Projects Act 1993:

- State Policy on the Protection of Agricultural Land 2009;
- State Policy on Water Quality Management 1997; and
- Tasmanian State Coastal Policy 1996.

The National Environmental Protection Measures are automatically adopted as State Policies under the State Policies and Projects Act 1993.

The following section examines the State Policies as they apply to this amendment.

6.3.1 State Policy on the Protection of Agricultural Land 2009

The purpose of the State Policy on the Protection of Agricultural Land 2009 is:

“to conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land”.

Comment

The proposal relates to land zoned for urban use and development and a very small area of Rural Resource zoning that is isolated from other areas of rural land by the Macquarie River and Western rail line to the north. The proposal does not affect any viable agricultural land and does not conflict with this Policy.

6.3.2 State Coastal Policy 1996

The State Coastal Policy 1996 is created under the State Policies and Projects Act 1993.

Comment

The proposal does not affect land in the coastal zone and the Coastal Policy does not apply.

6.3.3 State Policy on Water Quality Management 1997

The State Policy on Water Quality Management is concerned with achieving *‘sustainable management of Tasmania’s surface water and groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of Tasmania’s Resource management and Planning System’.*

Comment:

The proposed amendment will continue to allow for suitable stormwater treatment to be incorporated in future development as required by the Planning Scheme. Such measures will ensure the long-term quality of stormwater runoff is efficiently managed to protect water quality.

6.4 National Environment Protection Measures

The National Environmental Protection Measures relate to:

- Ambient air quality;
- Ambient marine, estuarine and fresh water quality;
- The protection of amenity in relation to noise;
- General guidelines for assessment of site contamination;
- Environmental impacts associated with hazardous wastes; and
- The re-use and recycling of used materials.

Comment:

The stormwater management provisions of the General Business and General Residential zones will continue to apply to the land and will appropriately manage future development to avoid impacts on water quality. The other listed NEPMs are not applicable to this amendment.

6.5 Northern Tasmania Regional Land Use Strategy

As set out through the strategic considerations above in Section 3, the proposal is consistent with the NTRLUS in that it will further the objectives for consolidation within the established settlement pattern of use and development at Longford and the physical boundaries to the town, namely the Western rail line to the north and levee banks to the north east.

6.6 Gas Pipelines Act 2000

Pursuant to Section 20(1) (e) of the Act provides that the Council must be satisfied that the amendment has regard to the safety requirements set out in the standards prescribed under the Gas Pipelines Act 2000.

There is no gas infrastructure in the vicinity of this site and the proposal is therefore in accordance with this requirement.

6.7 Schedule 1 of the Land Use Planning & Approvals Act 1993

Schedule 1 of the Land Use Planning and Approvals Act 1993 Section 20(1)(a) of the Act provides that the Council is to be satisfied that the proposed amendment seeks to further the objectives set out in Schedule 1. The objectives in Schedule 1 and their relevance to this amendment are addressed below.

6.7.1 Schedule 1 Part 1

(a) To promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity;

Comment

The amendment promotes the objectives for sustainable development of land through allowing for the efficient use of urban land without significant environmental constraints.

(b) To provide for the fair, orderly and sustainable use and development of air, land and water;

Comment

The amendment reflects existing land use and will therefore further this Objective.

(c) To encourage public involvement in resource management and planning;

Comment

The strategic planning process for the NTRLUS involved extensive opportunities for public involvement. Further opportunity for public input will be available through the notification of the amendment.

(d) To facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c) above.

Comment

As stated above, the proposal represents consolidated urban development in a manner that avoids significant environmental impact. It will facilitate economic development outcomes.

(e) To promote sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.

Comment

The proposal follows pre-lodgement discussion with Council officers. The Objective is otherwise not affected by this proposal.

Schedule 1 Part 2

(a) To require sound strategic planning and co-ordination by state and local Government;

Comment

As demonstrated throughout this assessment the proposal is consistent with the NTRLUS. It is considered consistent with this requirement.

(b) To establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land;

Comment

As set out throughout this assessment the proposal is consistent with the NTRLUS and implementation of the intended centralisation of commercial uses to serve the local community.

(c) To ensure the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land;

Comment

The site is cleared and does not have any important environmental values. Relevant environmental considerations such as stormwater quality will be considered under the provisions of the Planning Scheme as part of any proposal for future development.

(d) To require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional, and municipal levels;

Comment

As discussed above the proposal furthers strategic planning policies and is consistent with this Objective.

(e) To provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals;

Comment

The proposed combined application for planning scheme amendment and application subdivision is consistent with this objective.

(f) To secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania;

Comment

The proposal reflects existing land use and will allow for consolidation of the existing shopping centre and residential use close to the amenities of Longford. In these respects it will further this objective.

(g) To conserve those buildings, areas or other places which are of scientific, aesthetics, architectural or historical interest, or otherwise of special cultural value;

Comment

There are no listed historic or cultural values on the site or affected by the proposal.

(h) To protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;

Comment

The subject site is well located to the arterial road network and is connected to reticulated services. It will therefore support the efficient use of existing infrastructure.

(i) To provide a planning framework which fully considers land capability;

Comment

The site is relatively unconstrained and is suitable for the existing and intended use and development.

6.8 Conclusion

This assessment demonstrates that the proposed amendment meets all statutory requirements.

7. Application for a Planning Permit

The following section provides an assessment of the proposed subdivision against the provisions of the Planning Scheme that would apply as a result of the proposed amendment.

7.1 Operation of the Planning Scheme

Under Clause 8.10.1 of the Planning Scheme the planning authority must, in addition to the matters required by s.51(2) of the Act, take into consideration:

- (a) all applicable standards and requirements in this planning scheme; and*

(b) any representations received pursuant to and in conformity with s57(5) of the Act, but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.

Relevantly, a standard is applicable if the site is within the relevant zone and the standard deals with a matter that could affect or be affected by the proposed development; cl.7.5.2.

A standard is defined to mean the objective for a particular planning issue and the means for satisfying that objective through either an acceptable solution or corresponding performance criterion.

Compliance with a standard is achieved by complying with either the acceptable solution or corresponding performance criterion; cl.7.5.3.

The objective of the standard may be considered to help determine whether the proposed use or development complies with the performance criterion of that standard; cl.7.5.4.

Under Clause 8.10.2, in determining an application for a permit for a discretionary use the planning authority must, in addition to the matters referred to in subclause 8.10.1, have regard to:

- (a) the purpose of the applicable zone;*
 - (b) any relevant local area objective or desired future character statement for the applicable zone;*
 - (c) the purpose of any applicable code; and*
 - (d) the purpose of any applicable specific area plan,*
- but only insofar as each such purpose, local area objective or desired future character statement is relevant to the particular discretion being exercised.*

7.2 Proposal

The proposal shown in Figure 6 below is to subdivide 7 Wellington Street to create a separate lot for the existing house accessed via right of way from the Wellington Street frontage over the path of the existing sealed access.

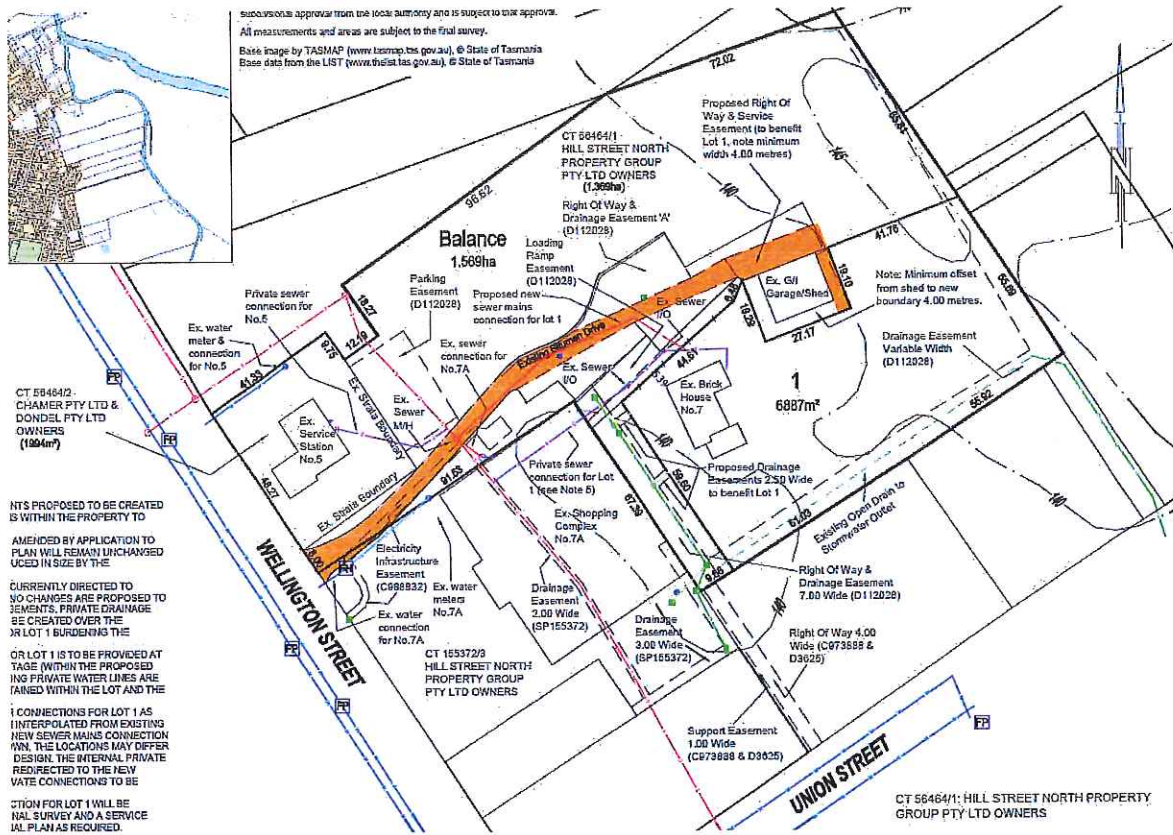


Figure 6 - Proposed Plan of Subdivision

7.3 General Residential Zone

The existing house (a single dwelling) to be contained within the proposed Lot 1 is a No Permit Required use under the Use table 10.2 of the planning scheme.

