

PLAN 2

PLANNING APPLICATION PLN-21-0151

2 GIBBET HILL RISE, PERTH

ATTACHMENTS

- A Application & plans, correspondence with applicant
- B Responses from referral agencies
- C Representations & applicant's response

PLANNING APPLICATION Proposal

Description of proposal:

3 LOT SUBDIVISION

(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. N/A. 3.....

Site address: 2 GIBBET MILL RISE PERM

CT no: 36262/1

Estimated cost of project \$ 25 000 - (include cost of landscaping, car parks etc for commercial/industrial uses)

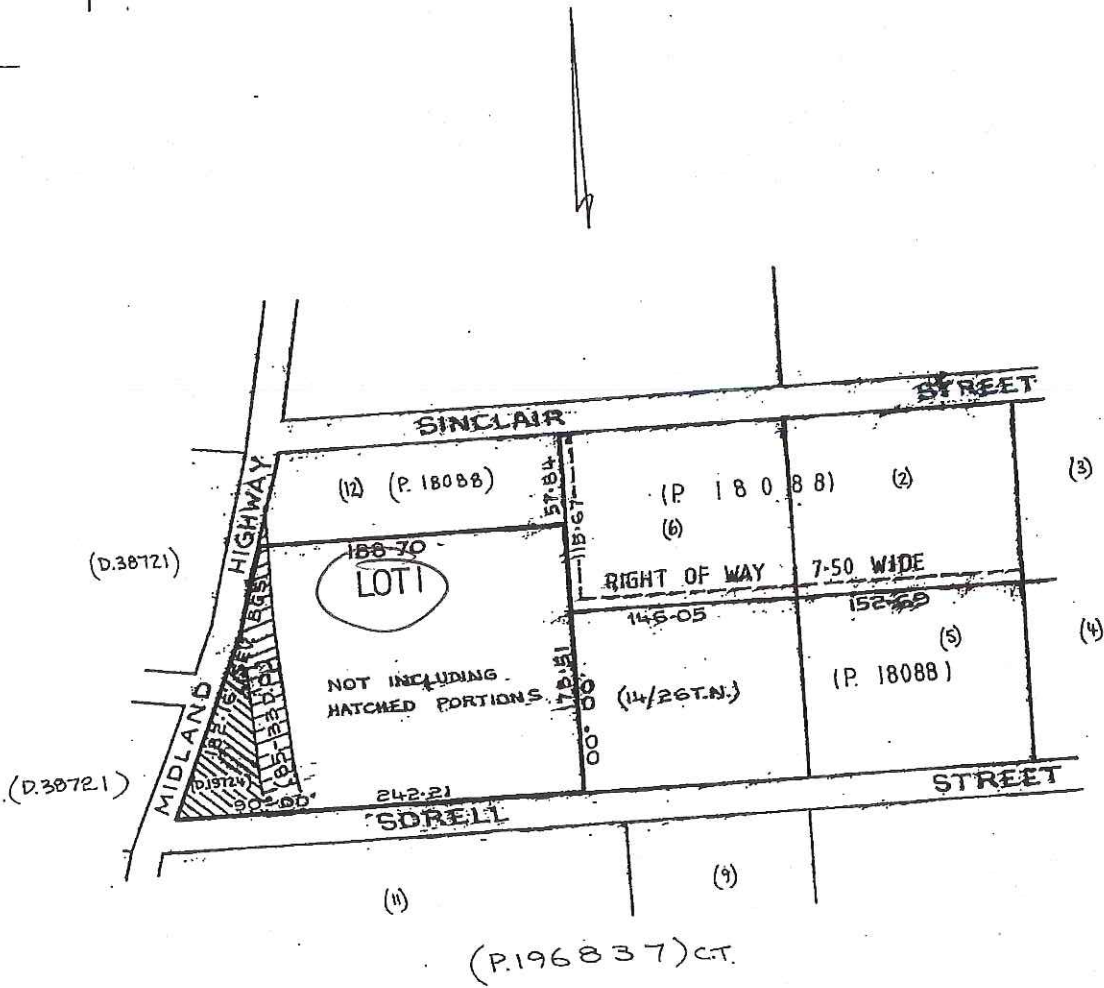
Are there any existing buildings on this property? Yes No House.
If yes - main building is used as

If variation to Planning Scheme provisions requested, justification to be provided:
NO

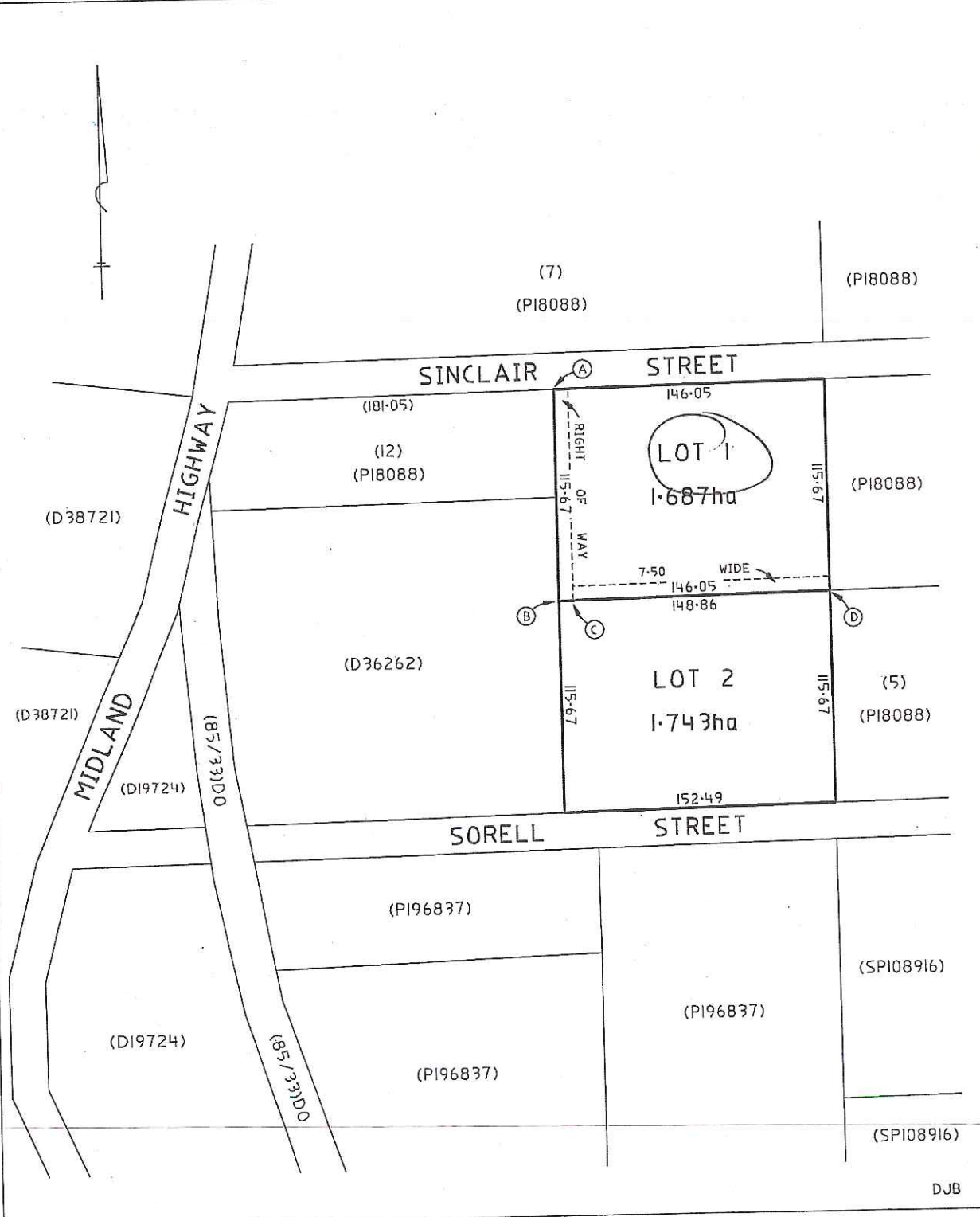
(attach additional sheets if necessary)

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

Owner:	PLAN OF TITLE of land situated in the CORNWALL PERTH COMPILED FROM..... SCALE 1: 3000 MEASUREMENTS IN METRES	Registered Number: D 36262
Title Reference: 4152 - 19 ct.		Approved.....
Grantee:		Recorder of Titles



OWNER		PLAN OF TITLE		Registered Number
FOLIO REFERENCE F/R 18088 - 6 F/R 233931 - 10		LOCATION TOWN OF PERTH (SEC. HH)		P.143775
GRANTEE		FIRST SURVEY PLAN No. COMPILED BY LDRB SCALE 1: 2000 LENGTHS IN METRES		APPROVED 2 MAY 2005 <i>Alice Kawa</i> Recorder of Titles
MAPSHEET MUNICIPAL CODE No. 123 (5039-14)	LAST UPI No 5600832, 5600833	LAST PLAN No. P18088 P233931	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN	



DJB



Department of Primary Industries,
Parks, Water and Environment

GPO Box 1751; Hobart, TAS 7001 Australia
Ph 1300 TAS PARKS / 1300 827 727 Fax 03) 6223 8308
www.parks.tas.gov.au



Enquiries: Amy Sanderson
Phone: 6165 4677
Email: amy.sanderson@parks.tas.gov.au
Our ref: 21/1852

24 May 2021

Attention: Carlton Dixon
Jaffa International Pty Ltd
PO Box 1983
HOBART TAS 7001

Dear Mr Dixon,

**LODGEMENT OF PLANNING APPLICATION
CARLTON DIXON OBO JAFFA INTERNATIONAL PTY LTD
3 LOT SUBDIVISION
2 GIBBET HILL RISE, PERTH**

This letter, issued pursuant to section 52(1B) of the *Land Use Planning and Approvals Act 1993* (LUPAA) is to confirm that the Crown consents to the making of the enclosed Planning Permit Application, insofar as the proposed development relates to Crown land managed by the Department of Primary Industries, Parks, Water and Environment.

Crown consent is only given to the lodgement of this application. Any variation will require further consent from the Crown.

Please also note, it is Departmental policy that all fire buffer areas (Hazard Management Areas and Fuel Modified Areas) are maintained wholly within freehold title boundaries and not on neighbouring Crown or Reserved land. Additionally, it is not PWS' practice for the Crown to enter into agreements under Part 5 of the LUPAA in support of developments on private property.

This letter does not constitute, nor imply, any approval to undertake works, or that any other approvals required under the *Crown Lands Act 1976* have been granted. If planning approval is given for the proposed development, the applicant will be required to obtain separate and distinct consent from the Crown before commencing any works on Crown land.

If you need more information regarding the above, please contact the officer nominated at the head of this correspondence.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Jesse Walker".

Jesse Walker
Team Leader (Unit Manager, Policy & Projects)

1-292

MIDLAND HIGHWAY

HAGGERSTON ROAD

PLANNING

THIS PLAN WAS PREPARED AS A PROPOSAL PLAN TO ACCOMPANY A DEVELOPMENT APPLICATION TO COUNCIL AND SHOULD NOT BE USED FOR ANY OTHER PURPOSE. ALL MEASUREMENTS AND AREAS ARE SUBJECT TO SURVEY.

Notes:

- 1. All measurements and areas are subject to survey.
- 2. Sewer and stormwater for all lots to be managed onsite.

PROPOSED 2 LOT SUBDIVISION & BALANCE

CLIENT: CARLTON DIXON

2 GIBBET HILL RISE, PERTH 7300

C.T.36262/1

#28 Mineva Drive

SORELL STREET (UNFORMED)

2.246ha±
Balance

3

1
5000m²±

2
5000m²±

#1 Gibbet Hill Rise

195.00±

Crown Access Licence required over this area

#16338 Midland Highway

SINCLAIR STREET (UNFORMED)

#3 Gibbet Hill Rise

GIBBET HILL RISE
Road runs through right
of way 7.50m wide over
C.T.148775/1

Existing access
to house via
Gibbet Hill Rise

Proposed right of way
(private) 6.00m wide &
variable width for access to
Gibbet Hill Rise for Lots 1 & 2.

#8 Gibbet Hill Rise

26.15±

59.61±

36.12±

35.47±

11.39±

6.02±

106.12±

189.08±

106.80±

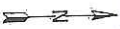
46.82±

81.86±

52.84±

116.98±

175.00±



Drawn	File name	Date	Scale	Job Number
ASB	L210418_Prop_Plan_270421.dwg	28/04/21	1:12500@A3	L210418
WOOLCOTT SURVEYS 10 Goodman Court Invermay, TAS 7248 PO Box 593 Invermay, Heights TAS 7248 Phone (03) 6332 3760 Fax (03) 6332 3764 Email: admin@woolcottsurveys.com.au				Sheet
				1/1

COMMERCIAL PROJECT DELIVERY

Project + Development + Construction Management

PO Box 210

Newstead TAS 7250

June 8, 2021

Northern Midlands Council
P.O Box 156
Longford, TAS, 7301

Attn: Des Jennings

Dear Des

Consent for Cash in Lieu of Public Open Space – 2 Gibbet Hill Rise, Perth

I wish to formally request General Manager's Consent for payment of cash in lieu of public open space in accordance with Clause E10.6.1 A1 (a) in relation to a 3 lot subdivision at 2 Gibbett Hill Rise, Perth (Proposal Plan attached).

Yours faithfully



Chloe Lyne
Planning and Development Consultant
Commercial Project Delivery
Mobile: +61 (0)408 397 393
www.cpdelivery.com.au

COMMERCIAL PROJECT DELIVERY

Project + Development + Construction Management



PO Box 210

Newstead TAS 7250

June 24, 2021

Planning Department
Northern Midlands Council
PO Box 156
Longford, TAS 7301

Dear Sir/Madam

2 Gibbet Hill Rise, Perth – Application for 3 lot subdivision

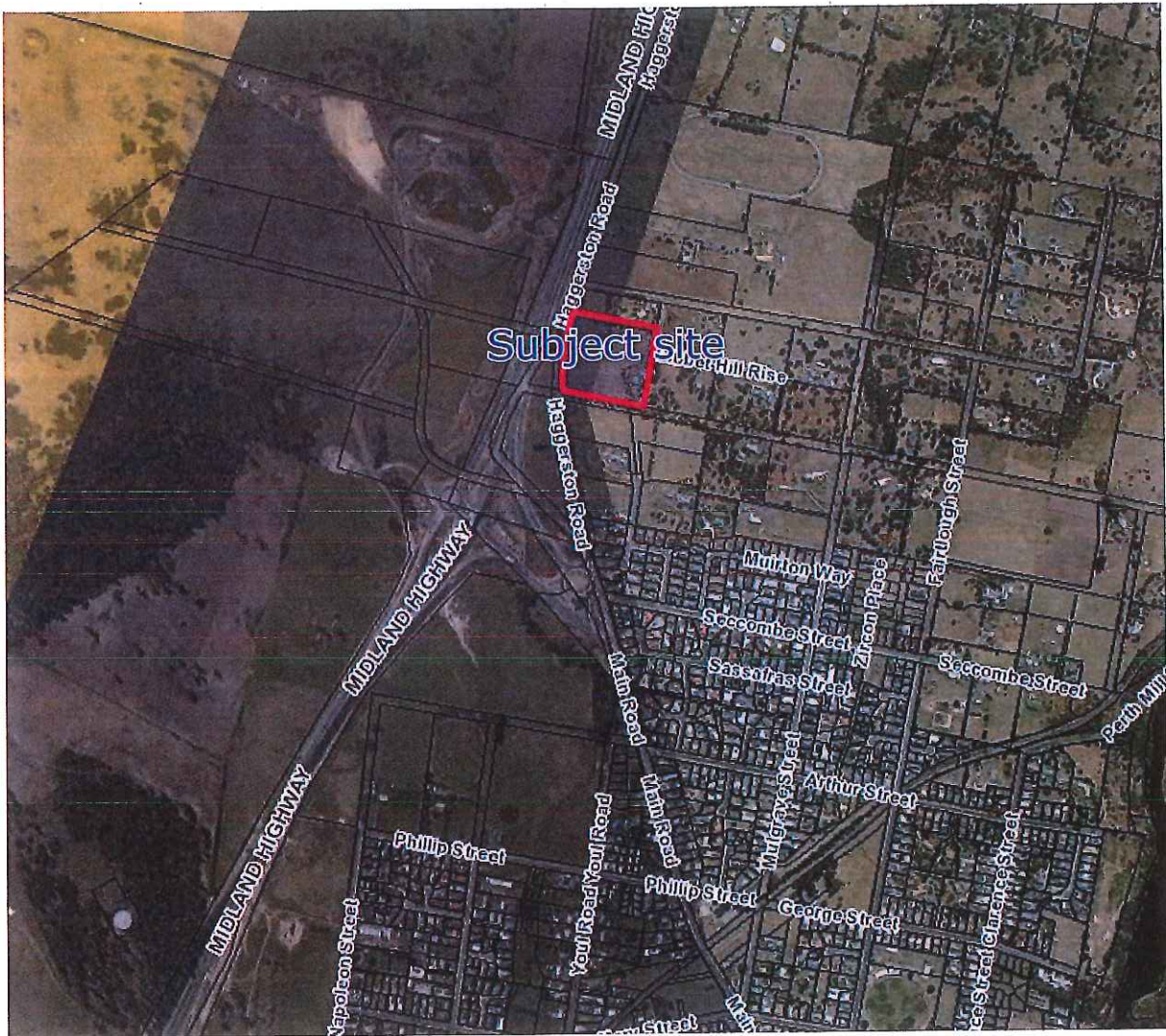
This letter is prepared to accompany an application for a 3 lot subdivision at 2 Gibbet Hill Perth. The letter provides an overview of the subject site, the proposal and an assessment against relevant planning scheme standards.