The Use Standards of Clause 10.3 of the zone otherwise do not apply.

Subdivision (10.4.15)

Lot Area, Building Envelopes and Frontage (10.4.15.1)

Objective:

To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, private open space, vehicle access and parking, easements and site features.

Development Standard	Assessment
A1 Lots must: a) have a minimum area of at least 450m2 which:	The proposal complies with A1 in that: a) it is to be at least 450m ² (6887m ²); and b) the new boundaries will comfortably meet the minimum acceptable solutions for setbacks under Clause

<p><i>i) is capable of containing a rectangle measuring 10m by 15m; and</i></p> <p><i>ii) has new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or</i></p> <p><i>b) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or</i></p> <p><i>c) be for the provision of utilities; or</i></p> <p><i>d) be for the consolidation of a lot with another lot with no additional titles created; or</i></p> <p><i>e) be to align existing titles with zone boundaries and no additional lots are created.</i></p>	<p>10.4.2 and accommodate a 10m x 15m rectangle.</p>
<p>A2</p> <p><i>Each lot must have a frontage of at least 3.6m.</i></p>	<p>The proposed Lot 1 does not have fee simple frontage and is to be assessed under P1 below.</p>
<p>P2</p> <p><i>Each lot must have appropriate, permanent access by a Right of Carriageway registered over all relevant titles.</i></p>	<p>The proposal includes a right of way access to Wellington Street over the course of the existing sealed access and complies with P2.</p>

Provision of Services (10.4.15.2)

Objective:

To provide lots with appropriate levels of utility services.

Development Standard	Assessment
<p>A1</p> <p><i>Each lot must be connected to a reticulated:</i></p> <p><i>a) water supply; and</i></p> <p><i>b) sewerage system.</i></p>	<p>Complies. The proposal is connected to reticulated water and sewer as shown on the draft plan of subdivision.</p>
<p>A2</p> <p><i>Each lot must be connected to a reticulated stormwater system.</i></p>	<p>Complies.</p> <p>The proposal is connected to reticulated stormwater as shown on the draft plan of subdivision.</p>

Solar Orientation of Lots (10.4.15.3)

The proposed large lot complies with these standards.

Other Subdivision Provisions (10.5.15.5- 10.4.15.7)

The proposed subdivision does not create any new road, footpath or open space and complies with all Acceptable Solutions under these Standards.

7.4 General Business Zone

The balance of the lot is partly zoned General Business and the proposal is therefore to be assessed to confirm compliance with the provisions for Subdivision in the General Business Zone under Clause 21.4.2:

Subdivision (21.4.2)

Objective:

Subdivision must ensure:

- a) maintenance of the complexity and diversity of the built environment and pedestrian connectivity; and*
- b) that new lots have sufficient land area for the physical demands of allowable uses; and*
- c) the intensive development of business centres for retailing and other complementary commercial, entertainment, residential and community uses; and*
- d) each lot has appropriate frontage, access and services; and*
- e) appropriate transition to adjoining zones, especially residential areas.*

Development Standard	Assessment
<p>A1.</p> <p><i>Each lot must:</i></p> <ul style="list-style-type: none"> <i>a) have a minimum area of at least:</i> <i>i) 200m²</i> <i>; or</i> <i>ii) the area specified in a table to this zone; and</i> <i>b) be able to contain a 10.0m diameter circle with the centre of the circle not more than 5.0m from the frontage; or</i> <i>c) required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or</i> <i>c) for the consolidation of a lot with another lot with no additional titles created; or</i> <i>d) to align existing titles with zone boundaries and no additional lots are created; or</i> <i>e) be for the provision of public utilities.</i> 	<p>The area of General Business zoned land within the balance portion complies with A1 in that:</p> <ul style="list-style-type: none"> a) The area will comfortably exceed 200m²; b) Although the lot can't accommodate a 10m diameter circle within 5m of the frontage, the proposed subdivision does not alter the existing non-compliance.

<p>P1</p> <p><i>Subdivision must:</i></p> <p>a) provide for each lot, sufficient useable area and dimensions to allow for:</p> <p>i) the siting and construction of allowable premises; and</p> <p>ii) vehicles providing for supplies, waste removal and emergency services and public transport; and</p> <p>b) demonstrate that the layout would not unduly prejudice the future use or development of the site or adjoining lots; and</p> <p>c) respect the existing neighbourhood character and respond to and integrate with the surrounding road network; and</p> <p>d) be consistent with the local area objectives, if any.</p>	<p>In the event that P1 applies the proposal is considered to comply in that:</p> <ul style="list-style-type: none"> • The balance lot includes all of the General Business zoned land within the title within a single lot and will accommodate all access, turning areas and the existing Australia Post distribution depot; • There will be no physical change that will affect the character of the neighbourhood or Local Area Objectives.
<p>A2 Each lot must have a frontage of at least 5m.</p>	<p>Complies. The existing lot frontage to Wellington Street within the General Business Zone is unchanged at 8m.</p>
<p>A3 Each lot must be connected to a:</p> <p>a) reticulated water supply; and</p> <p>b) reticulated sewerage system; and</p> <p>c) reticulated stormwater system.</p>	<p>Complies. As shown on the plan of subdivision the balance lot will have connections to reticulated water, sewer and stormwater.</p>
<p>A4 Subdivision must not adjoin the General residential zone.</p>	<p>The proposal adjoins the General residential zone and is to be assessed under P4.</p>
<p>P4 The subdivision layout must be designed to mitigate environmental nuisance and loss of amenity having regard to:</p> <p>a) lot layout and design; and</p> <p>b) orientation; and</p> <p>c) access considerations; and</p> <p>d) topography or physical separation to surrounding sensitive land uses.</p>	<p>The proposal is considered to comply with P4 in that the layout reflects the existing land use and access arrangements to both the existing house within the General Residential Zone and access to the existing shopping centre within the General Business Zone.</p>

7.5 Rural Resource Zone

The proposal includes an area of Rural Resource Land within the balance title and is to be assessed against the Subdivision provisions for that zone under Clause 26.4.2.

maasubdivision (26.4.2)

Objective:

To ensure that subdivision is only to:

- a) improve the productive capacity of land for resource development and extractive industries; or
- b) enable subdivision for environmental and cultural protection or resource processing where compatible with the zone; or
- c) facilitate use and development for allowable uses by enabling subdivision subsequent to appropriate development.

Development Standard	Assessment
<p>A1</p> <p>Lots must be:</p> <ul style="list-style-type: none"> a) for the provision of utilities and is required for public use by the Crown, public authority or a municipality; or b) for the consolidation of a lot with another lot with no additional titles created; or c) to align existing titles with zone boundaries and no additional lots are created. 	<p>The proposal to create an additional lot is to be assessed under P1 below.</p>
<p>P1</p> <p>The subdivision:</p> <ul style="list-style-type: none"> a) must demonstrate that the productive capacity of the land will be improved as a result of the subdivision; or b) is for the purpose of creating a lot for an approved non-agricultural use, other than a residential use, and the productivity of the land will not be materially diminished; or c) is for the creation of a separate lot for the existing residential use at 7 Wellington Street, Longford (CT 56464/1) and the balance lot includes the entire portion of the land in this zone. 	<p>The proposal complies with the new part P1c) inserted following the amendment.</p>

8. Planning Scheme Codes

As shown in Figures 2 and 3 above the site is covered by the Bushfire Prone Area Overlay and Urban Growth Boundary. The Urban Growth Boundary is not an operative part of the planning scheme.

8.1 Bushfire Prone Areas Code

The proposed subdivision reflects existing land use and development and is exempt under Clause E1.4 a) of the Code in that the accompanying certification from an accredited bushfire person confirming that there is an insufficient increase in risk to use or development from bushfire to warrant any specific bushfire protection measures.

8.2 Potentially Contaminated Land Code

The site has no known history of contaminating activities. It is considered that this Code does not apply.

8.3 Road and Railway Assets Codes

The proposal does not require a new access and will not intensify the use of the existing access. In accordance with Clause E4.2.1 the Code does not apply.

8.4 Flood Prone Areas Code

The site is not mapped or known to be subject to flood risk and the Code therefore does not apply (Clause E5.2.1).

8.5 Car Parking and Sustainable Transport Code

The proposed subdivision reflects the existing land use and includes provision for two carparking spaces for the existing dwelling in accordance with Table E6.1. The proposal is considered to satisfy the requirements of the Code to the extent that they apply.

8.6 Biodiversity Code

The proposal does not relate to a Biodiversity Protection Area and the Code therefore does not apply.

8.7 Historic Heritage Code

The proposal does not involve a Heritage Place or Precinct and the Historic Heritage Code does not apply.

8.8 Other Codes

The proposed subdivision reflecting existing land use is not considered to conflict with the provisions of any other Codes to the extent that they apply.

9. Conclusion

Assuming the proposed Planning Scheme amendment is approved, the proposed subdivision would comply with the relevant zone and code provisions of the Planning Scheme and a permit should be issued.

Appendix A
Certificates of Title

Bushfire Hazard Report

For proposed 2 Lot subdivision at 5 & 7 Wellington Street, Longford



Landowners: Hill Street North Property Group Pty Ltd

Prepared by: Andrew Welling (BFP-135) & Sarah Bunce (BFP-151)

Report Date: 30th August 2019

enviro-dynamics
environmental solutions for a changing world

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Executive Summary

The following Bushfire Hazard Assessment Report for a 2 lot subdivision at 5 & 7 Wellington Street (Title References: C.T. 56464/1 and 2) is a requirement of a subdivision application within a Bushfire-Prone Area under the Northern Midlands Interim Planning Scheme 2015, E1.0 Bushfire Prone Areas Code and Planning Directive 5.1 (PD5.1). The Code requires that a new subdivision must achieve a minimum BAL rating of BAL 19 for all future dwellings on the newly formed lots. This report includes the Bushfire Hazard Management Plan which is a requirement under PD5.1.

The 2 existing strata title lots are located on flat ground on the east side of Wellington Street at the northern edge of the Longford business district. One of the lots supports an existing dwelling with managed gardens and managed surrounding hazard management areas in the southern central portion. The remainder of the land are developed with a petrol station on the western edge, a parking area and an Australia Post warehouse in the central portion of the area with paved access to loading bays for the shopping centre. The remaining surrounding vegetation on the land is grassland (paddocks). This vegetation and additional grassland on adjoining lots within 100m is considered a bushfire threat if not managed.

The surrounding land is zoned General Business, Utilities, Rural Resource and Open Space under the Northern Midlands Interim Planning Scheme (NMIPS) 2015 and is a combination of private freehold and local government land.

New structures (within the designated building areas) on each Lot of the proposed subdivision will be able to achieve BAL 19 based on the neighbouring land uses and separation distance outlined below.

A BAL 19 rating can be achieved on the Lots of the proposed subdivision provided the following measures are adopted:

- Designated building areas on proposed Balance Lot has minimum **10 m** wide separation distance to the north and east to Achieve BAL 19 rating as per the Bushfire Hazard Management Plan (Attachment 1).
- Existing dwelling on Proposed Lot 1 is surrounded by managed land to minimum separation distances to achieve BAL 12.5 rating.
- All future habitable structures will comply with construction standards for BAL 19 as per AS 3959 -2009 (Sections 3 and 6).
- Public and fire-fighting access to the Lots meet the requirements of Section 3.4 of this report (and PD5.1 E1.6.2, Table E2) for Lot 1.
- Provision of fire-fighting water supplies meet the requirements of Section 3.5 of this report (and PD5.1 E1.6.3 and Tables E4 reticulated water supplies for fire-fighting) for the future residences established on the new Lot.

By achieving BAL 19, the requirements of the Bushfire-Prone Areas Code for subdivision are realised under the acceptable solutions.

Disclaimer

The assessor has taken all reasonable steps to ensure that the information provided in this assessment is accurate and reflects the conditions on and around the site and allotment on the date of this assessment. Whilst measures outlined in this report are designed to reduce the bushfire risk to future dwelling located within the subdivision, due to the unpredictable nature of wildfires and impacts of extreme weather conditions the survival of the structures on the site during a fire event cannot be guaranteed.

Andrew Welling – ENVIRO-DYNAMICS PTY LTD

ACCREDITED BUSHFIRE ASSESSOR (BFP-135)

CERTIFICATE No: ED1935 DATE: 26/08/2019



Signed

1. Introduction

The following Bushfire Hazard Assessment Report has been undertaken as part of the planning requirements of the Northern Midlands Interim Planning Scheme (NMIPS) 2015 and Planning Directive No. 5.1 (PD5.1) Bushfire-Prone Areas Code for subdivision of a lot located within a bushfire prone area.

This plan provides an assessment of the Bushfire Attack Level (BAL) and outlines protective features and controls that must be incorporated into the design and layout of the subdivision to ensure compliance with AS 3959-2009 Construction of Buildings in Bushfire Prone Areas and the Tasmania Fire Service publication: Guidelines for Development in Bushfire Prone Areas 2005.

1.1 Site Details

Client: Hill Street North Property Group Pty Ltd

Location: 5 & 7 Wellington Street, Longford

Title ref: C.T. 56464/1 and 2 PID: 7644423 and 7644415

Municipality: Northern Midlands Council

Zoning: General Business, General Residential and Rural Resource – Northern Midlands Interim Planning Scheme 2015

Planning Overlays: Urban Growth Boundary and Bushfire Prone Area

Type of Development: 2 Lot subdivision

Date of Assessment: 25 July 2019

Assessment Reference Number: ED1940

1.2 Subdivision Proposal

The proposed subdivision and rezoning will see the formation of 2 lots from 1 existing lot (CT56464/1) with access from the Wellington Street. The lots will share the right-of-way access. Lot 1 will be 6,887m² and the Balance Lot will be 1.569 ha, refer to Proposed Subdivision plan in Appendix 2. The proposed rezoning is shown in Figure 3.

The subdivision will be developed without staging. In the absence of staging, a bushfire hazard management area (HMA) will be established and maintained on each lot of the proposed subdivision to provide protection for the new lot from the outset of the subdivision.

1.3 Site Description

The existing lot is located on the northern edge of Longford business district, approximately 0.5 km south of the Illawara Road (B52), Figure 1.

The smaller strata lot, which contains a service station, is bordered by a TasWater owned lot to the north and Wellington Street to the west from which it has direct access and is otherwise surrounded by the second larger lot.

The larger lot contains an existing dwelling with gardens and a large warehouse surrounded by a cleared paddock to the north east and north west and paved parking area. This lot is bound by Northern Midlands Conservation Area and Western Line railway to the north and east, and private freehold (commercial uses) to the south. There are existing separate accesses to the service station and larger lot directly from Wellington Street (Appendix 1, Photos 9 and 10). The larger lot has a bitumen drive including a right-of-way in favor of the shopping center title over all the sealed access and loading areas as well as providing access to the house and warehouse. In addition, the site has right-of-way but no formed access to Union Street over 8 Union Street (AUP 2019).

The remainder of the large lot, an L-shape to the north and east of the 280m² warehouse occupied by Australia Post, is cleared managed grassland/paddock. The two lots have a low localised slope of >0-5° but are generally flat with a notable gully under the railway line which would provide drainage from the area and a fire buffer (Appendix 1, Photo 3). The local geology is floodplain terrace, including alluvial gravel and sand that has been worked by water and wind.

The small lot is zoned General Business while the larger lot is zoned General Residential through the middle portion and Rural Resource to the east (Figure 2). The planning overlays on both lots are Urban Growth Boundary and Bushfire Prone Area in the Northern Midlands municipality. The bushfire prone area results from the lots being within 100 m of bushfire prone vegetation (Grassland), refer to Figures 2, 3 and 4 and Appendices 1 & 2.

Bushfire Hazard Report for 5 & 7 Wellington Street, Longford – August 2019

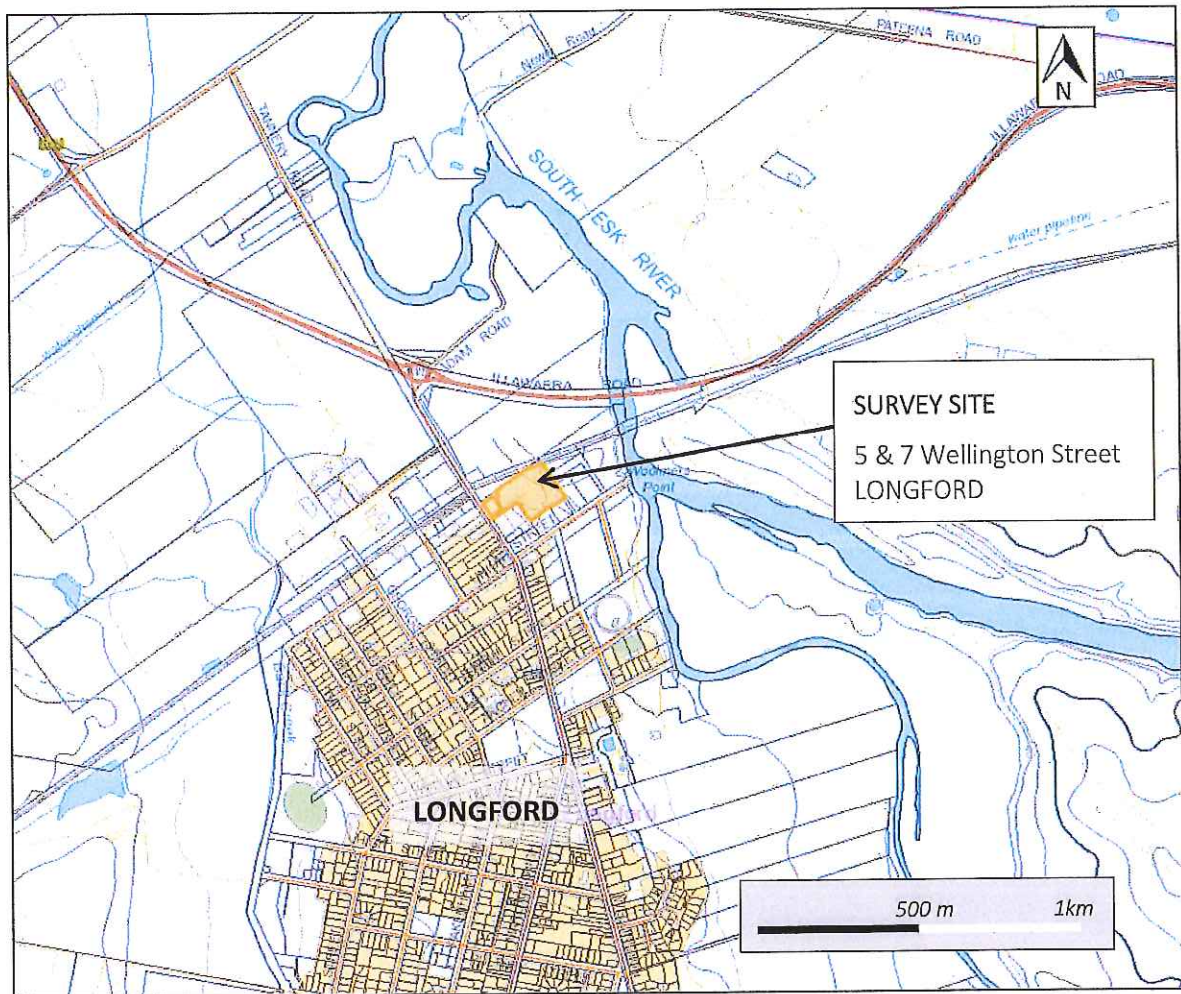


Figure 1 – Site Location Plan (Source: TheList 2019)