Subject Site

The subject site comprises a single title known as 2 Gibbet Hill Rise, Perth. The site is located on the northern fringes of the township within an area of Low Density residential zoning and characterised by a diverse array of lot sizes. Figure 1 shows the location of the site in the context of the Perth township and Figure 2 shows the subject site.

The site is currently developed with a single dwelling and associated outbuildings, which are located in the south eastern corner of the property. The site is accessed an unmade road called Gibbet Hill Rise which extends from Haggerston Road and then onto a right of way across 3 Gibbet Hill Rise (CT 143775/1). The site is largely cleared of vegetation with mature vegetation around the perimeter of the site. The site has an overall area of 3.246ha and is not connected to reticulated services.

The lots surrounding the site are all zoned Low Density Residential and developed with single dwellings.



Base image from theLIST (www.thelist.tas.gov.au). © State of Tasmania.

Figure 1 - Site Context



Base image from theLIST (www.thelist.tas.gov.au). © State of Tasmania.

Figure 2 – Subject site

The proposed development application relates to the following title:

Address	Owner(s)	Title Reference	Land Area
2 Gibbet Hill Rise, Perth	Anthony Wayne King	36262/1	3.246ha

Proposal

Approval is sought to create two additional lots at the northern end of the site.

Lot 1 will have an area of 5000m² and a 35 metre frontage to Haggerston Road. The lot will be vacant. Access will be provided via Crown Access Licence over the unformed section of Sinclair St, across the right of way over CT 143775/1 and via a new right of way across proposed lot 3.

Lot 2 will have an area of 5000m² and is undeveloped. It will be accessed in the same manner as Lot 1 and will have frontage to Haggerston Road via a strip extending to the north of Lot 1.

The balance Lot 3 will have an area of 2.246ha and contain the existing dwelling and associated outbuildings.

A copy of the proposed plan of subdivision is shown in Figure 3.

None of the lots are connected to reticulated services. The existing dwelling sources water from water tanks on site and has an on-site wastewater system situated to the west of the dwelling and will remain wholly within that lot.

Proposed lots 1 and 2 will need to gain access to water by installation of water tanks. ES&D have conducted an assessment to determine the suitability of this lot for provision of on-site wastewater disposal. A copy of that report is appended to this correspondence and confirms both lots 1 and 2 are capable of on-site wastewater disposal.

Stormwater will be disposed of on-site for all lots through sub-surface beds or trenches.

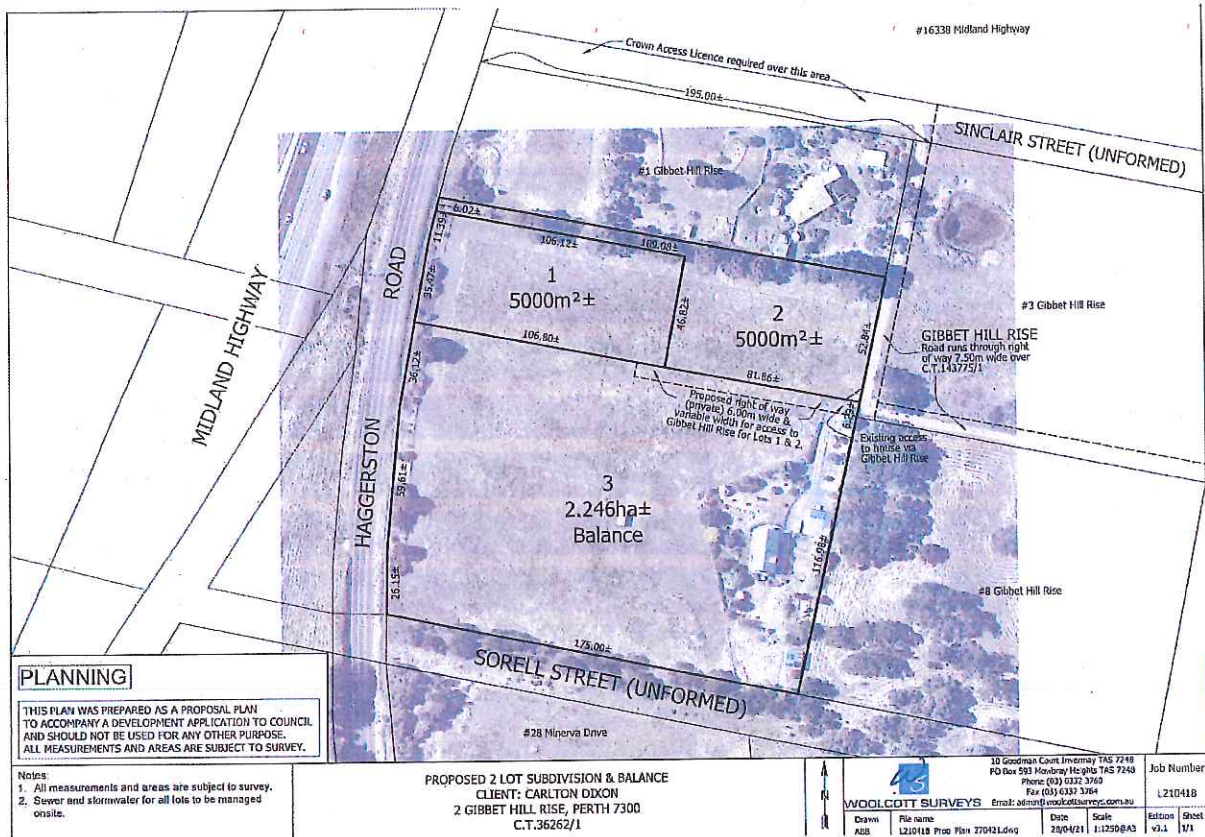


Figure 3 – Proposal Plan

Zoning and Overlay

The subject site is located in the Low Density Residential Zone (Figure 4) and subject to the bushfire prone area overlay. A small section of the south-eastern corner of the site is within the Scenic Management Overlay



Figure 4 – Zoning Plan

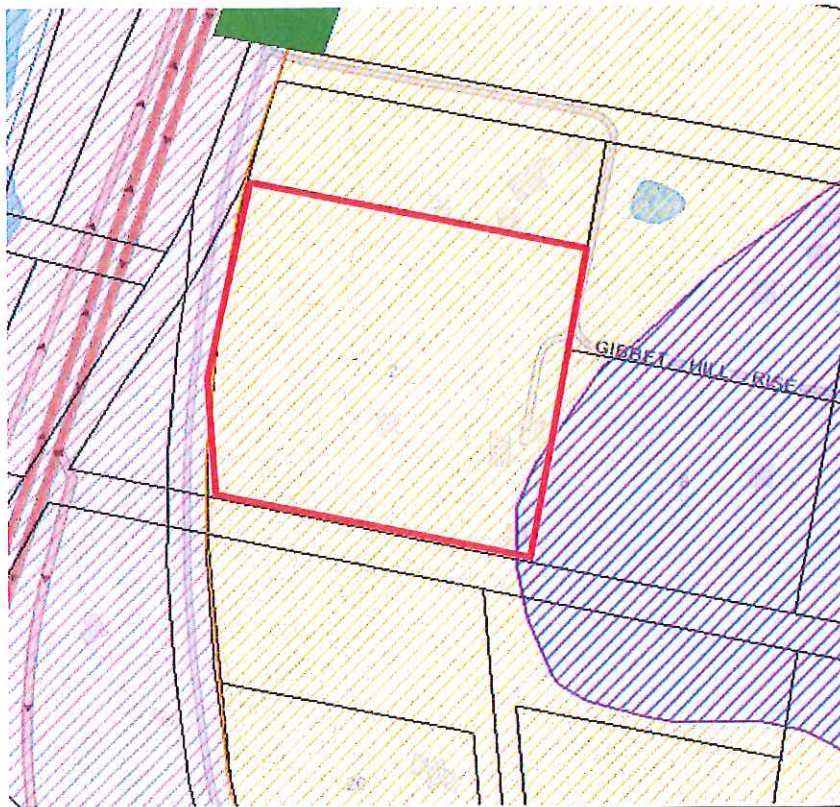


Figure 5 – Overlay Plan (purple hatching indicates extent of Scenic Management overlay)

Planning Assessment

The proposed subdivision must be assessed against the subdivision provisions of the Low Density Residential Zone and is also subject to the following Codes:

- Bushfire Prone Area
- Road and Railway Asset Code
- Car Parking and Sustainable Transport Code
- Scenic Management Code
- Recreation and Open Space Code

An assessment of the proposal against the relevant provisions is provided below.

Low Density Residential Zone

12.1 Zone Purpose

12.1	Zone Purpose
12.1.1.1	<i>To provide for residential use or development on larger lots in residential areas where there are infrastructure or environmental constraints that limit development.</i>
12.1.1.2	<i>To provide for non-residential uses that are compatible with residential amenity.</i>
12.1.1.3	<i>To ensure that development respects the natural and conservation values of the land and is designed to mitigate any visual impacts of development on public views.</i>

Comment: The proposed subdivision meets the zone purpose statements. Specifically, it will create two additional residential lots of sufficient size to provide for on-site wastewater treatment and stormwater disposal whilst limiting impacts on natural values and visual impacts.

12.4.3 Subdivision

12.4.3.1 Lot Area, Building Envelopes and Frontage

Objective

To ensure:

- a) *The area and dimensions of lots are appropriate for the zone; and*
- b) *The conservation of natural values, vegetation and faunal habitats; and*
- c) *The design of subdivision protects adjoining subdivision from adverse impacts; and*

- d) *Each lot has road access, and utility services appropriate for the zone.*

Acceptable Solution

A1.1 *Each lot must:*

- a) *Have a minimum area of 1ha; and*
- b) *Have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or*
- c) *Be required for public use by the Crown, an agency or corporation all the shares of which are held by Councils or a municipality; or*
- d) *Be for the provision of public utilities; or*
- e) *For the consolidation of a lot with another lot with no additional titles created; or*
- f) *To align titles with zone boundaries and no new lots are created.*

A1.2 *Subdivision at Devon Hills will not result in any new lots*

Performance Criteria

P1.1 *Each lot for residential use must provide sufficient useable area and dimensions to allow for:*

- a) *A dwelling to be erected in a convenient and hazard free location; and*
- b) *On-site parking and manoeuvrability; and*
- c) *Adequate private open space; and*
- d) *Reasonable vehicular access from the carriageway of the road to a building area on the lot, if any; and*
- e) *Development that would not adversely affect the amenity of, or be out of character with, surrounding development and the streetscape*

P1.2 *Land at Devon Hills must not be further subdivided.*

Response: Complies with P1.1 and A1.2 not applicable

The resultant lots are 5000m² (x2) and 2.245ha. Lots 1 and 2 do not comply with A1 and subdivision must be assessed against the standards of P1.1. It is submitted that the proposal meets the considerations under P1.1 as follows:

- a) The subject site is not located within a landslide hazard area and a Bushfire Hazard Management Plan has been prepared which confirms there is an insufficient increase in risk from bushfire by the creation of two additional lots. Lots 1 and 2 have sufficient area for the erection of a dwelling.
- b) Both lots 1 and 2 have more than sufficient flat area to enable a driveway and parking area to be created.

- c) Whilst the Low Density Residential Zone doesn't have a requirement for provision of a minimum area for private open space to provide a guide, it is noted that the permitted site coverage standard is 10% which on a 5000m² lot is 500m² which is more than adequate to construct a dwelling within (typical 3 bedroom dwelling with outbuilding is 200m²). Aside from land utilised for access and driveways, the balance can be used as private open space.
- d) Vehicular access for all lots to be via an unmade section of Gibbet Hill Rise (Crown Licence required), via a right of way across 3 Gibbet Hill Rise and then for lots 1 and 2 via a right of way across lot 3. The use of Crown Licence and right of ways is already in operation in the area.
- e) Lot 3 is already developed. Lots 1 and 2 will have further development potential in terms of new dwellings. It is submitted that future residential development on these lots will have no impact to the amenity of surrounding lots. The lots are still sufficient in size that adequate separation can be provided between the dwellings on adjacent lots and the subject lots which means that there will be no loss of privacy or overshadowing. The dwelling on 1 Gibbet Hill Rise directly to the north of lot 2 is setback 12 metres from the common boundary with a copse of mature trees situated on the common boundary. The existing dwelling on proposed lot 3 is approximately 60m from the new northern boundary of that lot which complies with the permitted side boundary setback requirements in the Low Density Residential Zone which is 5 metres.

Whilst lots 1 and 2 will be smaller than many of the immediately surrounding lots, it is submitted that the subdivision is an efficient use of land and given the site is largely clear of mature vegetation, there will be no impact on the visual amenity of the area generally. The area is characterised by dwellings that are readily visible from Haggerston road so the addition of two new dwellings visible from Haggerston Road will not be out of character. In any case, should the future owners wish, there is more than adequate room to plant screening hedges or trees. At the moment the land is underutilised and it is submitted that the construction of dwellings and likely resultant planting of trees and hedges will actually increase the density of vegetation in the area.

It is noted that Council has recently approved four 5000m² lots in the immediate area within the same zone.

It is evident from the assessment above that the proposed subdivision meets all the requisite considerations under P1.1

Acceptable Solution

A2 Each lot must have a frontage of at least 6m

Performance Criteria

P2 No performance Criteria

Response: Complies with A2

Both lots are provided with frontage to Haggerston Road with a minimum width of 6m

Acceptable Solution

- A3 *Each lot must be connected to a reticulated:*
- a) *Water supply; and*
 - b) *Sewerage system.*

Performance Criteria

- P3 *Lots that are not provided with reticulated water and sewerage services must be:*
- a) *In a locality for which reticulated services are not available or capable of being connected; and*
 - b) *Capable of accommodating an on-site wastewater management system.*

Response: Complies with P3

The wastewater assessment that accompanies this application demonstrates that each lot can be provided with an on-site wastewater management system.

In terms of whether the site is within a locality where reticulated services are available and capable of being connected, Tribunal Decision *6ty Pty Ltd v Northern Midlands Council [2019] TASRMPAT 29 (20 December 2019)* provides context around the interpretation of P3 and given it relates to a neighbouring property also provides context specific to the area.

At 15., the Tribunal considered the steps in considering P3(a) as:

- a) *to identify the relevant locality*
- b) *to determine whether reticulated water supply services are available in that locality; and*
- c) *if they are available, determine whether the reticulated water supply service is capable of being connected to the lots in the subdivision.*

If the lots in the subdivision are in a locality for which reticulated water supply services are not available, then P3(a) will be satisfied. If they are in a locality in which reticulated water supply services are available, then P3(a) will still be satisfied if the services are not capable of being connected to the lots.

In respect of the subject site, it is submitted that it is within a locality where water supply services are available as evidenced by the Figure 6 showing the site in the context of TasWater water serviced land.



Figure 5: Subject site in relation to TasWater serviced land (identified in Turquoise)

As per the Tribunal Decision, as the site is within a locality where reticulated services are available, it is necessary to consider whether reticulated water supply services are capable of being connected.