Bushfire Hazard Report for 5 & 7 Wellington Street, Longford – August 2019

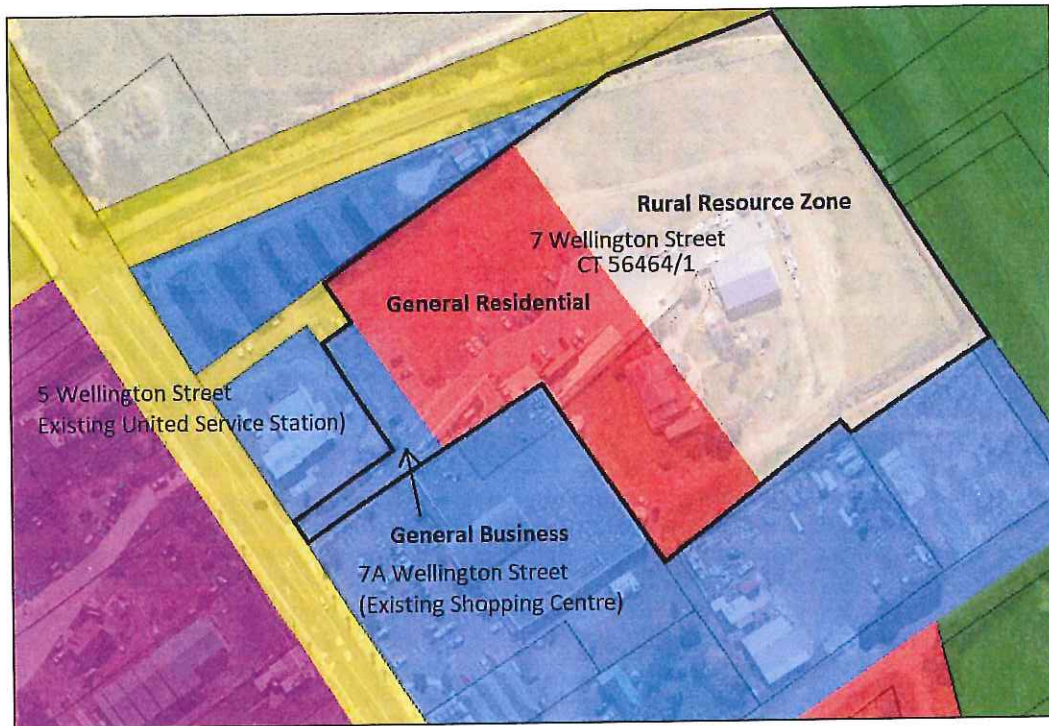


Figure 2 – Site zoning – Source: Section 43A Combined Planning Scheme Amendment and Application for Planning Permit for Subdivision at 7 and 7A Wellington Street, Longford (AUP 2019)

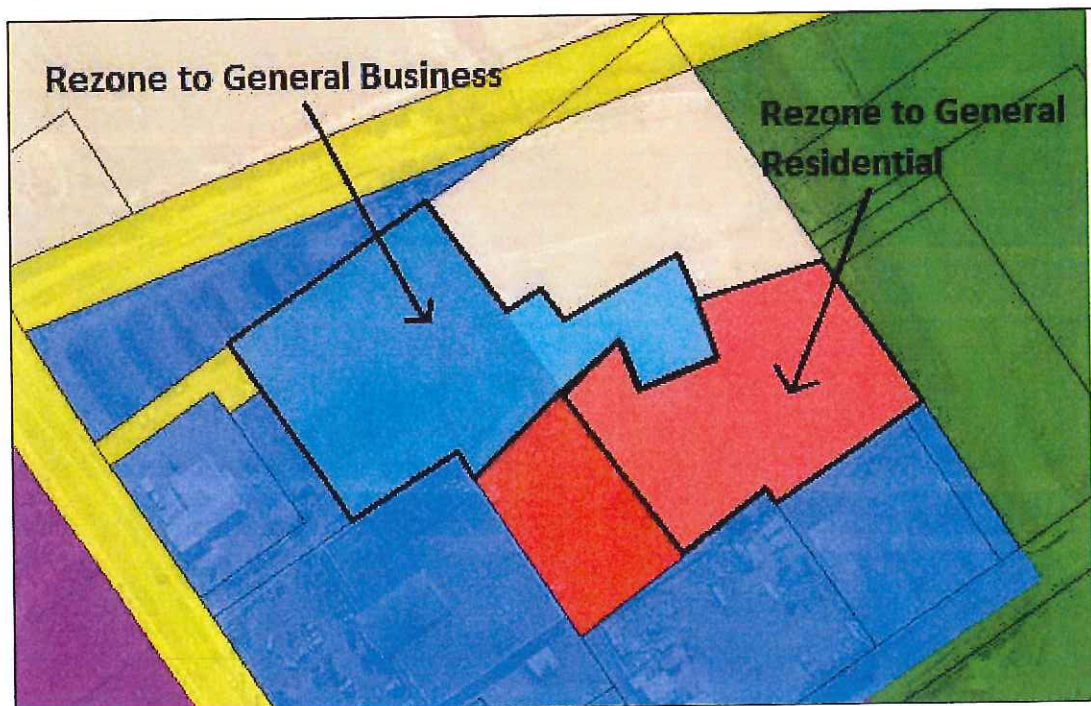


Figure 3 – Proposed Site Rezoning – Source: Section 43A Combined Planning Scheme Amendment and Application for Planning Permit for Subdivision at 7 and 7A Wellington Street, Longford (AUP 2019)

2. Bushfire Site Assessment

The following is a summary of the bushfire risk at the property.

Bushfire Hazard: Grassland vegetation

Bushfire Attack Mechanisms: Radiant heat, ember attack, wind, direct flame and smoke.

Bushfire Threat Direction: The main bushfire threat to the proposed subdivision is from the grassland vegetation across generally flat land to the north and east. The prevailing wind direction during summer is from this direction along with north westerlies. It is noted that a fire in this grassland could be a source of embers from the north and east. The fire threats from the south and west are low due to developed managed land and roads in these directions. Refer to Figure 4 and Appendix 1 for Photos.

There is only one reported bushfire incident about 3.5 km to the south of Longford that burned an area of 12.5 ha in 2015. The proposed subdivision was not directly affected by this fire (TheList 2019).

Fire Danger Index: FDI 50 (this index applies across Tasmania).

Vegetation: Vegetation was assessed within 100 m in all directions from the edge of proposed subdivision and classified as per Table 2.3 of AS 3959-2009.

The 2.25 ha lot is a combination of managed (FUR) and agricultural grassland (FAG) in and L-shape around the warehouse and dwelling (TasVeg 3.0) to the north and east (Figure 4).

Significant Natural Values: There are no threatened species on the site based on TasVeg 3.0 and the adjoining vegetation communities are not threatened vegetation communities under the *Nature Conservation Act 2002*.

Refer to Table 1 for the summary of the BAL Assessment.

Table 1 – Summary of Bushfire Site Assessment

Direction of slope	North	East	South	West
Proposed Lot 1 – Existing house and paddock				
Vegetation Classification ^A	GRASSLAND	GRASSLAND	MANAGED LAND	MANAGED LAND
Distance to classified vegetation	30 m	45 m	NA	NA
Effective slope under vegetation	Upslope	Upslope	Upslope	Across slope
Exclusions	NA	NA	(e) (f)	(e) (f)
Current BAL value for each side of the site	BAL 12.5	BAL 12.5	BAL Low	BAL Low

Bushfire Hazard Report for 5 & 7 Wellington Street, Longford – August 2019

Direction of slope	North	East	South	West
Separation distances to achieve BAL-19	10-<14 m	10-<14 m	NA	NA
Separation distances to achieve BAL-12.5	14-<50 m	14-<50 m	NA	NA
Balance Lot – Service Station, Warehouse and Paddock				
Vegetation Classification ^A	GRASSLAND	GRASSLAND	MANAGED LAND	MANAGED LAND
Distance to classified vegetation	0 m	0 m	NA	NA
Effective slope under vegetation	Across slope	Upslope	Upslope	Across slope
Exclusions	NA	NA	(e) (f)	(e) (f)
Current BAL value for each side of the site	BAL FZ	BAL FZ	BAL Low	BAL Low
Separation distances to achieve BAL 19	10-<14 m	10-<14 m	NA	NA
Separation distances to achieve BAL-12.5	14-<50 m	14-<50 m	NA	NA

NA: Not applicable

^A Vegetation within 100 m of the proposed building area identified as *Grassland* can be easily managed to maintain <100mm during the fire season. The vegetation classified as *Managed land* is a combination of paved road, landscaped gardens, buildings around the existing dwelling.

*Exclusions – As per definitions in paragraph 2.2.3.2 of AS 3959-2018, an 'Exclusion' is provided by Low threat vegetation and non-vegetated areas. In the case of 5 & 7 Wellington Street, exclusions exist within the 100 m BAL assessment area around the site as indicated above and include:

(e) Non-vegetated areas, that are areas permanently cleared of vegetation, including waterways, exposed beaches, roads, footpaths, buildings and rocky outcrops.

(f) Vegetation regarded as low threat due to factors such as flammability, moisture content or fuel load. This includes grassland managed in a minimal fuel condition, mangroves and other saline wetlands, maintained lawns, golf courses (such as playing areas and fairways), maintained public reserves and parklands, sporting fields, vineyards, orchards, banana plantations, market gardens (and other non-curing crops), 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 100 mm).

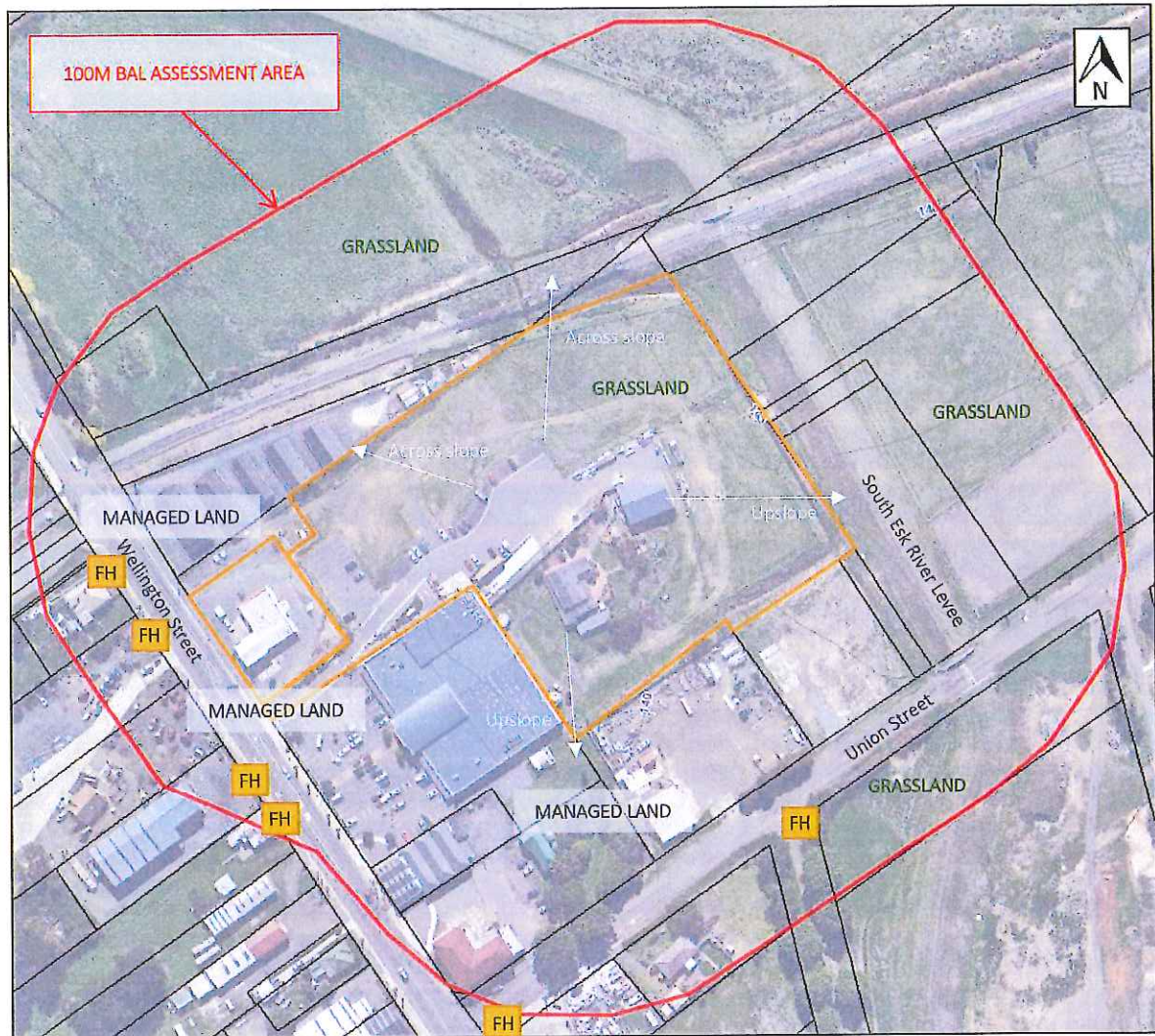


Figure 4 – Aerial photo of site showing surrounding managed areas to the south and west, and Grassland vegetation to the north and east; existing layout of strata lots with 100m radius BAL Assessment area; slopes; and fire hydrant locations (FH) (Source: TheList 2019).

Note: Refer to Appendix 1 for photos and Appendix 2 for proposed layout of Lots.

3. Bushfire Management Measures

The site is within a defined Bushfire-Prone Area as it is surrounded by contiguous classified vegetation as defined under PD5.1. The grassland vegetation is moderately managed at present and is recognized as having the potential to become an elevated bushfire risk.

As such, a subdivision development at the site must meet minimum development standards. These development standards are set out under clause E1.6.1 of the code and include: Provision of HMA (E1.6.1), Public access (E1.6.2) and Provision of water supply for fire-fighting purposes (E1.6.3). The subdivision development must comply with the following clauses of E1.0 – Bushfire-Prone Areas Code (shaded clauses in Table 2).

Table 2 – Compliance with E1.0

CLAUSE	ISSUE
E1.2	Application of Code
E1.3	Definition of terms in this Code
E1.4	Use or development exempt from this Code
E1.5	Use Standards
E1.5.1	Vulnerable Uses
E1.5.2	Hazardous Uses
E1.6	Developments Standards
E1.6.1	Development Standard for Subdivision: Provision of hazard management areas (HMA) for habitable buildings
E1.6.2	Subdivision: Public and fire-fighting access
E1.6.3	Subdivision: Provision of water supply for fire-fighting purposes

3.1 Compliance of Existing Dwellings

There is one existing dwelling on the proposed subdivision. The dwelling was likely constructed prior to the adoption of PD5.1 and as such may not meet construction requirements of AS3959-2009 however the dwelling is surrounded by managed land with separation distances from classified vegetation compliance with a BAL 12.5 rating.

3.2 Hazard Management Areas

The bushfire hazard management area (HMA) provides a cleared space between the buildings and the bushfire hazard. Any vegetation in this area needs to be strategically modified and then maintained in a low fuel state to protect buildings from direct flame contact and intense radiant heat thereby allowing them to be defended from lower intensity bushfires. Fine fuel loads must be minimal to reduce the quantity of windborne sparks and embers reaching buildings; to reduce the radiant heat at the building and to halt or check direct flame attack.

Further information on the maintenance of the equivalent 'defendable space' are provided in the Tasmania Fire Service document: Guidelines for Development in Bushfire Prone Areas of Tasmania (2005). This document identifies different protection zones including a Bushfire Protection Zone and a Fuel Modified Buffer Zone.

Requirements

To comply with Acceptable solutions under E1.6.1 – A1. Acceptable solutions A1 the plan of subdivision must:

- show building areas for each lot; and
- indicate HMAs which separate building areas from bushfire prone vegetation with separation distances required for BAL 19 as a minimum as per Table 2.4.4 of AS 3959-2009 Construction of Buildings in Bushfire Prone Areas.

Current conditions:

- The Lot contains one existing dwelling on proposed Lot 1 (6,887 m²) and the remainder is the Balance Lot (1.569 ha) which is covered by grass, paved access and parking, a service station and a warehouse.
- The HMA around the existing dwelling on Lot 1 is compliant with BAL 12.5 separation distances in all directions.

Compliance:

- Where an existing dwelling occurs on a proposed subdivision, the subdivision should not result in an increase in the bushfire risk to the existing dwelling. It is noted, the proposed subdivision will not increase the bushfire risk to the existing dwelling.
- Designated building areas on proposed Balance Lot requires minimum **10 m** wide separation distance to the north and east to Achieve BAL 19 rating as per the Bushfire Hazard Management Plan (Attachment 1).
- The vegetation within the HMA should be maintained in a cleared condition to ensure grass is maintained at less than 100 mm tall during bushfire season.
- Setbacks from property boundaries will apply to any new dwelling on the Balance Lot as per zoning requirements.

Maintenance of Hazard Management Areas

The HMA around the building areas must always be maintained in a minimal fuel condition, including maintain grass at less than 100 mm tall, to ensure bushfire protection mechanisms are effective. An annual inspection and maintenance of the HMA should be conducted prior to the bushfire season and any flammable material such as leaves, litter, wood piles removed.

3.3 Construction Standards

Any future dwelling developed on the proposed Balance Lot must be constructed to minimum BAL 19 standards as per AS3959 – 2009 (Sections 3 and 6).

3.4 Public and Fire-fighting Property Access

Access to the lots in a subdivision must: allow safe access and egress for residents, fire-fighters and emergency service personnel; provide access to the bushfire-prone vegetation that enables both property to be defended when under bushfire attack and for hazard management works to be undertaken; be designed and constructed to allow for fire appliances to be manoeuvred; provide access to water supplies for fire appliances; and be designed to allow connectivity, and where needed, offer multiple evacuation points.