The Tribunal Decision looked at costings of bringing the water supply from Devon Hills through to the site that was subject of that appeal which is to the north of the subject site at 16338 Midland Hwy, Perth. The cost of bringing water to that lot varied amongst the experts but a middle ground would be at \$400k. To get it to the subject site would be further 300m of water pipeline which would likely add another \$100k resulting in \$500k of costs. Additional infrastructure costs i.e on-site wastewater systems, crossovers and internal reticulation of water would add approximately another \$13k in costs per lot. Thus, the overall cost per lot for the 3 proposed lots would be \$171k.

Lots 1 and 2 would be expected to fetch \$200,000 - \$220,000 at sale. Whilst Lot 3 would obtain a much higher price (\$500,000) given it has a dwelling on it, it is appropriate for this exercise to discount the capital value added by the dwelling. That site as a vacant lot would be expected to obtain a \$300,000 price. The cost of servicing each lot with connection to reticulated water is

therefore between 57%-77% of expected sale price. It is submitted that any cost greater than 50% is unreasonable, particularly as these figures do not factor in the land cost itself.

With respect to connection to the water main to the south, initial indications are that costs are greater to connect to this point. TasWater will not run a water main through private property so the distance will be similar to the northern connection plus there is a significant elevation to overcome and the cost of construction would likely be more due to presence of rock.

On the basis of the above it is submitted that P3 (a) is met as whilst the site is within a locality where reticulated services are available, the cost of extending those services will be greater than 50% of expected price of lots not taking account land cost.

Acceptable Solution

A4 Each lot must be connected to a reticulated stormwater system.

Performance Criteria

P4 Stormwater may only be discharged from the site in a manner that will not cause an environmental nuisance, and that prevents erosion, siltation or pollution of any watercourses, coastal lagoons, coastal estuaries, wetlands or inshore marine areas, having regard to:

- a) the intensity of runoff that already occurs on the site before any development has occurred for a storm event of 1% Annual Exceedance Probability (pre-development levels); and
- b) how the additional runoff and intensity of runoff that will be created by the subdivision for a storm event of 1% Annual Exceedance Probability, will be released at levels that are the same as those identified at the predevelopment levels of the subdivision; and
- c) whether any on-site storage devices, retention basins or other Water Sensitive Urban Design (WSUD) techniques are required within the subdivision and the appropriateness of their location; and
- d) overland flow paths for overflows during extreme events both internally

and externally for the subdivision, so as to not cause a nuisance

Response: Complies with P4

The accompanying wastewater treatment assessment also provides an assessment of the provision of on-site stormwater disposal against the provision of P4.

Bushfire Prone Area Code

E1.6 Development Standards

E1.6.1 Subdivision: Provision of hazard management areas

Objective

Subdivision provides for hazard management areas that:

- (a) facilitate an integrated approach between subdivision and subsequent building on a lot;
- (b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and
- (c) provide protection for lots at any stage of a staged subdivision.

Acceptable Solution

- A1 TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or
- (b) The proposed plan of subdivision:
 - (i) shows all lots that are within or partly within a

Performance Criteria

- P1 A proposed plan of subdivision shows adequate hazard management areas in relation to the building areas shown on lots within a bushfire-prone area, having regard to:
 - (a) the dimensions of hazard management areas;
 - (b) a bushfire risk assessment of each lot at any stage of staged

- bushfire-prone area, including those developed at each stage of a staged subdivision;*
- (ii) *shows the building area for each lot;*
 - (iii) *shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 – 2009 Construction of buildings in bushfire-prone areas; and*
 - (iv) *is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 – 2009 Construction of buildings in bushfire-prone areas; and*
- subdivision;*
- (c) *the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability;*
 - (d) *the topography, including site slope;*
 - (e) *any other potential forms of fuel and ignition sources;*
 - (f) *separation distances from the bushfire-prone vegetation not unreasonably restricting subsequent development;*
 - (g) *an instrument that will facilitate management of fuels located on land external to the subdivision; and*
- any advice from the TFS*

If hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the

Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan

Response: Complies with A1

The accompanying Bushfire Hazard Management Report provides certification with Clause E1.6.1 (b).

E1.6.2 Subdivision: Public and fire fighting access

Objective

Access roads to, and the layout of roads, tracks and trails, in a subdivision:

- (a) allow safe access and egress for residents, fire fighters and emergency service personnel;*
- (b) 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;*
- (c) are designed and constructed to allow for fire appliances to be manoeuvred;*
- (d) provide access to water supplies for fire appliances; and*

are designed to allow connectivity, and where needed, offering multiple evacuation points.

Acceptable Solution

- A1 *TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or*
- (b) *A proposed plan of subdivision showing the layout of roads,*

Performance Criteria

- P1 *A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires, having regard to:*
- (a) appropriate design measures, including:*

fire trails, and the location of property access to building areas is included in a bushfire hazard management plan that:

- (i) demonstrates proposed roads will comply with Table E1, proposed private accesses will comply with Table E2 and proposed fire trails will comply with Table E3; and
- (ii) is certified by the TFS accredited person

- (i) two way traffic;
 - (ii) all weather surfaces;
 - (iii) height and width of any vegetation clearances;
 - (iv) load capacity;
 - (v) provision of passing bays;
 - (vi) traffic control devices;
 - (vii) geometry, alignment and slope of roads, tracks and trails;
 - (viii) use of through roads to provide for connectivity;
 - (ix) limits on the length of cul-de-sacs and dead-end roads;
 - (x) provision of turning areas;
 - (xi) provision for parking areas;
 - (xii) perimeter access; and
 - (xiii) fire trails;
- (b) the provision of access to:
- (i) bushfire-prone vegetation to permit the undertaking of hazard management works; and
 - (ii) fire fighting water supplies; and
- any advice from the TFS.

Response: Complies with A1

The accompanying Bushfire Hazard Management Report provides certification with Clause E1.6.2 (a) and (b).

E1.6.3 Subdivision: Provision of water supply for fire fighting purposes

Objective

Adequate, accessible and reliable water supply for the purposes of fire fighting can be demonstrated at the subdivision stage and allow for the protection of life and property associated with the subsequent use and development of bushfire prone areas.

Acceptable Solution

A2 In areas that are not serviced by reticulated water by the water corporation:

(a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire fighting purposes;

(b) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire fighting, will be provided and located compliant with Table E5; or

(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.

Performance Criteria

P2 No Performance Criteria

Response: Complies with A2

The accompanying Bushfire Hazard Management Report provides certification with Clause E1.6.3 (b).

Road and Railway Assets Code**E4.7.2 Management of Road Accesses and Junctions****Objective**

To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.

Acceptable Solution

- A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.

Performance Criteria

- P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.

Response: Complies with A1

No new access points onto Haggerston Road are proposed.

Parking and Sustainable Transport Code**E6.6 Use Standards****E6.6.1 Car Parking Numbers**

Objective To ensure that an appropriate level of car parking is provided to service use.

Acceptable Solution

- A1 The number of car parking spaces must not be less than the requirements of:
- Table E6.1; or
 - a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).

Performance Criteria

- P1 The number of car parking spaces provided must have regard to:
- the provisions of any relevant location specific car parking plan; and
 - the availability of public car parking spaces within reasonable walking distance; and
 - any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and
 - the availability and frequency of public transport

- within reasonable walking distance of the site; and*
- e) *site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and*
 - f) *the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and*
 - g) *an empirical assessment of the car parking demand; and*
 - h) *the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and*
 - i) *the recommendations of a traffic impact assessment prepared for the proposal; and*
 - j) *any heritage values of the site; and*
 - k) *for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:*
 - i) *the size of the dwelling and the number of bedrooms; and*
 - ii) *the pattern of parking in the locality; and*
 - iii) *any existing structure on the land.*

Response: Complies with A1

All lots are capable of being provided with the requisite 1 space per bedroom or 2 spaces per 3 bedrooms for residential use in the Low Density Residential Zone.

Scenic Management Code**E7.6.2 Local Scenic Management Areas****E7.6.2 Local Scenic Management Areas****Objective**

- a) *To site and design buildings, works and associated access strips to be unobtrusive to the skyline and hillsides and complement the character of the local scenic management area; and*
- b) *To ensure subdivision and the subsequent development of land does not compromise the scenic management objectives of the local scenic management area*

Acceptable Solution

A2 *No acceptable solution.*

Performance Criteria

- P2 *Subdivision must be consistent with the scenic management objectives of the particular area set out in Table E7.1 – local scenic management areas, having regard to:*
- a) *the local scenic management area – character statement; and*
 - b) *site size; and*
 - c) *density of subsequent development; and*
 - d) *the clearance or retention of vegetation in combination with requirements for hazard management; and*
 - e) *the extent of works required for roads and to gain access to sites including cut and fill; and*
 - f) *the physical characteristics of the site and locality;*
 - g) *any plan over the land through an agreement under S71 of the Act.*

Response: Complies with P2

The subject site falls within the Gibbet Hill Management Area. The Character Statement is:

Low density settlement areas with remnant tree cover on skylines visible along important tourism routes.

It is submitted that the proposed 2 lot subdivision will not alter the character of the area in terms of tree cover on skylines. It is only a small portion of the site that is within the Scenic Management Overlay (purple hatched area in Figure ? which is within the curtilage of the existing dwelling. The proposed subdivision will not necessitate the removal of any of the vegetation within the Scenic Management Area.



Figure 6: Scenic Management Overlay extent on site

The Scenic Management Objectives for Gibbet Hill are:

retain remnant tree cover on skylines and limit further development to low density and low impact

It is only proposed lot 3 which will contain the existing dwelling that will be within the Scenic Management Overlay. Lot 3 has a site area of 2.3ha which is considered to be very low density in terms of a residential setting. The subdivision will not necessitate the removal of any of the vegetation within the Scenic Management Area nor will it result in additional built development within the Scenic Management Area.

Based on the above information, it is submitted that the proposal complies with P2.

Recreation and Open Space Code

E10.6.1 Provision of Public Open Space

E10.6.1 Provision of Public Open Space

Objective

- a) *To provide public open space which meets user requirements, including those with disabilities, for outdoor recreational and social activities and for landscaping which contributes to the identity, visual amenity*

Acceptable Solution

- A1 *The application must:*
 - a) *Include consent in writing from the General Manager that no land is required for public open space but instead there is to be a cash payment in lieu.*

Performance Criteria

- P1 *Provision of public open space, unless in accordance with Table E10.1, must:*
 - a) *not pose a risk to health due to contamination; and*
 - b) *not unreasonably restrict public use of the land as a result of: i) services, easements or utilities; and ii) stormwater detention basins; and iii) drainage or wetland areas; and iv) vehicular access; and*
 - c) *be designed to:*
 - i) *provide a range of recreational settings and accommodate adequate facilities to meet the needs of the community, including car parking; and*
 - ii) *reasonably contribute to the pedestrian connectivity of the broader area; and*
 - iii) *be cost effective to maintain; and*
 - iv) *respond to the opportunities and constraints presented by the physical characteristics of the land to provide practically useable open space; and*
 - v) *provide for public safety through Crime Prevention Through Environmental Design principles; and*
 - vi) *provide for the reasonable amenity of adjoining land users in the design of facilities and associated works; and*

vii) *have a clear relationship with adjoining land uses through treatment such as alignment, fencing and landscaping; and*
ix) *create attractive environments and focal points that contribute to the existing or desired future character statements, if any*

Response: Complies with A1

Consent from the General Manager for cash in lieu of public open space has been sought.

Conclusion

Based on the above information it is submitted that the proposed subdivision meets all the relevant standards of the Planning Scheme and should be recommended for approval.

Yours faithfully

A handwritten signature in black ink, consisting of a stylized 'C' followed by a horizontal line.

Chloe Lyne
Planning and Development Consultant
Commercial Project Delivery
Mobile: +61 (0)408 397 393
www.cpdelivery.com.au

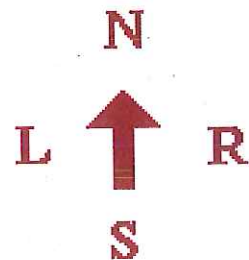
Bushfire Hazard Management Report: Subdivision

Report for: Carlton Dixon

Property Location: 2 Gibbet Hill Rise, Perth

Prepared by: Scott Livingston
Livingston Natural Resource Services
299 Relbia Road
Relbia, 7258

Date: 5th May 2021



Summary

Client: Carlton Dixon

Current zoning: Low Density Residential, Northern Midlands Interim Planning Scheme 2013

Property

identification: CT 36262/1, PID 724660
2 Gibbet Hill Rise, Perth

Proposal:

A 3 lot subdivision is proposed from an existing title CT 36262/1 at 2 Gibbet Hill Rise, Perth.

**Assessment
by:**



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

Contents

DESCRIPTION 3
 BAL AND RISK ASSESSMENT 3
 ROADS 8
 PROPERTY ACCESS..... 8
 FIRE FIGHTING WATER SUPPLY 9
 CONCLUSIONS 12
 REFERENCES 12
 APPENDIX 1 – MAPS..... 13
 APPENDIX 2 – PHOTO 16
 APPENDIX 3 – BUSHFIRE HAZARD MANAGEMENT PLAN 19
 CERTIFICATE UNDER S51(2)(d) LAND USE PLANNING AND APPROVALS
 ACT 1993..... 22
 CERTIFICATE OF QUALIFIED PERSON – ASSESSABLE ITEM..... 26

Figure 1: Proposed Lots and building areas 6
 Figure 2: Hazard Management Area 7
 Figure 3: Location existing title 13
 Figure 4: Aerial Image 14
 Figure 5: Proposed Subdivision Plan 15
 Figure 6: existing access north side existing dwelling lot 3 16
 Figure 7: west across Lots 3, 2, 1 16
 Figure 8 north across lot 2 17
 Figure 9: east from lot 3 17
 Figure 10: southern boundary lot 3 18

DESCRIPTION

A 3 lot subdivision is proposed from existing title CT 36262/1, 2 Gibbet Hill Rise, Perth. The subdivision fronts Haggerston Road and has existing right of way across private property to Gibbet Hill Rise, the right of way is a council maintained road.

The property is managed land around the existing dwelling on lot 3, with the balance grassland with some woodland clumps. Surrounding land is a similar mosaic of grassland with some trees along boundaries. The land slopes to the west. Surrounding land is a similar mosaic of low threat and grassland with occasional trees. The area is not serviced by a water reticulated supply.

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

BAL AND RISK ASSESSMENT

The land is mapped as Bushfire Prone. Lot 1 contains an existing dwelling; the proposed lot boundary is 10m north of the existing dwelling.

VEGETATION AND SLOPE

Lot		North	East	South	West
Lot 1	Vegetation within 100m of lot boundaries	0-80m grassland, 80-100m low threat	0-100m grassland	0-80m grassland, 80-100m low threat	0-100m low threat (hwy)
	Slope (degrees, over 100m)	Flat/ Upslope	Flat/ Upslope	Flat/ Upslope	Downslope 0- 5°
	Bal Rating at boundary	BAL FZ	BAL FZ	BAL FZ	BAL Low
	Bal Rating with setbacks and HMA	BAL 19	BAL 19	BAL 19	BAL 19
lot 2	Vegetation within 100m of lot boundaries	0-100m low threat	0-6m low threat, 6-100m grassland	0-100m grassland (part low threat)	0-100m grassland
	Slope (degrees, over 100m)	Flat/ Upslope	Flat/ Upslope	Flat/ Upslope	Downslope 0- 5°
	Bal Rating at boundary	BAL Low	BAL 29	BAL FZ	BAL FZ

	Bal Rating with setbacks and HMA	BAL 19	BAL 19	BAL 19	BAL 19
Lot 3	Vegetation within 100m of existing dwelling	0-22+m low threat, 22+-90m grassland, 90=100m low threat	0-16m low threat, 16-100m grassland	0-23m low threat, 23-100m grassland	0-14+m low threat, 14+-100m grassland
	Slope (degrees, over 100m)	Flat/ Upslope	Flat/ Upslope	Flat/ Upslope	Downslope 0- 5°
	Bal Rating with existing vegetation	BAL 12.5	BAL 12.5	BAL 12.5	BAL 12.5

The existing dwelling on lot 3 has sufficient managed land for BAL 12.5 It has been assumed that Lots 1 & 2 may remain as grassland prior to construction of habitable buildings, where that lots is developed and managed the setback requirements for adjacent lots may change and make available reassessment of BAL ratings.

BUILDING AREA BAL RATING

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

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

The BAL ratings applied are in accordance with the Australian Standard AS3959-2009, *Construction of Buildings in Bushfire Prone Areas*, and it is a requirement that any habitable building, or building within 6m of a habitable building be constructed to the BAL ratings specified in this document as a minimum.