Requirements:

Must meet requirements for E1.6.2 and Table E2 of PD5.1 as follows:

- All-weather construction;
- Load capacity of at least 20 tonnes, including for bridges and culverts;
- Minimum carriageway width of 4 m with a minimum vertical clearance of 4 m and minimum horizontal clearance of 0.5 m from the edge of the carriageway;
- Cross falls of less than 3 degrees (1:20 or 5%);
- Dips less than 7 degrees (1:8 or 12.5%) entry and exit angle;
- Curves with a minimum inner radius of 10 m;
- Maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads; and
- Terminate with a turning area for fire appliances provided by one of the following:
 - A turning circle with a minimum inner radius of 10 m; or
 - A property access encircling the building; or
 - A hammerhead "T" or "Y" turning head 4 m wide and 8 m long.

Current conditions:

- Wellington Street complies with access road requirements.
- The existing driveways to the proposed Balance Lot and Lot 1 are greater than 30 m and do not require any upgrades.

Bushfire Hazard Report for 5 & 7 Wellington Street, Longford – August 2019

- Access driveway to a dwelling on proposed Balance Lot from Wellington Street, will be less than 200 m long for which the specified design and construction requirements detailed above, apply.

Compliance:

As per E.1.6.2 and Table E2 of PD5.1, all new driveways will comply with the requirements identified above.

3.5 Fire-fighting Water Supply

An adequate, accessible and reliable water supply for fire-fighting purposes must be supplied to allow for the protection of life and property from the risks associated with bushfire.

Requirements:

The building areas are serviced by reticulated water therefore the following requirements of PD5.1, Section E1.6.3 and Table E4 for reticulated fire-fighting water supply must be achieved.

- The building area to be protected must be located within 120 m of a fire hydrant measured as a hose lay, between the fire-fighting water point and the furthest part of the building area.
- The fire hydrant system must be designed and constructed in accordance with TasWater Supplement to Water Supply Code of Australia WSA 03 – 2011-3.1 MRWA 2nd Edition and fire hydrants are not installed in parking areas.
- A hard stand area for fire appliances must be:
 - no more than 3 m from the hydrant, measured as a hose lay;
 - no closer than 6 m from the building area to be protected;
 - a minimum width of 3m constructed to the same standard as the carriageway; and
 - connected to the property access by a carriageway equivalent to the standard of the property access.

Current conditions:

- Site is within a reticulated area with nearby fire hydrants in Wellington Street.
- There is an existing reticulated water supply to the existing dwelling on proposed Lot 1 however the dwelling is not within 120 m hose lay of the closest fire hydrant in Wellington Street (Figure 4).

Compliance:

- Both lots are within a reticulated water supply area with fire hydrants in Wellington Street. As such it can meet the water supply requirements of PD5.1 Section E1.6.3 and Table E4.
- Proposed subdivision must comply with reticulated water supply requirements (as per previous section).

4. Conclusions & Recommendations

The assessment of the bushfire risk of a proposed 2 Lot subdivision at 5 & 7 Wellington Street, Longford indicates that the subdivision can meet the requirements of PD5.1, E1.0 Bushfire-Prone Areas Code for a BAL 19 rating provided compliance with the following measures:

- Building area is designated for Balance Lot as per Bushfire Hazard Management Plan (Attachment 1) with HMA separation distance of min **10 m** wide to north and east at rear of lot to achieve BAL 19.
- Existing dwelling on Proposed Lot 1 is surrounded by managed land to minimum separation distances to achieve BAL 12.5 rating.
- All future habitable dwellings (Class 1a buildings) to comply with construction standards for BAL 19 as per *AS 3959-2009* (Sections 3 and 6).
- Subdivision access to proposed Lots meets all requirements outlined in Section 3.4 of this report (and Table E2 Element B and E1.6.2).
- Provision of water supply meets the requirements outlined in Section 3.5 of this report (and Table E5 of E1.6.3) for any future dwelling established on the subdivision.

4.1 Recommendations

Adopt Bushfire Hazard Management Plan as per Attachment 1.

4.2 Limitations of Plan

The bushfire protection measures outlined in this plan are based on a Fire Danger Index of 50 (FDI 50) which relates to a fire danger rating of 'very high'. Defending the property or sheltering within a structure constructed to *AS3959-2009* on days when the fire danger rating is greater than 50 (i.e. 'severe' or higher) is not recommended.

Due to the unpredictable nature of bushfire behaviour and the impacts of extreme weather no structure built in a bushfire-prone area can be guaranteed to survive a bushfire. The safest option in the event of a bushfire is to leave the area early and seek shelter in a safe location.

5. References

AS3959-2009. *Australian Standard for Construction of buildings in bushfire-prone areas*. SAI Global Limited Sydney, NSW Australia.

AUP 2019. *Section 43A Combined Planning Scheme Amendment and Application for Planning Permit for Subdivision at 7 and 7A Wellington Street, Longford*. All Urban Planning Pty Ltd, 9th July 2019.

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>

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LISTmap 2018. Land Information System Tasmania, Tasmania Government. <https://maps.thelist.tas.gov.au/listmap/app/list/map>

NASH 2014. *NASH Standard for Steel Framed Construction in Bush Fire Areas*. National Association of Steel Framed Housing Inc.

NCC 2016. *National Construction Code 2016 Vol Two, Building Code of Australia Class 1 and Class 10 Buildings*. Australian Building Codes Board, Australia.

NMIPS 2015. *Northern Midlands Interim Planning Scheme 2015*. <https://www.iplan.tas.gov.au/pages/plan/book.aspx?exhibit=nmips>

PD5.1 2016. *Planning Directive No. 5.1 Bushfire-Prone Areas Code*. Issued by Minister for Planning and Local Government under section 13(1) of the former provisions of the *Land Use Planning and Approvals Act 1993*.

TFS 2005. *Guidelines for Development in Bushfire prone Areas of Tasmania. Living with Fire in Tasmania*. Bushfire Planning Group of Tasmania Fire Service, Tasmania.

APPENDIX 1 – Photos of vegetation surrounding proposed subdivision



Photo 1: Proposed Balance Lot looking Northeast from the General Business access across the general residential and rural resource zones – Managed and Grassland – Upslope



Photo 2: Proposed Balance Lot looking East towards South Esk River Levee and Warehouse – Grassland – Flat



Photo 3: Looking North towards the Western Rail Line – Grassland (and weeds) – Generally flat river floodplain with drain



Photo 4: Looking West across Grassland on Balance Lot and towards back of service station and adjoining developed land – Grassland (and weeds) – Upslope



Photos 5: Proposed Lot 1 looking Southwest towards the existing house across grassland – Managed land and Grassland – Flat to the East

Note: shopping center is behind and west of the house



Photos 6: Proposed Lot 1 looking North from the east side of the existing house – Grassland – Flat



Photo 7: Proposed Lot 1 looking East from existing house driveway – Managed Land & Grassland beyond – Flat



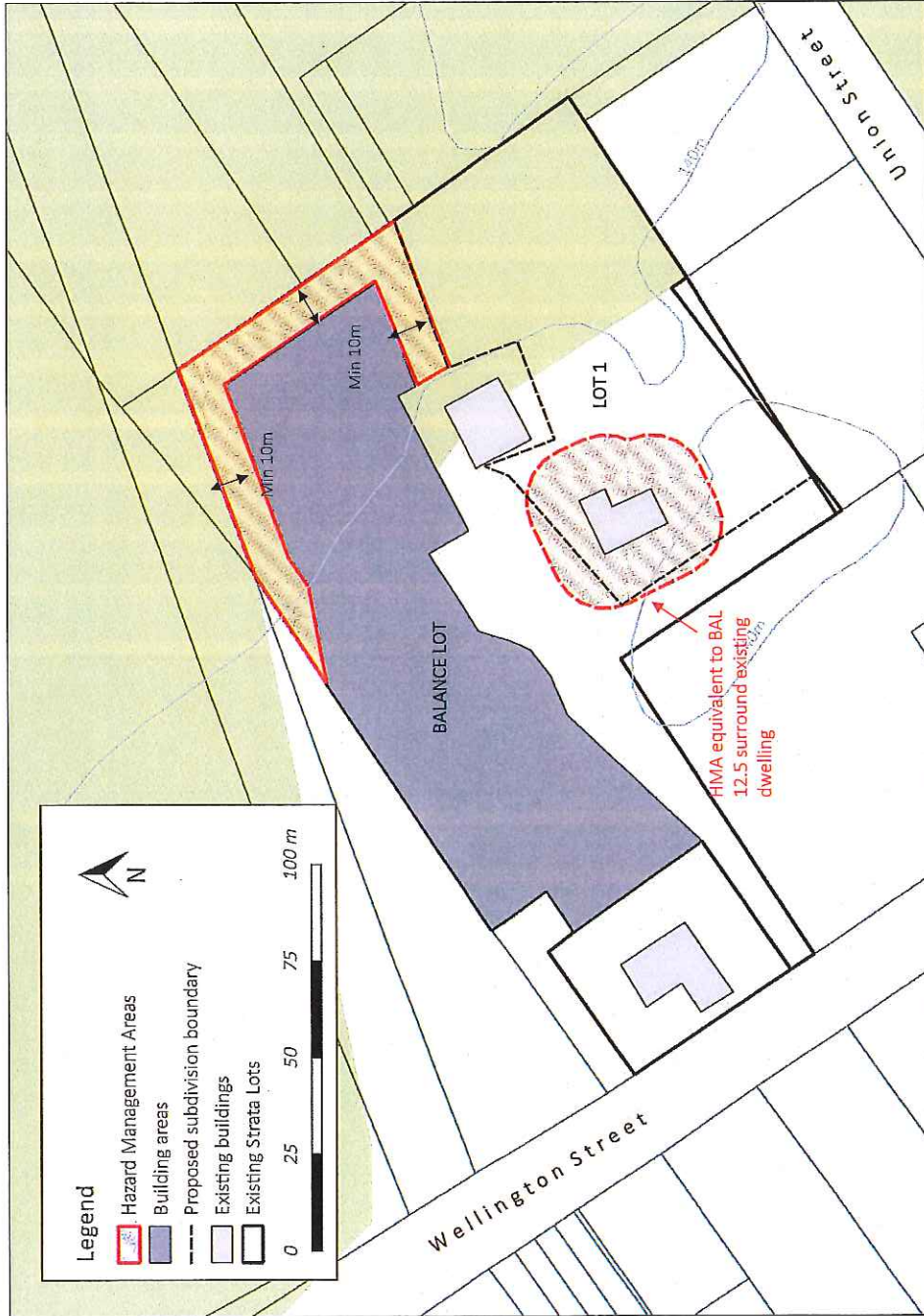
Photo 8: Proposed Lot 1 looking Southeast across Grassland towards managed land (industrial warehouse on neighbouring property) – Managed Land – Upslope