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

BUILDING SETBACKS

BAL	Slope	Grassland
BAL	Flat/ Upslope	14m
12.5	Down slope 0-5°	16m
BAL 19	Flat/ Upslope	10m
	Down slope 0-5°	11m

PROPOSED LOT BAL RATING

Lot	BAL Rating	Setback
1	BAL 12.5	14m from northern, eastern & southern boundaries
	BAL 19	10m from northern, eastern & southern boundaries
2	BAL 12.5	16m from a point on the northern boundary 68m from the NE corner of the lot.
		16m from the western boundary
		14m from the southern boundary
		8m from the eastern boundary
	BAL 19	11m from a point on the northern boundary 68m from the NE corner of the lot.
		11m from the western boundary
		10m from the southern boundary
		4m from the eastern boundary

The existing dwelling has sufficient setbacks from lot boundaries to achieve BAL 19 Hazard Management Areas within the lot.

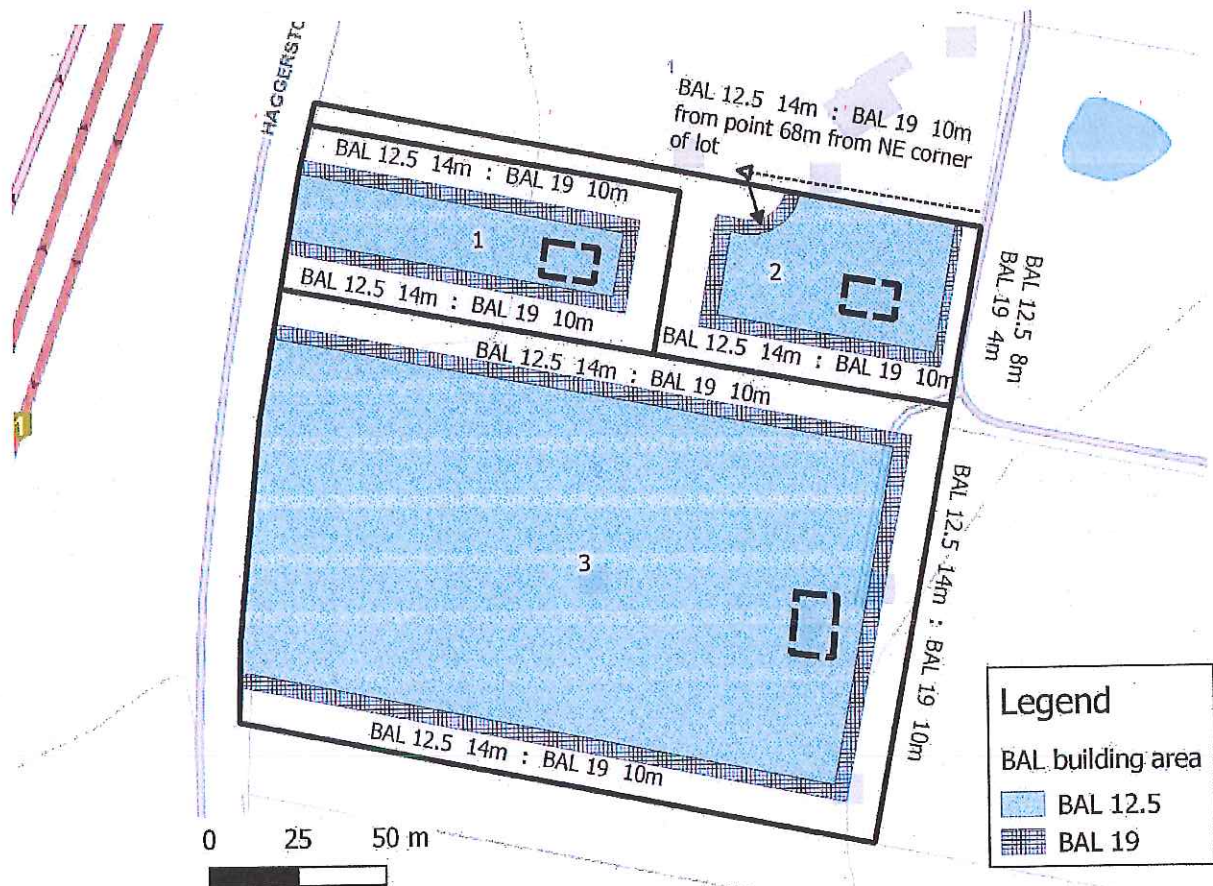


Figure 1: Proposed Lots and building areas

HAZARD MANAGEMENT AREA

BAL 12.5 construction: All land within 16m downslopes and 14m upslope and level with a dwelling must be managed as low threat vegetation.

BAL 19 construction: All land within 11m downslopes and 10m upslope and level with a dwelling must be managed as low threat vegetation.

Existing low threat vegetation for existing dwelling on Lot 3 should be maintained to minimise the threat.

Hazard management areas must be managed as low threat vegetation from commencement of construction of a habitable building on that lot and maintained in perpetuity. The owner of a lot is responsible for hazard management on their lot(s).

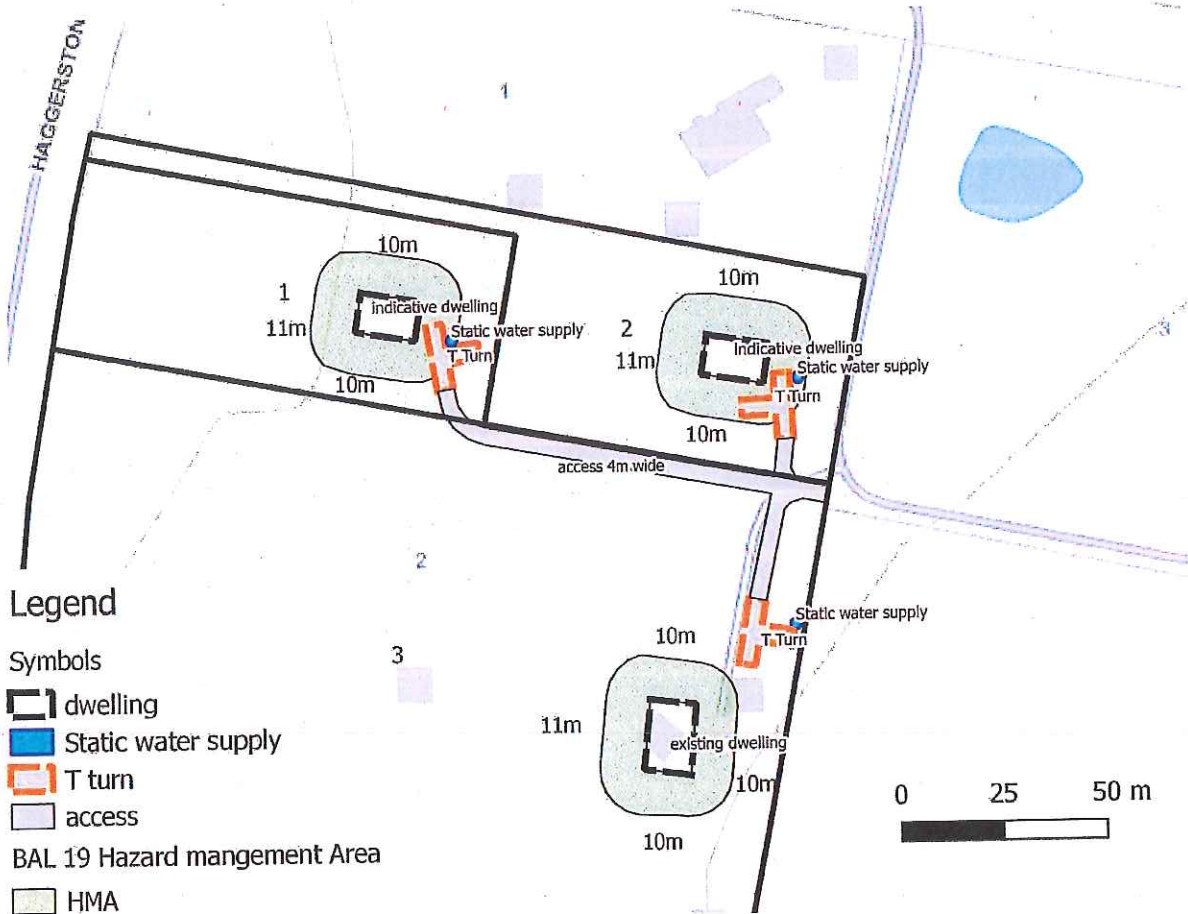


Figure 2: Hazard Management Area

ROADS

No roads are part of the proposed subdivision, all lots have access to Gibbet Hill Rise.

PROPERTY ACCESS

Existing access to the dwelling on lot 3 is compliant and will be maintained under right of way over lot 2. Access to Lot 1 & 2 must comply with the relevant elements of Table E2 Access of Planning Directive No. 5.1 Bushfire-Prone Areas Code. Access for lots 1 & 2 must be compliant prior to commencement of construction of a habitable building on the lot.

Table E2: Standards for Property Access

Column 1 Element	Column Requirement
A. Property access length is less than 30 metres; or access is not required for a fire appliance to access a water connection point.	There are no specified design and construction requirements.

<p>B. Property access length is 30 metres or greater; or access for a fire appliance to a water connection point.</p>	<p>The following design and construction requirements apply to property access:</p> <ol style="list-style-type: none"> (1) All-weather construction; (2) Load capacity of at least 20 tonnes, including for bridges and culverts; (3) Minimum carriageway width of 4 metres; (4) Minimum vertical clearance of 4 metres; (5) Minimum horizontal clearance of 0.5 metres from the edge of the carriageway; (6) Cross falls of less than 3 degrees (1:20 or 5%); (7) Dips less than 7 degrees (1:8 or 12.5%) entry and exit angle; (8) Curves with a minimum inner radius of 10 metres; (9) 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 (10) Terminate with a turning area for fire appliances provided by one of the following: <ol style="list-style-type: none"> (a) A turning circle with a minimum inner radius of 10 metres; or (b) A property access encircling the building; or (c) A hammerhead "T" or "Y" turning head 4 metres wide and 8 metres long.
<p>C. Property access length is 200 metres or greater.</p>	<p>The following design and construction requirements apply to property access:</p> <ol style="list-style-type: none"> (1) The Requirements for B above; and (2) Passing bays of 2 metres additional carriageway width and 20 metres length provided every 200
<p>D. Property access length is greater than 30 metres, and access is provided to 3 or more properties.</p>	<p>The following design and construction requirements apply to property access:</p> <ol style="list-style-type: none"> (1) Complies with Requirements for B above; and (2) Passing bays of 2 metres additional carriageway width and 20 metres length must be provided every 100 metres.

FIRE FIGHTING WATER SUPPLY

The subdivision is not serviced by a reticulated supply. Lot 3 existing dwelling has domestic supply tanks, however these are not within 3m of access or non-combustible, a compliant static water supply for the existing dwelling must be installed prior to sealing of titles.

New habitable buildings must have compliant static supplies prior to commencement of construction.

Table 4.3B Static Water Supply for Fire fighting

Column 1 Element	Column 2 Requirement
<p>A. Distance between building area to be protected and water supply</p>	<p>The following requirements apply:</p> <ul style="list-style-type: none"> a) The building area to be protected must be located within 90 metres of the water connection point of a static water supply; and b) The distance must be measured as a hose lay, between the water connection point and the furthest part of the building area.
<p>B. Static Water Supplies</p>	<p>A static water supply:</p> <ul style="list-style-type: none"> a) May have a remotely located offtake connected to the static water supply; b) May be a supply for combined use (fire fighting and other uses) but the specified minimum quantity of fire fighting water must be available at all times; c) Must be a minimum of 10,000 litres per building area to be protected. This volume of water must not be used for any other purpose including fire fighting sprinkler or spray systems; d) Must be metal, concrete or lagged by non-combustible materials if above ground; and e) If a tank can be located so it is shielded in all directions in compliance with Section 3.5 of AS 3959-2009, the tank may be constructed of any material provided that the lowest 400 mm of the tank exterior is protected by: <ul style="list-style-type: none"> (i) metal; (ii) non-combustible material; or (iii) fibre-cement a minimum of 6 mm thickness.

<p>C.</p> <p>Fittings, pipework and accessories (including stands and tank supports)</p>	<p>Fittings and pipework associated with a water connection point for a static water supply must:</p> <ul style="list-style-type: none"> (a) Have a minimum nominal internal diameter of 50mm; (b) Be fitted with a valve with a minimum nominal internal diameter of 50mm; (c) Be metal or lagged by non-combustible materials if above ground; (d) Where buried, have a minimum depth of 300mm (compliant with AS/NZS 3500.1-2003 Clause 5.23); (e) Provide a DIN or NIEN standard forged Storz 65 mm coupling fitted with a suction washer for connection to fire fighting equipment; (f) Ensure the coupling is accessible and available for connection at all times; (g) Ensure the coupling is fitted with a blank cap and securing chain (minimum 220 mm length); Ensure underground tanks have either an opening at the top of not less than 250 mm diameter or a coupling compliant with this Table; and a) Where a remote offtake is installed, ensure the offtake is in a position that is: <ul style="list-style-type: none"> (i) Visible; (ii) Accessible to allow connection by fire fighting equipment; (iii) At a working height of 450 – 600mm above ground level; and (h) Protected from possible damage, including damage by vehicles
<p>D.</p> <p>Signage for static water connections</p>	<ul style="list-style-type: none"> (1) The water connection point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must comply with: Water tank signage requirements within AS 2304-2011 <i>Water storage tanks for fire protection systems</i>; or (2) The following requirements: <ul style="list-style-type: none"> (a) Be marked with the letter “W” contained within a circle with the letter in upper case of not less than 100 mm in height; (b) Be in fade-resistant material with white reflective lettering and circle on a red background; (c) Be located within one metre of the water connection point in a situation which will not impede access or operation; and <p>Be no less than 400 mm above the ground.</p>

E.	Hardstand	<p>A hardstand area for fire appliances must be provided:</p> <ol style="list-style-type: none"> (1) No more than three metres from the water connection point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like); (2) No closer than six metres from the building area to be protected; (3) With a minimum width of three metres constructed to the same standard as the carriageway; and (4) Connected to the property access by a carriageway equivalent to the standard of the property access.
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CONCLUSIONS

A 3 lot subdivision is proposed from an existing title CT 36262/1 at 2 Gibbet Hill Rise, Perth. The area is mapped as bushfire prone. Proposed Lot 3 contains an existing dwelling and existing low threat areas exceed BAL 19 requirements. There is sufficient area on lot 1 & 2 to provide for a BAL 19 building areas with a smaller area available at BAL 12.5, construction to this level would require additional hazard management. All land within 11m down slopes and 10m upslope and level with a dwelling must be managed as low threat vegetation. A compliant static water supply must be in place prior to sealing of titles for the existing dwelling and prior to commencement of construction of new habitable buildings, with the owner of a lot being responsible for hazard management on their lot.

Access to lots must comply with the element B of Table E2 Access of Planning Directive No. 5.1 Bushfire-Prone Areas Code prior to commencement of construction of a habitable building. If additional access is required to a water supply point on Lot 3 it must be in place prior to sealing of titles.

REFERENCES

Planning Commission (2017), Planning Directive No. 5.1 Bushfire-Prone Areas Code.
 Standards Australia. (2009). *AS 3959-2009 Construction of Buildings in Bushfire Prone Areas*

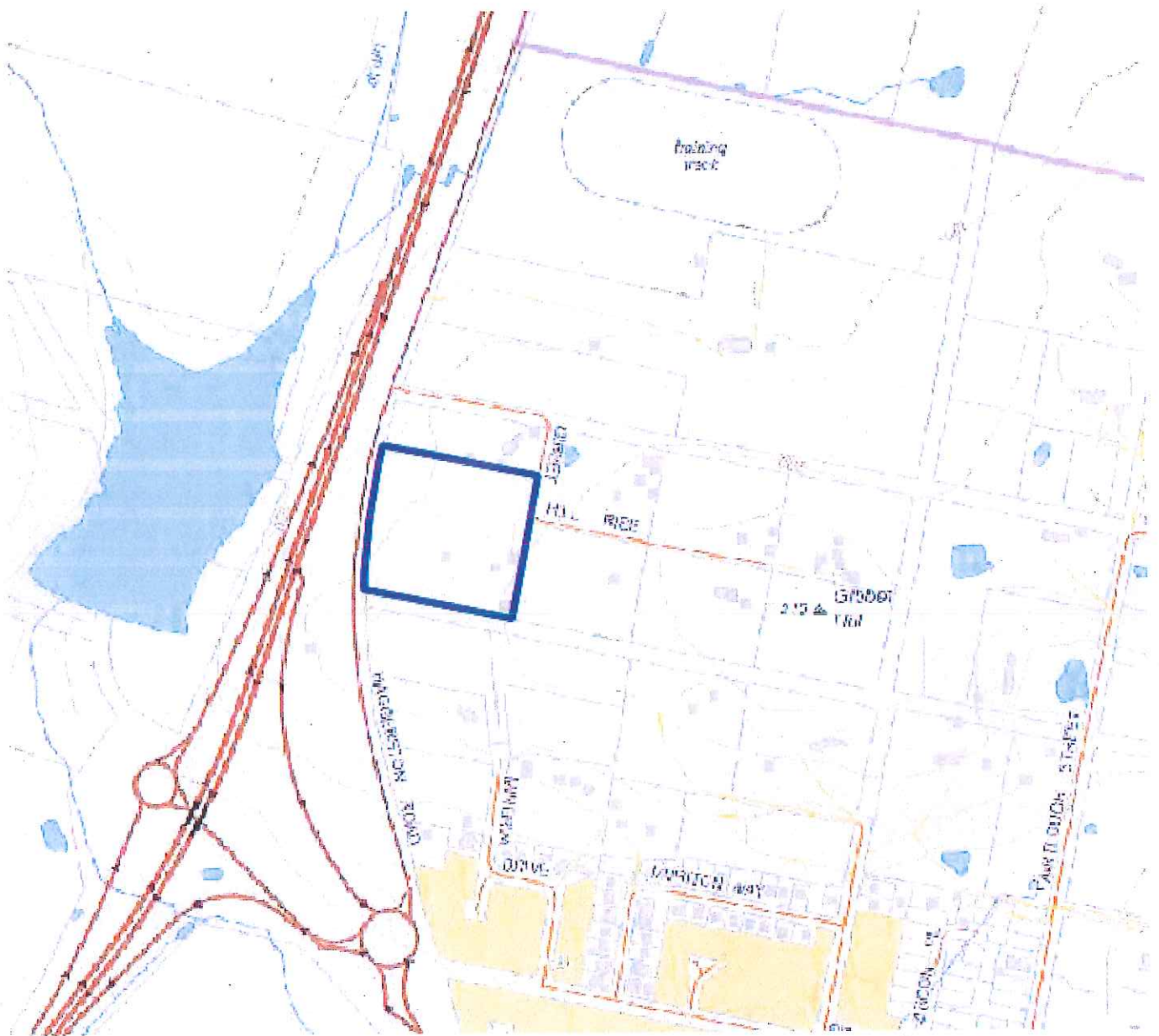


Figure 3: Location existing title



Figure 4: Aerial Image



Figure 5: Proposed Subdivision Plan



Figure 6: existing access north side existing dwelling lot 3



Figure 7: west across Lots 3, 2, 1

1-335



Figure 8 north across lot 2



Figure 9: east from lot 3

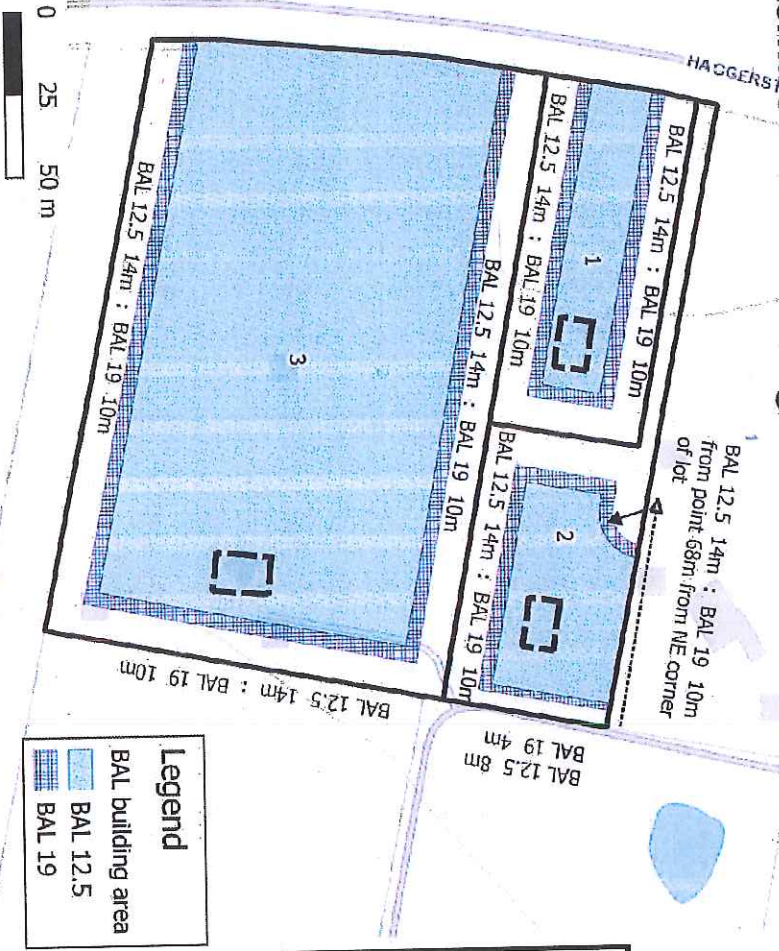
1-336



Figure 10: southern boundary lot 3

Bushfire Hazard Management Plan:

1-337



BAL 12.5 14m : BAL 19 10m
from point 68m from NE corner
of lot

Legend	
[Blue hatched box]	BAL building area
[Blue box]	BAL 12.5
[Blue hatched box]	BAL 19

Construction: BAL 1.5, BAL 19 as shown

Buildings in Bushfire Prone Area to be built in accordance with the Building Code of Australia and Australian Standard AS3959.
Building setbacks / BAL ratings apply to habitable buildings (Class 1, 2, 3, 8 or 9) and class 10a buildings within 6m of a habitable building.

This BHP has been prepared to satisfy the requirements of the Northern Midlands Planning Scheme, 2013 and Planning Directive No. 5.1 Bushfire-Prone Areas Code.
This plan should be read in conjunction with the report titled: Bushfire Hazard Management Report 2 Gibbet Hill Rise Perth Livingston Natural Resource Services.

Proposed Development	Subdivision, 3 lots from 1 lot
Plan of Subdivision	Woolcott Surveys 3 lot Subdivision 24/4/21
Property Owner	A King (under contract)
Address	2 Gibbet Hill Rise, Perth
CI	36262/1
PID	724650

For existing dwelling (lot 3) the following must be in place and compliant prior to sealing of titles and be maintained in perpetuity:

- Static water supply
- Access only if additional access is required to water supply point

For future habitable buildings the following must be installed/ compliant prior to commencement of construction and be maintained in perpetuity:

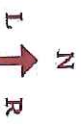
- Hazard Management Areas
- Static water supply
- Access

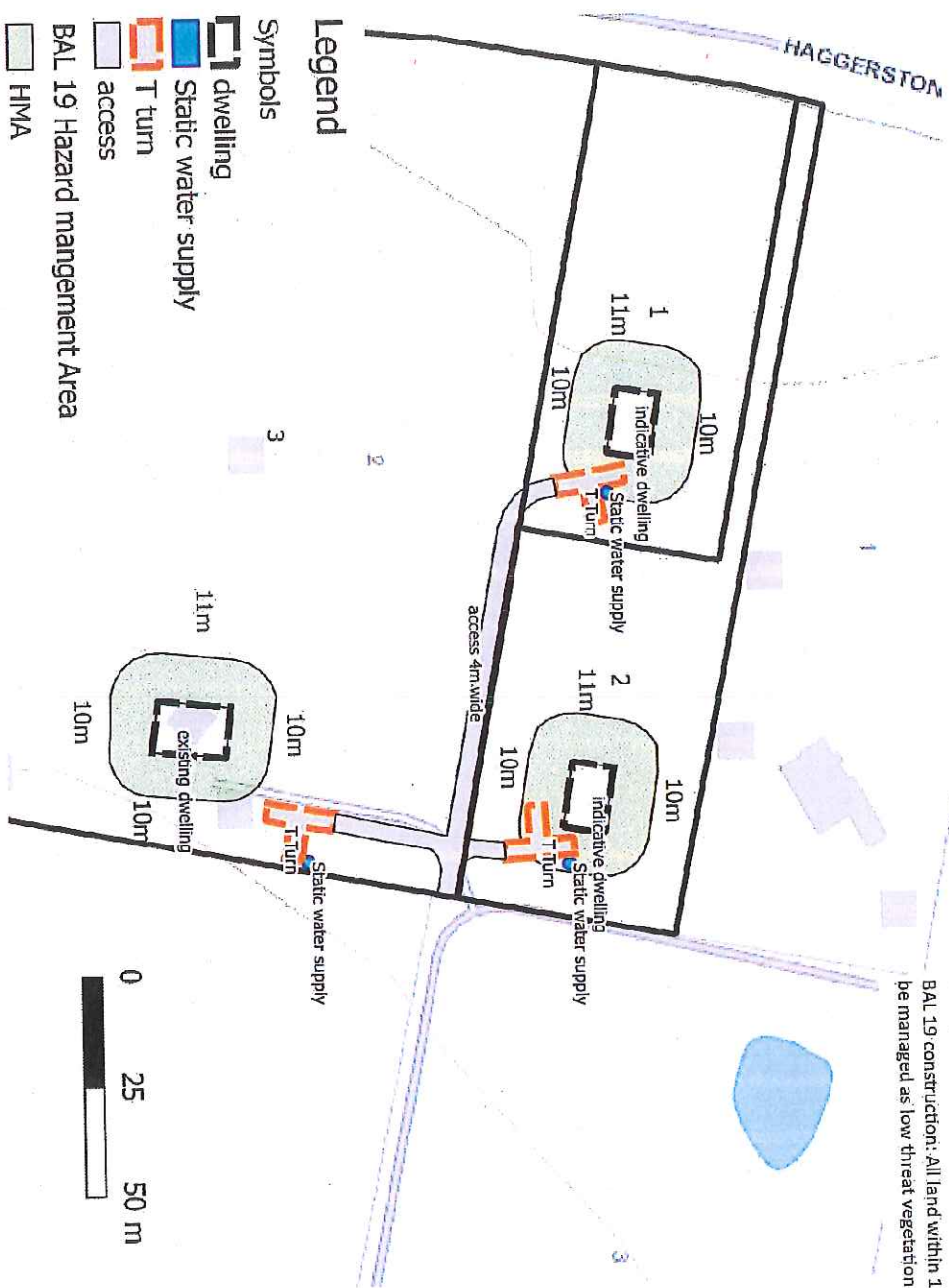
The owner of a lot is responsible for management of vegetation and maintenance of infrastructure within a lot

Lot	BAL Rating	Setback
1	BAL 12.5	14m from northern, eastern & southern boundaries
	BAL 19	10m from northern, eastern & southern boundaries
2	BAL 12.5	16m from a point on the northern boundary 68m from the NE corner of the lot
		1.6m from the western boundary
		1.4m from the southern boundary
		8m from the eastern boundary
		11m from a point on the northern boundary 68m from the NE corner of the lot
BAL 19	11m from the western boundary	
	10m from the southern boundary	
	4m from the eastern boundary	

Scott Livingston
Accreditation: BFP - 105: 1, 2, 3A, 3B, 3C
Date 5/5/2021
SR121/255

[Signature]





- Legend**
- Symbols**
- dwelling
 - Static water supply
 - T turn
 - access
 - BAL 19 Hazard mangement Area
 - HMA

Hazard Management Areas (HMA)

Hazard management areas include the area to protect the buildings as well as the access and water supplies:

- Low threat vegetation, includes maintained lawns (<100mm in height), gardens and orchards.
- BAL 12.5 construction: All land within 16m downslopes and 14m upslope and level with a dwelling must be managed as low threat vegetation.
- BAL 19 construction: All land within 11m downslopes and 10m upslope and level with a dwelling must be managed as low threat vegetation.

Scott Livingston
 Accreditation: BFP-105: 1, 2, 3A, 3B, 3C
 Date 5/5/2021
 SR121/255

N

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 S

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Water Supply

a static water supply to following standards must be installed for each building area

The following requirements apply:

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

A static water supply:

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

Fittings and pipework associated with a fire fighting water point for a static water supply must:

- have a minimum nominal internal diameter of 50mm;
- be fitted with a valve with a minimum nominal internal diameter of 50mm;
- be metal or lagged by non-combustible materials if above ground;
- if buried, have a minimum depth of 300mm;
- provide a DIN or NEN standard forged Storz 55mm coupling fitted with a suction washer for connection to fire fighting equipment;
- ensure the coupling is accessible and available for connection at all times;
- ensure the coupling is fitted with a blank cap and securing chain (minimum 220mm length);
- ensure underground tanks have either an opening at the top of not less than 250mm diameter or a coupling component with this Table; and
- if a remote offtake is installed, ensure the offtake is in a position that is:
 - visible;
 - accessible to allow connection by fire fighting equipment;
 - at a working height of 450 – 600mm above ground level; and
 - protected from possible damage, including damage by vehicles.

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

- comply with water tank signage requirements within *Australian Standard AS 2304-2011 Water storage tanks for fire protection systems*; or
 - comply with the Tasmania Fire Service Water Supply Guideline published by Tasmania Fire Service
- A handstand area for fire appliances must be:
- no more than 3m from the fire fighting water point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like);
 - no closer than 6m from the building area to be protected;
 - a minimum width of 3m constructed to the same standard as the cartilageway; and
 - connected to the property access by a cartilageway equivalent to the standard of the property access

Compliant water supplies must be in place for:

Lot 3 existing dwelling—prior to sealing of titles

Future habitable buildings—prior to commencement of construction

Access

Property access to habitable buildings and/or water supply point it must be constructed to

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

Access to lots 1 & 2, must be in place prior to commencement of construction of a habitable building on the lot.

Scott Livingston
Accreditation: BFP – 105: 1, 2, 3A, 3B, 3C
Date 5/5/2021
SR121/255



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

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

Street address:

2 Gibbet Hill Rise, Perth

Certificate of Title / PID:

CT 36262/1, PID 724660

2. Proposed Use or Development

Description of proposed Use and Development:

3 lot subdivision from 1 existing title

Applicable Planning Scheme:

Northern Midlands Interim Planning Scheme 2013

3. Documents relied upon

This certificate relates to the following documents:

Title	Author	Date	Version
Bushfire Hazard Management Report, 2 Gibbet Hill Rise, Perth	Scott Livingston	5/5/2021	1
Bushfire Hazard Management Plan, 2 Gibbet Hill Rise, Perth	Scott Livingston	5/5/2021	1
Proposed 3 lot Subdivision	Woolcott Surveys	24/4/2021	1.2c

4. Nature of Certificate

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

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

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

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

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

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

<input checked="" type="checkbox"/> E1.6.2 / C13.6.2 Subdivision: Public and fire fighting access	
Acceptable Solution	Compliance Requirement

<input type="checkbox"/>	E1.6.2 P1 / C13.6.2 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.6.2 A1 (a) / C13.6.2 A1 (a)	Insufficient increase in risk
<input checked="" type="checkbox"/>	E1.6.2 A1 (b) / C13.6.2 A1 (b)	Property Access complies with relevant Tables,

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

5. Bushfire Hazard Practitioner

Name:	<input type="text" value="Scott Livingston"/>	Phone No:	<input type="text" value="0438 951 021"/>
Postal Address:	<input type="text" value="299 Relbia Road"/>	Email Address:	<input type="text" value="scottlivingston.lnrs@gmail.com"/>
Accreditation No:	<input type="text" value="BFP - 105"/>	Scope:	<input type="text" value="1, 2, 3A, 3B, 3C"/>

6. Certification

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

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

Signed:
certifier

Name: **Date:**

Certificate Number:

(for Practitioner Use only)

**CERTIFICATE OF QUALIFIED PERSON – ASSESSABLE
ITEM**

Section 321

To: Owner /Agent
 Address
 Suburb/postcod

Form **55****Qualified person details:**

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

Qualifications and Insurance details: *(description from Column 3 of the Director of Building Control's Determination)*

Speciality area of expertise: *(description from Column 4 of the Director of Building Control's Determination)*

Details of work:

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

Certificate details:

Certificate type: *(description from Column 1 of Schedule 1 of the Director of Building Control's Determination)*

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

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

or

a building, temporary structure or plumbing installation:

In issuing this certificate the following matters are relevant –

Documents:

- Bushfire Attack Level Assessment & Report

Relevant
calculations:

References:

- Australian Standard 3959
- Planning Directive No.5.1
- Building Amendment Regulations 2016
- Director of Building Control, Determinations
- Guidelines for development in bushfire prone areas of Tasmania

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

1. Assessment of the site Bushfire Attack Level (BAL) to Australian Standards 3959

Assessed as - BAL 19

2. Bushfire Hazard Management Plan

Proposal is compliant with DTS requirements, clauses 4.1, 4.2, 4.3 & 4.4 Directors Determination Requirements for Building in Bushfire Prone Areas (v2.1)

Scope and/or Limitations

Scope:

This report was commissioned to identify the Bushfire Attack Level for the existing property. All comment, advice and fire suppression measures are in relation to compliance with Interim Planning Directive No 1.1, Bushfire-Prone Areas Code issued by the Tasmanian Planning Commission, the Building Code of Australia and Australian Standards, AS 3959-2009, Construction of buildings in bushfire-prone areas.