Bushfire Hazard Report for 5 & 7 Wellington Street, Longford – August 2019



Photos 9 & 10: Access from Wellington Street into service station (left) and shopping center (right)

ATTACHMENT 1 – Bushfire Hazard Management Area Plan – August 2019



For: Hill Street North Property Group Pty Ltd
 5 & 7 Wellington Street, Longford
 Title: C.T. 56464/ 1 and 2 PID: 7644423 and 7644415
 August 2019 Assessment #: ED1940

Andrew Welling – Enviro-dynamics Pty Ltd
 ACCREDITED BUSHFIRE ASSESSOR (BFP-135)
 CERTIFICATE No: ED1940 DATE: 26/08/2019
 Signed: [Signature]

NOTES

Hazard Management Zone

- HMA to be established to distances indicated in this plan and as set out in Table 1 of Bushfire Attack Level Assessment for BAL 19 as a minimum.
- 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 windborne sparks and embers reaching buildings; and to halt or check direct flame attack.
- 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.
- No trees to overhang houses to prevent branches or leaves from falling on the building.
- Non-combustible elements including driveways, paths and short cropped lawns are recommended within the BHMA.
- Fine fuels (leaves bark, twigs) should be removed from the ground periodically (pre-fire season) and all grasses or pastures must be kept short (<100 mm).

1-404

Construction Standards

- Any future dwelling, hazardous use or vulnerable use on the new lot to be constructed to comply with BAL 19 as per AS3959-2009 (Sections 3 and 6) and Section 3.3 of the Bushfire Hazard Report.

Public and Fire-fighting Access Requirements

- Access road to existing dwelling and any new dwelling will comply with Section 3.4 of the Bushfire Hazard Report.

Static Fire-fighting Water Supply

- The fire-fighting water supply will comply with requirements of Section 3.5 of the Bushfire Hazard Report to ensure an adequate, accessible and reliable static water supply for fire-fighting.

This plan is to be printed at A3 and read in conjunction with the preceding Bushfire Hazard Assessment Report (enviro-dynamics August 2019).



BUSHFIRE-PRONE AREAS CODE**CERTIFICATE¹ UNDER S51(2)(d) LAND USE PLANNING AND APPROVALS ACT 1993****1. Land to which certificate applies²**

Land that is the Use or Development Site that is relied upon for bushfire hazard management or protection.

Name of planning scheme or instrument:

Northern Midlands Interim Planning Scheme 2015

Street address:

5 & 7 Wellington Street, Longford

Certificate of Title / PID:

C.T. 56464/1 and 2

Land that is not the Use or Development Site that is relied upon for bushfire hazard management or protection.

Street address:

N/A

Certificate of Title / PID:

2. Proposed Use or Development**Description of Use or Development:**

The proposed 2 lot subdivision will be accessed via right-of-way and service easement from Wellington Street.

Lot 1 = 6,887m² with existing brick house No 7; and Balance Lot = 1.569 ha with existing service station No 5 and garage/shed.

The subdivision will be developed without staging.

Building area has been designated on Balance Lot.

The property access for the Balance Lot and Lot 1 will be greater than 30m long. A reticulated fire-fighting water supply will be established for the Balance Lot.

A Bushfire Hazard Management Area (HMA) will be established and maintained on the Balance Lot of the proposed subdivision to provide protection for the new lot from the outset of the subdivision. A HMA around the existing dwelling on Lot 1 is to be maintained at BAL 12.5 separation distances at a minimum.

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

² If the certificate relates to bushfire management or protection measures that rely on land that is not in the same lot as the site for the use or development described, the details of all of the applicable land must be provided.

Code Clauses: E1.4 Exempt Development E1.5.1 Vulnerable Use E1.5.2 Hazardous Use E1.6.1 Subdivision**3. Documents relied upon****Documents, Plans and/or Specifications****Title:**

Proposed Subdivision, Reference: NEKON02 11190-01

Author:

Rogerson & Birch Surveyors

Date:

3-07-2018

Version:

01

Bushfire Hazard Report**Title:**

Bushfire Hazard Report for proposed 2 lot subdivision at 5 & 7 Wellington Street, Longford

Author:

Enviro-dynamics Pty Ltd

Date:

August 2019

Version:**Bushfire Hazard Management Plan****Title:**

Bushfire Hazard Management Plan for Hill Street North Property Group Pty Ltd

Author:

Enviro-dynamics Pty Ltd

Date:

August 2019

Version:**Other Documents****Title:**

Section 43A Combined Planning Scheme Amendment and Application for Planning Permit for Subdivision at 7 & 7A Wellington Street, Longford

Author:

All Urban Planning

Date:

9 July 2019

Version:

4. Nature of Certificate

<input type="checkbox"/> E1.4 – Use or development exempt from this code			
	Assessment Criteria	Compliance Requirement	Reference to Applicable Document(s)
<input type="checkbox"/>	E1.4 (a)	Insufficient increase in risk	
<input type="checkbox"/> E1.5.1 – Vulnerable Uses			
	Assessment Criteria	Compliance Requirement	Reference to Applicable Document(s)
<input type="checkbox"/>	E1.5.1 P1	Residual risk is tolerable	
<input type="checkbox"/>	E1.5.1 A2	Emergency management strategy	
<input type="checkbox"/>	E1.5.1 A3	Bushfire hazard management plan	
<input type="checkbox"/> E1.5.2 – Hazardous Uses			
	Assessment Criteria	Compliance Requirement	Reference to Applicable Document(s)
<input type="checkbox"/>	E1.5.2 P1	Residual risk is tolerable	
<input type="checkbox"/>	E1.5.2 A2	Emergency management strategy	
<input type="checkbox"/>	E1.5.2 A3	Bushfire hazard management plan	
<input type="checkbox"/> E1.6 – Development standards for subdivision			
E1.6.1 Subdivision: Provision of hazard management areas			
	Assessment Criteria	Compliance Requirement	Reference to Applicable Document(s)
<input type="checkbox"/>	E1.6.1 P1	Hazard Management Areas are sufficient to achieve tolerable risk	
<input type="checkbox"/>	E1.6.1 A1 (a)	Insufficient increase in risk	
X	E1.6.1 A1 (b)	Provides BAL 19 for all lots	Bushfire Hazard Report for proposed 2 lot subdivision at 5 & 7 Wellington Street, Longford (Enviro-dynamics P/L August 2019); and Bushfire Hazard Management Area Plan – 5 & 7 Wellington Street,

			Longford (Enviro-dynamics P/L Aug 2019)
<input type="checkbox"/>	E1.6.1 A1 (c)	Consent for Part 5 Agreement	

E1.6.2 Subdivision: Public and fire fighting access			
	Assessment Criteria	Compliance Requirement	Reference to Applicable Document(s)
<input type="checkbox"/>	E1.6.2 P1	Access is sufficient to mitigate risk	
<input type="checkbox"/>	E1.6.2 A1 (a)	Insufficient increase in risk	
X	E1.6.2 A1 (b)	Access complies with Tables E1, E2 & E3	Access complies with Table E2 and Bushfire Hazard Report for proposed 2 lot subdivision at 5 & 7 Wellington Street, Longford (Enviro-dynamics P/L August 2019); and Bushfire Hazard Management Area Plan – 5 & 7 Wellington Street, Longford (Enviro-dynamics P/L Aug 2019)

E1.6.3 Subdivision: Provision of water supply for fire fighting purposes			
	Assessment Criteria	Compliance Requirement	Reference to Applicable Document(s)
<input type="checkbox"/>	E1.6.3 A1 (a)	Insufficient increase in risk	
X	E1.6.3 A1 (b)	Reticulated water supply complies with Table E4	Fire-fighting water supply complies with Table 4 and Bushfire Hazard Report for proposed 2 lot subdivision at 5 & 7 Wellington Street, Longford (Enviro-dynamics P/L August 2019); and Bushfire Hazard Management Area Plan – 5 & 7 Wellington, Longford (Enviro-dynamics P/L Aug 2019)
<input type="checkbox"/>	E1.6.3 A1 (c)	Water supply consistent with the objective	
<input type="checkbox"/>	E1.6.3 A2 (a)	Insufficient increase in risk	
<input type="checkbox"/>	E1.6.3 A2 (b)	Static water supply complies with Table E5	
<input type="checkbox"/>	E1.6.3 A2 (c)	Static water supply is consistent with the objective	

5. Bushfire Hazard Practitioner³

Name: Andrew Welling

Phone No: 0400151205

Address: Level 1

Fax No:

2 Edward Street

Email Address: Andrew.Welling@enviro-dynamics.com.au

Glebe

TAS

Accreditation No: BFP - 135

Scope:

6. Certification

I, certify that in accordance with the authority given under Part 4A of the Fire Service Act 1979 –

The use or development described in this certificate is exempt from application of Code E1 – Bushfire-Prone Areas in accordance with Clause E1.4 (a) because there is an insufficient increase in risk to the use or development from bushfire to warrant any specific bushfire protection measure in order to be consistent with the objectives for all the applicable standards identified in Section 4 of this Certificate.

or

There is an insufficient increase in risk from bushfire to warrant the provision of specific measures for bushfire hazard management and/or bushfire protection in order for the use or development described to be consistent with the objective for each of the applicable standards identified in Section 4 of this Certificate.

and/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 can deliver an outcome for the use or development described that is consistent with the objective and the relevant compliance test for each of the applicable standards identified in Section 4 of this Certificate.