Limitations:

The inspection has been undertaken and report provided on the understanding that:-

1. The report only deals with the potential bushfire risk all other statutory assessments are outside the scope of this report.
2. The report only identifies the size, volume and status of vegetation at the time the site inspection was undertaken and cannot be relied upon for any future development.
3. Impacts of future development and vegetation growth have not been considered.

I certify the matters described in this certificate.

	<i>Signed:</i>	<i>Certificate No:</i>	<i>Date:</i>
Qualified person:		SRL21/25S	5/5/2021

Received
09.07.21

1-348

Environmental Service and Design Pty Ltd

ABN 97 107 517 144 ACN 107 517 144



Office

74 Minna Road
Heybridge TAS 7316
Phone : (03) 6431 2999
www.esandd.com.au

Postal

PO Box 651
Burnie TAS 7320

3 June 2021

Carlton Dixon
20 Murray Street
HOBART TAS 7000

Dear Sir,

Development Proposal – Subdivision – 2 Gibbet Hill Rise Perth

On-site Wastewater disposal: Assessment against Performance Criteria

The development proposes a three lot subdivision to create 2 vacant lots and lot 3 as the balance lot containing the existing dwelling.

There is a requirement to demonstrate the proposal complies with the low-density residential development standards, clause 12.0 of the Northern Midlands Interim Planning Scheme 2013.

The lot is not within an area serviced by reticulated water and sewage and cannot meet the requirements of clause 12.4.3.1 A3. Therefore, the proposal must be assessed under the performance criteria in clause 12.4.3.1 P3.

A site visit was conducted on 25 May 2021 to assess the site and note any constraints on the land in relation to wastewater disposal.

12.4.3 Subdivision

12.4.3.1 P3 - On-site Wastewater Disposal

Lots that are not provided with reticulated water and sewerage services must be:

- a) in a locality for which reticulated services are not available or capable of being connected; and*
- b) capable of accommodating an on-site wastewater management system.*

Assessment Against Performance Criteria

P3 (a)

The property to be subdivided is not within a locality for which reticulated services are available and there are no services capable of connection.

Proposal complies with clause P3 (a) of the Northern Midlands Interim Planning Scheme 2013 clause 12.4.3.1.

P3 – On-site Wastewater Disposal

The desktop study, prior to going on site, revealed the property is not within the sewer serviced area of Perth with the closest sewer main approximately 400m south. It is impracticable to connect to the reticulated sewer and on-site wastewater disposal will be required.

Small amount of scattered surface rock was noted on both proposed vacant lots. 4 core samples were attempted with a Christie 50mm impact core sampler in an effort to determine the soil category for wastewater disposal.

Sampling was conducted downslope to the west of both lots as this is the most obvious location for the wastewater disposal area with potential dwellings located to the east.

The subdivision site below the top of a hill with varying slopes:

- Lot 1 – 6° west,
- Lot 2 – 6° west, and
- Lot 3 - 4° west.

A large dam was noted downslope to the west of lots 1 and 3. The distance to the dam, intersected by the Midland Highway, is approximately 120m from the western boundary. Horizontal separation to the dam is greater than 100m and the risk to surface waters is assessed as very low.

The core sampling of the vacant lots (lots 1 and 2) revealed the following soil profile:

Lot 1

Depth	Description
0 to 250	Topsoil – brown, slightly moist
250mm	Refusal – assumed sub-surface rock or compact soil layer

Depth	Description
0 to 250	Topsoil – brown, slightly moist
250 - 1300	Clay – brown and grey mottled. Medium plasticity.

Lot 2

Depth	Description
0 to 250	Topsoil – brown, slightly moist
250	Refusal – assumed sub-surface rock or compact soil layer

Depth	Description
0 to 250	Topsoil – brown, slightly moist
250 - 700	Silt – cream colour. Dry (hard going). Very hard compact layer from 400-700mm
700	Refusal

Lots 1 and 2

Sampling indicates the potential for sub-surface rock and/or a compact silt layer from approximately 0.4m. Sampling within lot 1 also indicates areas of clay (category 6) to a depth greater than 1.3m.

The limiting layer created by the compact silt layer and the presence of category 6 clay restricts the system selection for the on-site wastewater design but does not constrain the lots from accommodating an approved or accredited on-site wastewater system.



West from lot 2 to lot 1



South from lot 1 to lot 3

Based on the results of the site assessment and soil sampling an on-site wastewater system based on either primary or secondary treatment system and designed in accordance with AS/NZS1547-2012 will be required.

The system selection and location of the on-site wastewater disposal area will be dependent upon the size of any dwelling proposed, its position within the lot and site-specific soil sampling and on-site wastewater design in accordance with AS/NZS1547-2012.

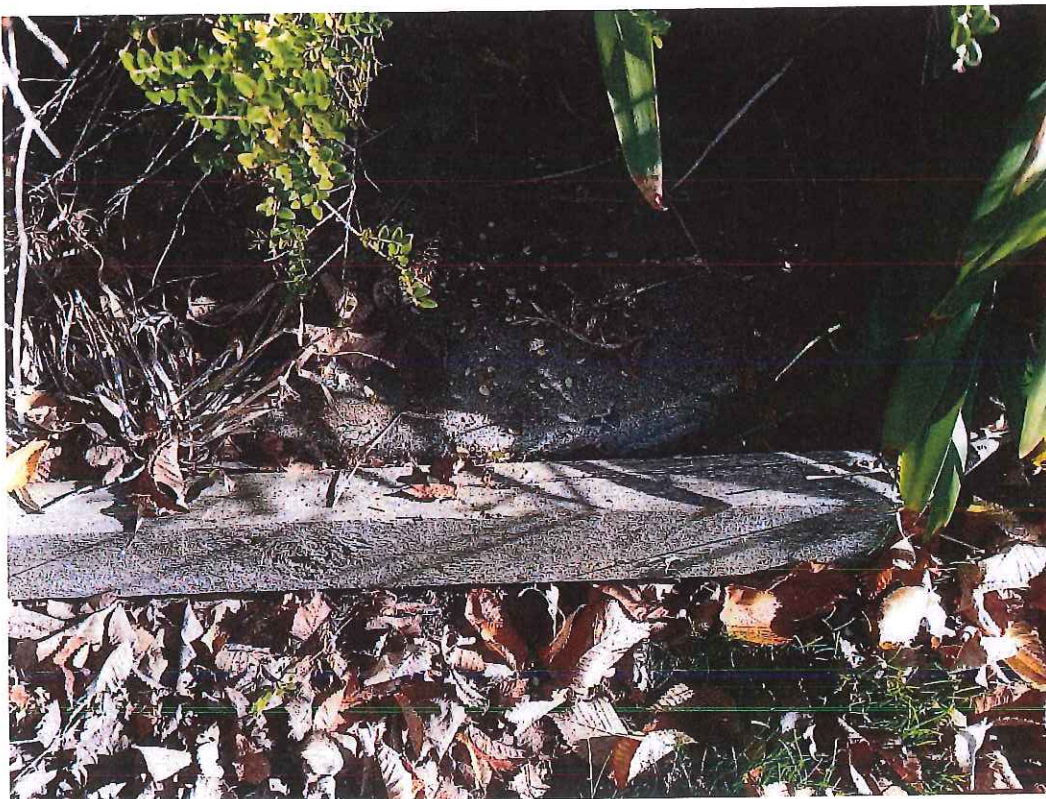
With a proposed area of 5,000m² each, lots 1 and 2 have the capability to accommodate an approved or accredited primary or secondary treatment on-site wastewater management system. This complies with the Northern Midlands Interim Planning Scheme 2013 clause 12.4.3.1 P3 (b).

Lot 3

There is an existing approved on-site wastewater management system for the existing dwelling. With the slope to the west and a proposed area of 2.246ha the existing system will remain wholly within the lot.

The location of the septic tank was identified during the site assessment. The septic tank is downslope west of the dwelling. The owner identified the disposal area as being adjacent to the existing internal fence.

There were no obvious signs of failure such as offensive odour or seepage noted during the site assessment.



Existing septic tank – west of dwelling

There is adequate area within the lot for relocation of the disposal area if required in the future which is clear of the access and impervious areas.

Conclusion

Lot 3 has an existing approved wastewater system, and the subdivision plan indicates the existing system will remain wholly within the new lot. There is adequate area within the new lot for a reserve disposal area should it be necessary in the future.

Lots 1 and 2 have the capability to accommodate an on-site wastewater system based on a site-specific system selection and design in accordance with AS/NZS1547.

The proposal has the capability to meet the requirements of clause 12.4.3.1 P3 (b) of the Northern Midlands Interim Planning Scheme 2013.

P4 – Stormwater

P4 - Stormwater may only be discharged from the site in a manner that will not cause an environmental nuisance, and that prevents erosion, siltation or pollution of any watercourses, coastal lagoons, coastal estuaries, wetlands or inshore marine areas, having regard to:

- a) the intensity of runoff that already occurs on the site before any development has occurred for a storm event of 1% Annual Exceedance Probability (pre-development levels); and*
- b) how the additional runoff and intensity of runoff that will be created by the subdivision for a storm event of 1% Annual Exceedance Probability, will be released at levels that are the same as those identified at the predevelopment levels of the subdivision; and*
- c) whether any on-site storage devices, retention basins or other Water Sensitive Urban Design (WSUD) techniques are required within the subdivision and the appropriateness of their location; and*
- d) overland flow paths for overflows during extreme events both internally and externally for the subdivision, so as to not cause a nuisance.*

There is no intention to discharge stormwater from the site. On-site disposal of stormwater through sub-surface beds or trenches is proposed.

Annual exceedance probability data from the Bureau of Meteorology for Perth Tasmania shows a 1% AEP of 91.6mm over a 24 hour period. The subdivision will not alter the intensity of runoff that already occurs as the proposal does not seek to increase the overall land area but simply create 3 smaller lots.

Assuming a 3 bedroom dwelling with a roof area of 100m² with a 1% AEP event the volume of point source rainwater from the dwelling would be 9,160L (100 x 91.6mm). Allowing for the eaves of the building the dwelling footprint on the ground is approximately 90m². The pre-development stormwater volume at a 1% AEP on the 90m² would create approximately 8,244L (90 x 91.6mm). Overall, the additional stormwater volume created by a dwelling is estimated at 916L (9,160 – 8,244) for a 1% AEP over 24 hours.

There is no discharge from the site so there are no external overland flow paths required.

Lot 3, containing the existing dwelling, will not result in any increase or alteration of the stormwater volumes.

Lots 1 and 2 with an area of 5,000m² each, have adequate area for on-site disposal of stormwater through raised or sub-surface trenches or beds clear of wastewater areas and accesses.

Conclusion

Based on the subdivision site and soil evaluation and the soil profiles discovered lots 1 and 2 require either primary or secondary treatment on-site wastewater systems designed in accordance with AS/NZS1547-2012.

Lots 1 and 2 have adequate area to dispose of stormwater generated during a 1% AEP rainfall event without creating a nuisance.

The proposed subdivision development is capable of complying with the performance criteria of the Northern Midlands Interim Planning Scheme 2013 clause 12.4.3.1 P3 and P4.

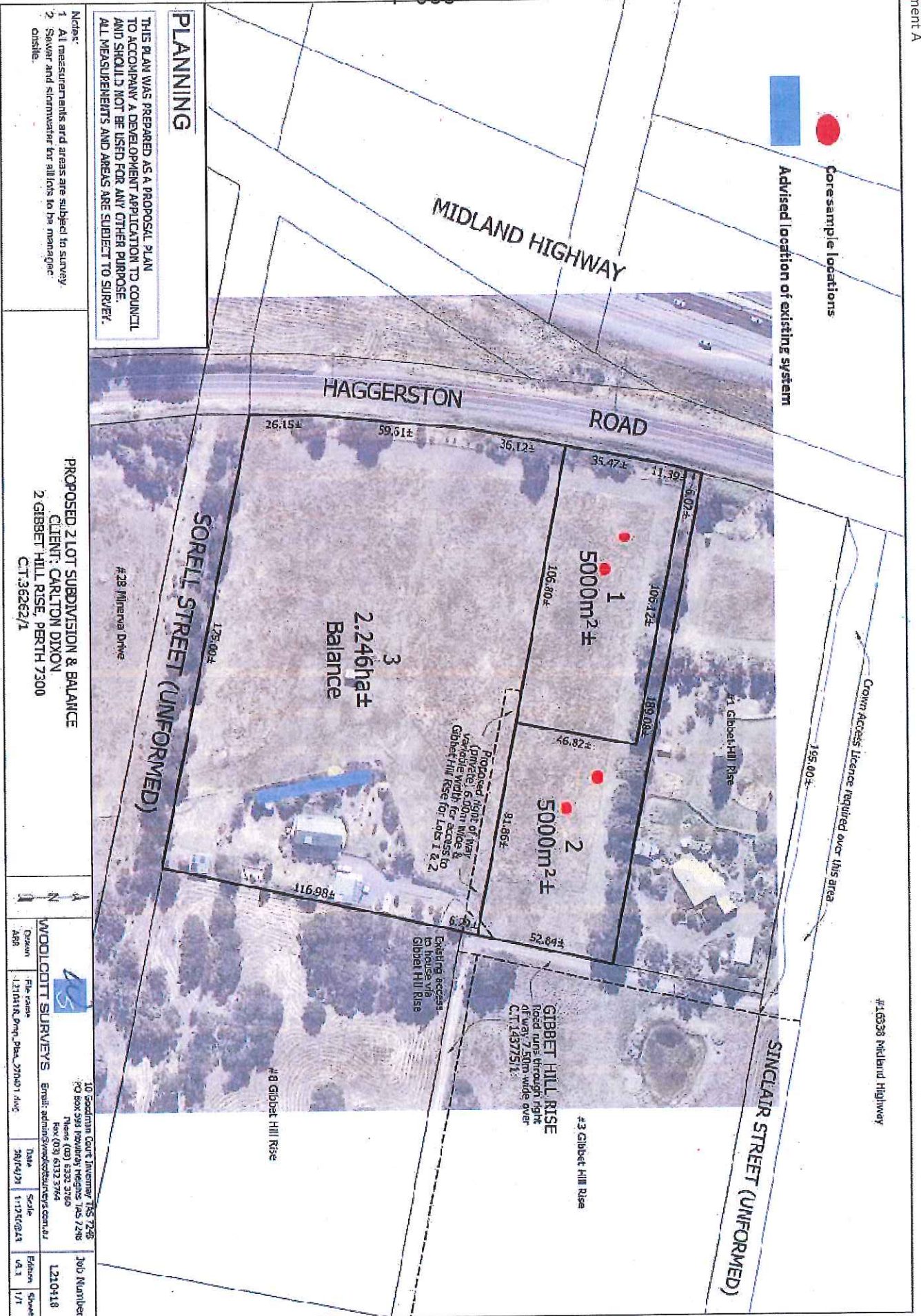
Yours faithfully



Bruce Harpley
Environmental Consultant

Attachment A: Site plan – Core sample locations and existing wastewater system

1-355





Your ref:
Our ref: 12553019

14 July 2021

Carlton Dixon
Jaffa International Pty Ltd
PO Box 1983
Hobart TAS 7001

Proposed Subdivision – 2 Gibbet Hill Rise – Traffic Impact Statement

Dear Carlton

This letter outlines our assessment of the proposed subdivision at 2 Gibbet Hill Rise, Perth, against Clause E4.6.1 of the *Northern Midlands Interim Planning Scheme 2013*.

Development overview

It is proposed to subdivide the existing property at 2 Gibbet Hill Rise, Perth, to provide two new vacant lots (Lot 1 and Lot 2) and the balance of land (Lot 3).

- Lot 1 would have an area of 5000 m² and a 35-metre frontage on Haggerston Road. Access will be provided via a new right of way easement on Lot 3 which connects to an existing right of way easement at 3 Gibbet Hill Rise.
- Lot 2 would have an area of 5000 m² and access in the same manner as Lot 1 via right of way easements on Lot 3 and at 3 Gibbet Hill Rise. A six-metre access strip is proposed for Lot 2 allowing frontage onto Haggerston Road.
- Lot 3 (the balance of land) has an area of 2.246 ha and contains the existing residence which is accessed via the existing right of way easement at 3 Gibbet Hill Rise.

It is noted that while both lots have frontage onto Haggerston Road, no new access points are provided on Haggerston Road, with access available via right of way easements connecting to Gibbet Hill Rise. Any future access onto Haggerston Road would be subject to separate approvals noting that Haggerston Road (also known as Midland Highway Gibbet Hill Deviation) is proclaimed limited access in this location and subject to access licence restrictions under Section 52 of the *Roads and Jetties Act 1935*.

A site plan is provided in Figure 1.

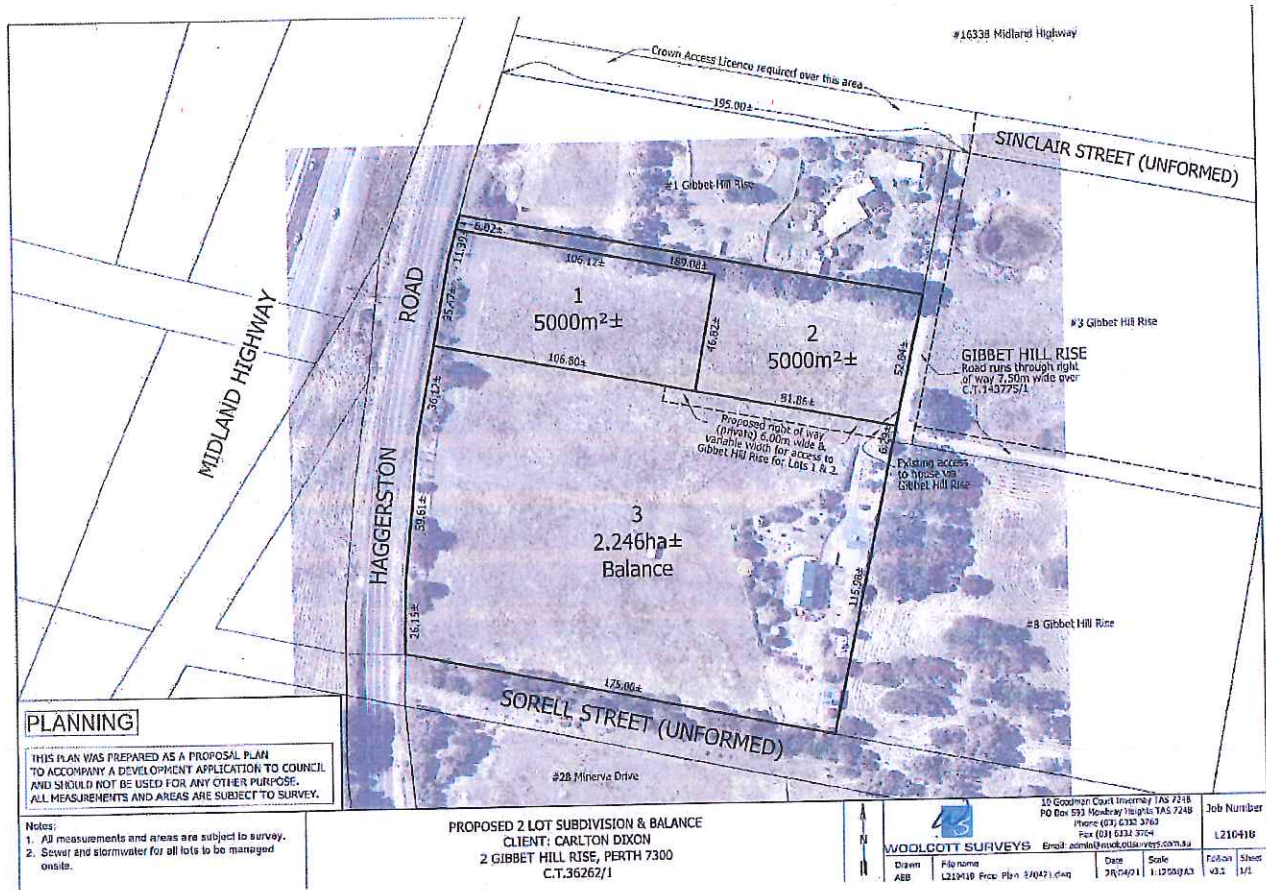


Figure 1 Proposal plan

Source: Woolcott Surveys, Dwg No. L210418 v3.1, Proposed 2 Lot Subdivision & Balance

Assessment

Haggerston Road has a posted speed limit of 70 km/h as advised by Council. Clause E4.6.1-A3 of the Northern Midlands Interim Planning Scheme 2013 applies which states:

“For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.”

All access is proposed via the intersection of Gibbet Hill Rise and Haggerston Road which currently provides access to eight low density, residential lots. The proposed subdivision would increase this to ten lots, a marginal increase of 25%. It is reasonable to assume that traffic movements would increase by the same proportion. Hence the proposed development relies on performance criteria which are as follows:

“P3 For limited access roads and roads with a speed limit of more than 60km/h:

- (a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and*
- (b) any increase in use of an existing access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and*
- (c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.”*

Performance criteria are assessed as follows:

a)

Haggerston Road is a limited access road. All access to the proposed development would be via the existing intersection at Gibbet Hill Rise which satisfies P3(a).

b)

Haggerston Road is comprised of the former Midland Highway corridor, recently downgraded as part of the Perth Bypass Project. It is understood that Haggerston Road currently does not have a classification, however given its function as an access road and given the new Midland Highway corridor located immediately adjacent, it is unlikely that Category 1, 2 or 3 would apply. On this basis, P3(b) is satisfied.

c)

The intersection of Gibbet Hill Rise and Haggerston Road is an existing intersection, having been in operation prior to the construction of the Perth Bypass when Haggerston Road was part of the Midland Highway corridor.

The Perth Bypass, and subsequent downgrade of Haggerston Road, has significantly reduced traffic volumes on this road compared to previous conditions. Given that there would be relatively low traffic using Gibbet Hill Road (up to 10 residences generating around 90 vehicle movements per day) and the reduced traffic volumes on the Haggerston Road corridor it is considered that an adequate level of traffic efficiency would be maintained.

The alignment of Haggerston Road is relatively straight on the southbound approach to the intersection, and the road has a gentle bend on the northbound approach to the intersection. There is a minor crest to the north, however this does not impact on visibility. Vegetation is set back from the roadway such that sight lines are relatively unaffected. The available sight distance exceeds 250 metres in both directions, satisfying Planning Scheme requirements for up to 100 km/h.

A review of Department of State Growth crash data reveals there have been 3 recorded crashes at this intersection: one rear end collision in 2009 and two rear end collisions in 2011. There have been no crashes at this location since.

On the basis of low traffic volumes, sufficient sight distance for the prevailing vehicle speed, and an absence of significant crash history at this site, it is considered that an adequate level of safety would be maintained.

Hence, P3(c) is satisfied.

Conclusions

This Traffic Impact Statement has assessed the proposed subdivision at 2 Gibbet Hill Rise, Perth, against Clause E4.6.1 of the *Northern Midlands Interim Planning Scheme 2013*. On the basis of the advice provided in this letter, it is considered that the proposal is consistent with Clause E4.6.1-P3.

Regards

Mark Petrusma
Senior Transport Engineer
03 8687 8672
mark.petrusma@ghd.com



**NORTHERN
MIDLANDS
COUNCIL**

Our ref: PLN-21-0151;

9 June 2021

Jaffa International Pty Ltd
P.O. Box 1983
HOBART 7001
via email: cdixon@bnil.com.au

Dear Mr Dixon,

Additional Information Required for Planning Application PLN-21-0151 - 3 Lot Subdivision at 2 Gibbet Hill Rise, Perth

I refer to the abovementioned application, which has been reviewed by Council's Planners. The following information is required to compose a valid application under the *Northern Midlands Interim Planning Scheme 2013*:

- Provide a copy of Title documents for CT143775/1 as well as an updated planning application form including notification of land owner of #3 Gibbet Hill Rise as access is proposed also over this privately owned property via a Right of Carriageway.

The following information is required to allow consideration of your application under the *Northern Midlands Interim Planning Scheme 2013*:

- Amend application to address E7 Scenic Management Code of the *Northern Midlands Interim Planning Scheme 2013* noting that the southeastern corner of the subject site is within a Scenic Management Area and part of land is located within 100m of a Scenic Corridor.
- It is considered that the subject land to be within a locality where reticulated services are available. A recent RMPAT decision (*6ty° Pty Ltd v Northern Midlands Council (2019) TASRMPAT 29*) for a nearby property found that reticulated water supply services were capable of being connected. Taking this previous decision into account, it is considered that reticulated water supply service are capable of being connected to the lots in the proposed subdivision at 2 Gibbet Hill Rise, Perth. The present application would fail to meet P3 of Clause 12.4.3.1. The proposal must be amended to detail how the proposal will therefore meet A3 of Clause 12.4.3.1.

Therefore, in accordance with Section 54 of the *Land Use Planning and Approvals Act 1993*, the statutory period for processing the application will not recommence until the requested information has been supplied to the satisfaction of the Planning Authority.

It is a requirement of the Planning Authority that all correspondence, if emailed, is sent to planning@nmc.tas.gov.au and referenced with the planning application number PLN-21-0151. If you have any queries, please contact Council's Planning Section on 6397 7301, or e-mail planning@nmc.tas.gov.au

Yours sincerely

A handwritten signature in black ink that reads "Rebecca Green". The signature is written in a cursive style with a large, stylized 'R' and 'G'.

Rebecca Green
Planning Consultant

Our ref: 203300.3; PLN-21-0151
Enquiries: Erin Miles



NORTHERN
MIDLANDS
COUNCIL

14/07/2021

Carlton Dixon
P.O. Box 1983
HOBART TAS 7001
via email: cdixon@bmil.com.au

Dear Mr Dixon

**Additional Information Required for Planning Application PLN-21-0151- 3 Lot Subdivision at 2
Gibbet Hill Rise, Perth**

I refer to the abovementioned application and thank you for the information required to form a valid application received on the 28.06.2021 and subsequent provision of a Wastewater Report as referred to in the application submission. The proposal has since been further reviewed by Council's Planners and following information is required to allow consideration of your application under the *Northern Midlands Interim Planning Scheme 2013*:

- Traffic Impact Assessment as required by clause E4.5.1 of the Road and Railway Assets Code, to demonstrate compliance with E4.6.1 P3 and updated planning submission report.

The code applies due to the intensification of more than 10% of the existing access point at Haggerstone Road (Crown Land/private access beyond this point) which an inspection has determined is a 70km/h section of road (not 60km/h as referenced in the planning submission).

Therefore, in accordance with Section 54 of the *Land Use Planning and Approvals Act 1993*, the statutory period for processing the application will not recommence until the requested information has been supplied to the satisfaction of the Planning Authority. It is a requirement of the Planning Authority that all correspondence, if emailed, is sent to planning@nmc.tas.gov.au and referenced with the planning application number PLN-21-0151. If you have any queries, please contact Council's Planning Section on 6397 7301, or e-mail planning@nmc.tas.gov.au

Yours sincerely

A handwritten signature in black ink that reads "Erin Miles". The signature is written in a cursive, slightly slanted style.

Erin Miles
Development Supervisor

From: "Hills, Garry" <Garry.Hills@stategrowth.tas.gov.au>
Sent: Tue, 27 Jul 2021 16:03:57 +1000
To: "NMC Planning" <planning@nmc.tas.gov.au>
Subject: RE: Referral to Department of State Growth of Planning Application PLN-21-0151 - 2 Gibbet Hill Rise, Perth TAS 7300

Our Ref: D21/169452

Hello Alex

Thank you for the referral. I advise the Department have no comment to make regarding this application.

Thanks, Garry

Garry Hills | Principal Analyst Traffic Engineering
Infrastructure Tasmania 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 <planning@nmc.tas.gov.au>
Sent: Friday, 16 July 2021 12:44 PM
To: Development <Development@stategrowth.tas.gov.au>
Subject: Referral to Department of State Growth of Planning Application PLN-21-0151 - 2 Gibbet Hill Rise, Perth TAS 7300

Good afternoon,

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

Attached is a copy of the application, plans/documentation relating to the proposal. It would be appreciated if you could return any comments, or notification that you do not wish to comment on the application, within fourteen (14) days of the date of this letter. If you have any queries, please telephone Council's Development Services Department on 6397 7301 or e-mail planning@nmc.tas.gov.au

Kind regards,

Alex Bowles

REFERRAL OF DEVELOPMENT APPLICATION PLN-21-0151 TO WORKS & INFRASTRUCTURE DEPARTMENT

Property/Subdivision No: 203300.3

Date: 10 August 2021

Applicant: Jaffa International

Proposal: 3 Lot Subdivision

Location: 2 Gibbet Hill Rise, Perth

W&I referral PLN-21-0151, 2 Gibbet Hill Rise, Perth

W.6 Separation of stormwater services

- a) All existing stormwater pipes and connections must be located.
- b) Where required, pipes are to be rerouted to provide an independent system for each lot.
- c) Certification must be provided that stormwater services have been separated between the lots.

Jonathan Galbraith (Engineering Officer)

Date: 10/8/21

22-07-2021

2 Gibbet Hill Rise Perth

PLN-21-0151

To General Manager

Northern Midlands Council

I am Writing to express my concerns re 2 Gibbet Hill Rise planning application.

I am and have been a Resident of Gibbet Hill Rise for 16 + years. And is this time the volume of traffic and movement on the hill has increased dramatically.

If this areas is to subdivide access needs to be upgraded to accommodate the extra house lots, Density, population and traffic flow as Northern Midlands will be collecting more rates without providing any extra services. Foot paths, Kerb, channel, street lighting

My concerns for this development are as per the following.

- With a Developer trying to purchase all the houses in this area so they can subdivide and then rent existing homes out this area will become run down un maintained, Fire hazard, road will become unusable and serviceable
- Increased traffic to Right of way on a single lane gravel access road (2 cars cannot pass)
- The right of way including Sinclair street is maintained by the residents with no assistance from Council, Crown mowing and drainage re topping road surface yet we all pay rates for an under serviced area on the hill.
- Houses/Properties have and will be rented out meaning more traffic flow as is already the case. And having no respect or pride over the access road and area.
- Waste/Garbage removal trucks collecting waste bins already struggling to turn around and having to reverse out.
- No Postal service
- Increased noise to the area
- Speed limits and slow down signs have already been put in place by residence due to Increase in traffic flow and speed
- Dust during summer months as we are all on tank water this effect drinking water quality
- This area on the hill is not set up for residential traffic and population with limited services including road access.
- This area is just not set up for growth in population as per suburbia and would only be a money grabbing opportunity
- This area on Gibbet hill seems to be a forgotten parcel of land with poor access, unmade roads surrounding it. With very limited services. And to now over populate this area will only introduce more problems.

1-365

Yours sincerely

Ritchie Dell

7 Gibbet Hill Rise Perth

PO Box 51 Main Rd Perth 7300

The developers don't live here, are not part of our community, have no interest in our community, their only interest being in monetary gain, so what protection do we have, especially when we were given earlier assurances from Council that there would be no such subdivision on our door-step, and have planned our lives accordingly?

The developer, in his application, describes the land he wishes to subdivide as cleared and underutilised, but why subdivide right against our boundary, when there is so much more cleared and 'underutilised' land associated with 2 Gibbet Hill Rise? Open space is part of the landscape – part of the character of Gibbet Hill, and the reason people choose to live here.

The proposal states that smaller blocks are in keeping with a low density residential area. But they are not in keeping with this particular area. There are no half-hectare blocks on Gibbet Hill Rise. Two houses against our border – when there were none before, constitutes high density for us.