Signed:
certifier


Date: 26-08-2019

Certificate No: BFP-135

³ A Bushfire Hazard Practitioner is a person accredited by the Chief Officer of the Tasmania Fire Service under Part IVA of Fire Service Act 1979. The list of practitioners and scope of work is found at www.fire.tas.gov.au.

REFERRAL OF DEVELOPMENT APPLICATION PLN-19-0151 TO WORKS & INFRASTRUCTURE
DEPARTMENT

Property/Subdivision No: 113600.051

Date: 4 September 2019

Applicant: All Urban Planning Pty Ltd

Proposal: Rezoning and subdivision

Location: 7-7A Wellington Street, Longford

W&I referral PLN-19-0151, 7-7A Wellington Street, Longford

Planning admin: W&I fees paid.

No W&I comment

Jonathan Galbraith (Engineering Officer)

Date: 6/9/19

Rosemary Jones

From: Hills, Garry <Garry.Hills@stategrowth.tas.gov.au>
Sent: Thursday, 5 September 2019 11:49 AM
To: NMC Planning
Cc: Potter, Mia
Subject: RE: Referral to Department of State Growth of Planning Application PLN-19-0151 - 7-7A Wellington Street, Longford TAS 7301

Our Ref: D19/227049

Hello Rosemary – confirming the Department have no comment to make on this Planning Application.

It is noted the existing access is provided to a suitable standard and has pre-existing turn lanes etc. on Wellington Street which are fine for the subdivision proposal. Further traffic assessment may be needed as part of any subsequent planning application for future development proposals.

Our Network Planning section has also advised there are no concerns with the rezoning component of the application.

Cheers, Garry

Garry Hills | Senior Traffic Engineering Officer
 State Roads Division | Department of State Growth
 GPO Box 536, Hobart TAS 7001
 Phone: (03) 6777 1940
www.stategrowth.tas.gov.au

DEPARTMENT OF STATE GROWTH COURAGE TO MAKE A DIFFERENCE THROUGH:



From: NMC Planning [mailto:planning@nmc.tas.gov.au]
Sent: Wednesday, 4 September 2019 4:02 PM
To: Development <Development@stategrowth.tas.gov.au>
Subject: Referral to Department of State Growth of Planning Application PLN-19-0151 - 7-7A Wellington Street, Longford TAS 7301

4/09/2019

Department of State Growth

via email to: Development@stategrowth.tas.gov.au

Referral to Department of State Growth of Planning Application PLN-19-0151 - 7-7A Wellington Street, Longford TAS 7301

The following planning application has been received under the *Northern Midlands Interim Planning Scheme 2013*.

NMC ref no:	PLN-19-0151
Site:	7-7A Wellington Street, Longford TAS 7301
Proposal:	Rezoning and subdivision
Applicant:	All Urban Planning
Use class:	Scheme Amendment
Zone:	GENERAL BUSINESS ZONE, GENERAL RESIDENTIAL ZONE, RURAL RESOURCE ZONE

Rosemary Jones

From: Jennifer Jarvis <Jennifer.Jarvis@tasrail.com.au>
Sent: Thursday, 5 September 2019 4:38 PM
To: NMC Planning
Subject: Re: Referral to TasRail - PLN-19-0151 - 7-7A Wellington Street, Longford

Hello Rosemary, as discussed, based on review of the documents TasRail has no objection to the proposed application but asks that the TasTail Standard Notes be attached to any permits approved by Council.

Kind regards

Jennifer Jarvis

Sent from my iPhone

TasRail Standard Notes (as at July 2019)

- No obstruction or installation is permitted inside railway land for any purpose including for structures, unauthorised vehicles, drainage, water pipes, stormwater discharge, electrical or service infrastructure.
- Should there be a requirement for a service or asset to be installed on rail land, a separate TasRail Permit is required and will only be approved subject to terms and conditions (costs apply). A Permit Application Form is available by contacting property@tasrail.com.au
- As per the *Rail Infrastructure Act 2007*, the Rail Infrastructure Manager (TasRail) may remove and dispose of unauthorised or unlawful service infrastructure and take such other action as it sees fit. Where this occurs, TasRail may recover its costs of doing so as a debt due to TasRail from that person and retain if applicable any proceeds of disposal. No action lies against TasRail for removing or disposing of the unauthorised or unlawful service infrastructure.
- Access to railway land is not permitted without formal authorisation from TasRail. In certain circumstances a Permit for Access may be issued by contacting property@tasrail.com.au
- Using or creating an unauthorised railway crossing is unsafe and strictly prohibited.
- No works are permitted on rail land without formal authorisation under a Permit. For further information please contact property@tasrail.com.au
- Parking of vehicles within rail land is not permitted.
- As railway land is Crown Land, the Rail Infrastructure Manager is not required to contribute to the cost of boundary fencing.

Submission to Planning Authority Notice

Council Planning Permit No.	PLN-19-0151	Council notice date	4/09/2019
TasWater details			
TasWater Reference No.	TWDA 2019/01297-NMC	Date of response	9/09/2019
TasWater Contact	David Boyle	Phone No.	6345 6323
Response issued to			
Council name	NORTHERN MIDLANDS COUNCIL		
Contact details	Planning@nmc.tas.gov.au		
Development details			
Address	7 WELLINGTON ST, LONGFORD	Property ID (PID)	7644423
Description of development	Rezoning and subdivision		
Schedule of drawings/documents			
	Prepared by	Drawing/document No.	Revision No.
	Rogerson & Birch Surveyors	NEKON02 11190-01	3/07/2019
Conditions			
<p>Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56S(2) TasWater makes the following submission(s):</p> <ol style="list-style-type: none"> TasWater does not object and has no formal comments for the Tasmanian Planning Commission in relation to this matter and does not require to be notified of nor attend any subsequent hearings. <p>Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p>			
CONNECTIONS, METERING & BACKFLOW			
<ol style="list-style-type: none"> A suitably sized water supply with metered connections / sewerage system and 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. 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. Prior to commencing construction of the subdivision any water connection utilised for construction must have a backflow prevention device and water meter installed, to the satisfaction of TasWater. 			
ASSET CREATION & INFRASTRUCTURE WORKS			
<ol style="list-style-type: none"> Plans submitted with the application for Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains. Prior to applying for a Permit to Construct to construct new infrastructure the developer must obtain from TasWater Engineering Design Approval for new TasWater infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for sewerage to TasWater's satisfaction. Prior to works commencing, a Permit to Construct must be applied for and issued by TasWater. All infrastructure works must be inspected by TasWater and be to TasWater's satisfaction. 			

7. In addition to any other conditions in this permit, all works must be constructed under the supervision of a suitably qualified person in accordance with TasWater's requirements.
8. Prior to the issue of a Consent to Register a Legal Document all additions, extensions, alterations or upgrades to TasWater's water and sewerage infrastructure required to service the development, generally as shown on the concept servicing plan "NEKON02 11190-01", are to be constructed at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater.
9. After testing to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
10. At practical completion of the water and sewerage works and prior to TasWater issuing a Consent to a Register Legal Document the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
 - a. Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved;
 - b. A request for a joint on-site inspection with TasWater's authorised representative must be made;
 - c. Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank guarantee;
 - d. As constructed drawings must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.
11. After the Certificate of Practical Completion has been issued, a 12 month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12 month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". The newly constructed infrastructure will be transferred to TasWater upon issue of this certificate and TasWater will release any security held for the defects liability period.
12. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.
13. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.

FINAL PLANS, EASEMENTS & ENDORSEMENTS

14. 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.
15. Pipeline easements, to TasWater's satisfaction, must be created over any existing or proposed TasWater infrastructure and be in accordance with TasWater's standard pipeline easement conditions.
16. The Plan of Survey must include private service easements over the proposed private pipes located

on balance, servicing Lot 1. The easement must benefit Lot 1 and burden balance.

DEVELOPMENT ASSESSMENT FEES

17. The applicant or landowner as the case may be, must pay a development assessment and Consent to Register a Legal Document fee to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date they are paid to TasWater, as follows:
- \$211.63 for development assessment; and
 - \$149.20 for Consent to Register a Legal Document

The payment is required by the due date as noted on the statement when issued by TasWater.

Advice

General

For information on TasWater development standards, please visit

<https://www.taswater.com.au/Development/Technical-Standards>

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

Advice to Planning Authority (Council) and developer on fire coverage

TasWater cannot provide a supply of water for the purposes of firefighting to lot 1 on the plan.

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

Email	development@taswater.com.au	Web	www.taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001		