USE AND CONDITION OF THE LANE

The application cites an estimated 90 car movements per day: this will be the case if there is any further subdivision of the area, and how this is managed should be addressed, as increased traffic will have a substantial impact on our lives, in that Gibbet Hill Rise encompasses two sides of our property (refer attachment 2), and every vehicle that uses this 'no through' road has to take this route. This will translate into a significant increase in noise, day and night – especially when people drive at speed – and severely affect our peace and well-being.

The corner where Gibbet Hill Rise curves round our property (refer attachment 2), has been the scene of several near misses caused by vehicles travelling at speeds incompatible with the conditions.

Before the first property on Gibbet Hill Rise was bought by the developer (2 Gibbet Hill Rise is the second) and rented out, the traffic along this lane was minimal, but has since increased considerably – both in volume and noise – day and night.

In all the years we, and others have lived here, there has been very little – maybe an occasional rabbit – killed on this lane, but since the arrival of the tenants, numerous native animals have met their death – wallabies, paddy melons, a large kangaroo (our neighbours told me about the kangaroo, the rest of the road kill I have seen for myself) and a critically endangered eastern barred bandicoot which was in front of our place, all due to reckless driving – and left on the lane as a traffic hazard for other drivers.

At present there is a wallaby with a joey in the area, and we are all holding our breath, hoping against hope that she and her baby will not meet their death as a result of these speedsters.

Until earlier this year, the lane was comparatively safe for residents' children to ride their bicycles; for residents to walk, jog or exercise their dogs (including myself) – the activities expected with country living, but this is no longer the case.

At my own expense, I bought two road signs "CAUTION, SLOW DOWN", and my neighbours put them together and positioned them for me, but they have largely been ignored by the tenants and their friends.

The permanent residents have all chipped in from time to time for the upkeep of the lane, which was in good order, until the arrival of these tenants. The lane has deteriorated markedly in the last few months, due to speeding vehicles and heavy breaking. Any further development will involve a lot of heavy machinery using the road, causing it to deteriorate even further. Who will be responsible for the repairs?

I note that there is no mention of road upkeep, especially if more traffic is to be introduced to the area. So, who will be responsible for its upkeep? Should the road continue to deteriorate, it will become another safety hazard.

In respect to the crown land which runs along the northern side of Gibbet Hill (refer attachment 1), the authorities do nothing towards its upkeep. Over the last 2-3 years, State Growth have sent in a slasher to deal with gorse and long grass in the area in front of and beyond 3 Gibbet Hill Rise (refer attachment 2), but has ignored the crown land that runs past our place. If I see the contractor and can catch him, I pay him out of my own pocket to cut this area, to reduce fire risk.

ROCK SHELF AND BLASTING

Gibbet Hill is a giant rock shelf – this is clearly evident along Haggerston Road, when driving towards Perth – and inevitably, should any subdivision go ahead on 2 Gibbet Hill Rise, there will be blasting. We are deeply concerned for the safety of our house, given how close the two proposed blocks are to our property (refer attachment 2). We request that should any subdivision go ahead, we will be given a written guarantee that our house and our water tanks will suffer no damage, and if they do, we will be properly recompensed.

Two of our rainwater tanks are in close proximity to our house. The original concrete tank which services the house, is over thirty years old, and only a few metres from the boundary (refer attachment 2). Should it rupture as a result of blasting, it will release thousands of litres of water right beside our house, and we will be flooded, as well as being without water to the house.

VEGETATION

As mentioned in the proposal, there is a line of mature trees along the border of numbers 1 and 2 Gibbet Hill Rise (refer attachment 2). The trees are planted on 2 Gibbet Hill Rise's land, and a substantial fence was built on the property by the previous owner to protect the trees from his live stock. Should the proposed subdivision be accepted in its present, or another form, we request that part of the conditions be that these trees and the fence be retained as a buffer between our two properties. This tree-line is not a hedge as such, has significant gaps in it, and therefore does not provide absolute privacy between our property and 2 Gibbet Hill Rise. Nor is it a noise barrier.

THE CHARACTER OF THE AREA

The two proposed blocks will be only half a hectare each. I note in the proposal that reference is made to other such smaller blocks in the area, but does not specify where, or their position in relation to existing properties. There are no half-hectare blocks on Gibbet Hill Rise, and what works in one place, is not necessarily right for another. The proposed smaller block subdivision in our immediate area is not in keeping with the character of our neighbourhood or the wider community.

Monumental changes to an area destroy its mystic, its familiarity, sense of place – its uniqueness, and Gibbet Hill Rise is unique – the very reasons people chose to live here in the first place. Wildlife is part of this, and we have worked hard to encourage it – planting numerous trees and other vegetation, and to see it killed on this road is heart-breaking; as is the possibility of it being driven out of the area altogether, due to more intensive development. Where is the protection for these animals that have been part of Gibbet Hill for so long?

WASTE MANAGEMENT AND STORMWATER

We have just over 1 hectare of land, and we opted to replace the existing septic tank with an Ozzi Kleen sewage/grey water treatment unit which is serviced four times a year. As far as I know, septic tanks are not subjected to such scrutiny, and are far less environmentally friendly than the unit we have which purifies the water to a standard where it can be used on our ornamental garden.

With two proposed new houses so close to us, any problems with their sewage disposal could have an adverse effect on our property. We are required to be scrupulous about run-off from our system, so that not one drop will seep into the neighbouring property. How will this be managed for the proposed new, smaller blocks?

Houses generate additional water to rainfall. The application states, “On-site disposal of stormwater through sub-surface beds or trenches is proposed. The subdivision will not alter the intensity of runoff that already occurs ...”

But there will be more water – household waste – so what guarantee do we really have none of it will end up in our property? I note mention is made of the dam across the road, but not of our property which is right next door.

As Gibbet Hill is a rock shelf, the soil depth is very shallow, which makes drainage a problem. When there is a lot of rain, our property is soggy for days, with water-pooling in some places. After rain, seepage from further up the hill, including from 2 Gibbet Hill Rise where it slopes towards our property, keeps our property wetter for longer. What guarantee do we have that it will not include run-off from the two waste disposal units?

CONCERNS FOR THE FUTURE OF GIBBET HILL RISE

It is extremely unfair and undemocratic that a developer, unrelated to a community, can steam in and undo years of local effort, then leave with bulging pockets. The reality is that these people, supported by the planning laws have more say over our area than we who live here. Permanent residents are not given equal voice about what happens on their doorstep – perhaps it is time they were, because the consequences of planning, especially when zoning is

changed for the convenience of developers, have a human cost. It is deeply troubling that this aspect is not addressed in the planning process. Perhaps it is time it was.

Our homes are more than bricks and mortar, they are a substantial commitment and investment; places of refuge, where we feel safe, raise our families, where our lives and long-term plans are lived out, our hopes and our dreams. Home is all that is familiar, and also incorporates our immediate surrounds and our community. This is what gives us a sense of place and of permanency, and is essential for our physical and mental health, and our emotional well-being. At present, none of this is addressed in the planning regulations which ignore the value of existing stable communities.

Our cohesive community of many years has been ruptured, thus changing the dynamics and introducing uncertainty where there was none before. As a result our community has lost the resident who took responsibility for organising the maintenance of the lane. We have also lost the resident who, at his own expense, sprayed the gorse and mowed the edges of the lane.

As I understand it, both residents sold up and moved out after being approached by the developer. Neither property was listed for sale at the time. The same developer has since attempted to acquire two other Gibbet Hill Rise properties to my knowledge, (neither listed for sale), ours being one of them. But our house and land is not for sale. It is our home. We have nowhere else to go.

Developers set in motion chains of events that take on a life of their own. Developers do not suffer the consequences of their actions, nor are they held accountable and communities are left to pick up the pieces as best they can, and this is occurring not only on Gibbet Hill Rise, but all over Tasmania. Is this fair, or just?

Our wildlife is also part of this equation. The amount of road kill now happening around the area and on Gibbet Hill Rise is proof of the substantial presence of wildlife and it should be protected – they are part of our lives here. I thought that our native wildlife was protected, but it seems that if it is killed through reckless driving, or driven to extinction by development, then no one is liable. Isn't it time they were?

It appears that should the green light for the subdivision of 2 Gibbet Hill Rise be given, especially in its present form, further applications will be made for carving up more properties on Gibbet Hill Rise, increasing the pressure on the remaining long-term residents.

If this is allowed to happen, the face of Gibbet Hill will be forever changed. Once it is all built on, it can never be recovered and the unique character of this place will be lost, and wildlife who inhabit the area will be displaced and die.

IN CLOSING

Surely it is time that comprehensive human and wildlife impact statements were made mandatory as part of the planning application process, because the effects of insensitive planning go far beyond the monetary ambitions of developers.

The uniqueness of a place is lost and communities and families are shattered (wildlife have families too), yet there is no recourse to justice, because the terms of planning are all about regulations, and not people's lives.

We spent our life-savings when we bought this property over 20 years ago because it was removed from its neighbours and offered us peace and privacy – and an opportunity to restore the land and provide for wildlife. Now the monetary ambitions of a developer, should this proposal go forward in its present form, is set to rob us of all we have worked for.

I know it is not our property that is proposed for subdivision – but nothing happens in isolation and there are flow-on effects; months and months of construction noise, the **permanent loss of our peace, privacy and quality of life**, as well as substantial changes to the landscape. Wildlife will suffer too, as space for them dwindles and road kill increases.

To have to face such enormous pressures in our older-age (my husband already has significant health problems, and this situation does nothing to improve his health – or mine) ... to be confronted with them at all, especially after being given earlier assurances to the contrary, is absolutely devastating... I could weep.

Yours sincerely,,



(Mrs) Erin Eiffe

2 Attachments – printed from proposal PLN-21-0151, to highlight the impact this proposal, should it be approved, will have on our lives.



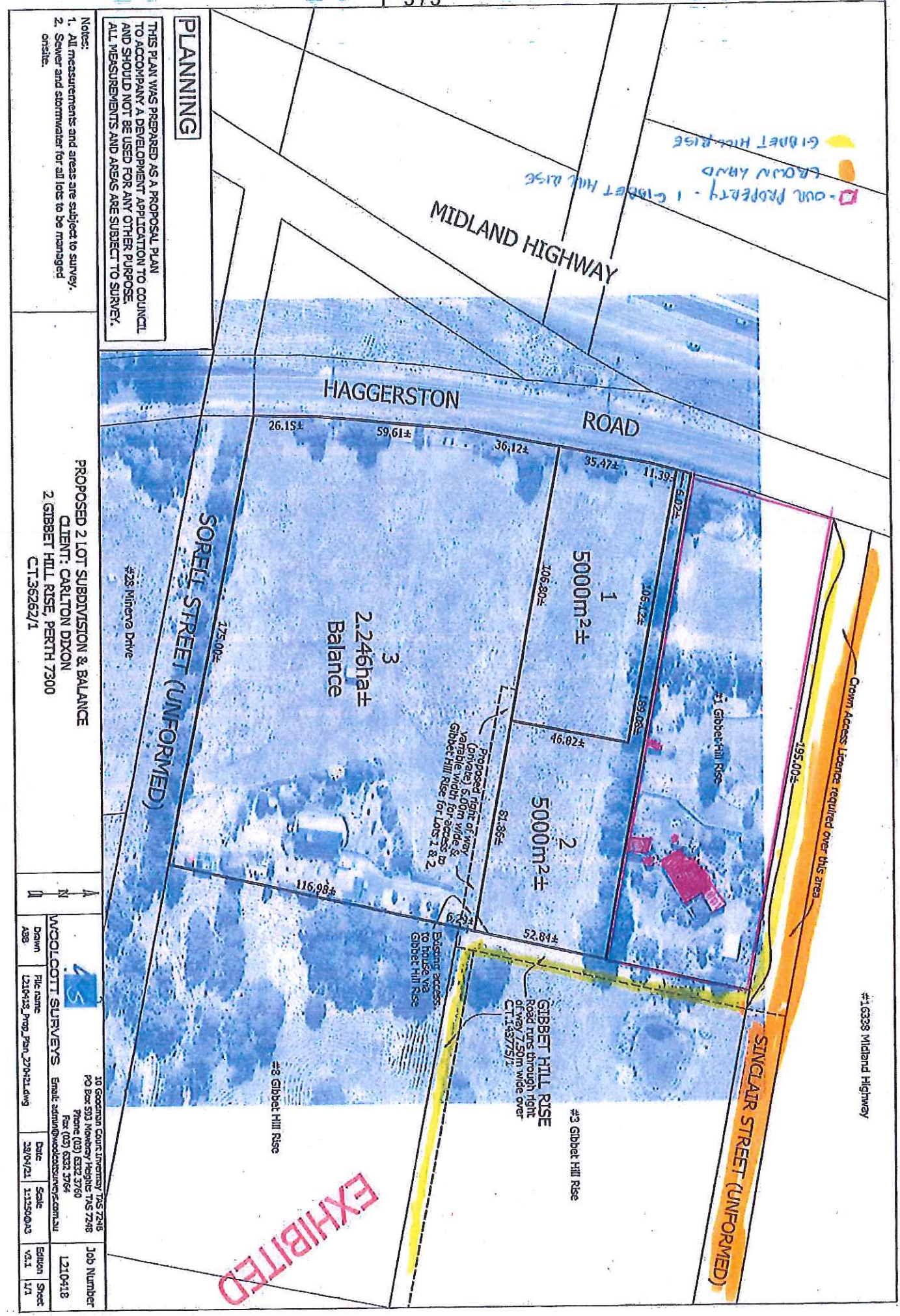
Base image from theLIST (www.thelist.tas.gov.au). © State of Tasmania.

Figure 2 - Subject site

The proposed development application relates to the following title:

Address	Owner(s)	Title Reference	Land Area
2 Gibbet Hill Rise, Perth	Anthony Wayne King	36262/1	3.246ha

☐ - OUR PROPERTY - 1 GIBBET HILL RISE



EXHIBITED

Drawn	File name	Date	Scale	Edition
ASB	1210418_Prop_Plan_270421.dwg	28/04/21	1:12500@A3	v3.1
WOOLCOTT SURVEYS 10 Goodman Court Invermay TAS 7248 PO Box 593 Mowbray Height TAS 7248 Phone (03) 6332 3760 Fax (03) 6332 3764 Email: admin@woolcottsurveys.com.au		Job Number 1210418		
Job Number 1210418		Sheet 1/1		

Response to reps – PLN -21-0151 – 2 Gibbet Hill Rise, Perth

I note that there are no issues raised in the reps that have any merit under the provisions of the Planning Scheme. Each of the lots are provided with the required road frontage and access is via Crown licence over a reserved road and a right of way as is the case with other lots in the immediate surrounds.

The smaller lot sizes, whilst not matching the sizes of the surrounding lots are able to be considered under the Low Density Residential Zone provisions providing there are no environmental constraints and the lots can provide on-site services.

The character of the area is evolving as the current Planning Scheme provisions allow further subdivision of Low Density Residential Lots.

Issue	Response
Concerned that if Gibbet Hill area is to be developed that access needs to be upgraded to include footpaths, Kerb, channel street lighting	The road (unformed part of Sinclair St) is not currently a formed road but users must obtain a Licence from State Growth. Council is therefore not obliged to provide footpaths, kerb, channel etc
The developer is trying to purchase all the houses in the area so they can subdivide and rent out existing homes. The maintenance of the area will not be upkept	This is not a valid consideration under the Planning Scheme
Concern with increased traffic along single lane right of way	Two new residential lots will create approximately 14 additional vehicle movements per day which is considered to be within the capacity of the road.
The right of way is maintained by residents with no assistance from Council yet rates are paid for Gibbet Hill	It is the obligation of all users of the right of way to contribute to maintenance. Increased numbers of users will increase the contributions towards maintenance.
Concern about rubbish collection as there are already issues	Not a valid consideration under the planning scheme.

No postal service	Not a valid consideration under the planning scheme
Increased noise in the area particularly to adjoining property at 1 Gibbet Hill Rise	Two new dwellings on 5000m ² lots will not have a detrimental increase in noise in the area.
Dust during summer months as the area is on tank water	The creation of two new residential lots and associated gardens is likely to decrease dust as the gardens are more likely to be watered than a paddock.
The area is not setup for residential traffic. Concern about impact of residential traffic to amenity of 1 Gibbet Hill Rise	Two new residential lots will create approximately 14 additional vehicle movements per day which is considered to be within the capacity of the road.
Why are the two proposed lots set adjacent to boundary with the balance lot much larger	Not a valid consideration under the planning scheme
Representor's have been previously told by Council there would be no further subdivision of Gibbet Hill Rise	Unclear why this is the case as there are no applicable provisions under the planning scheme that prevent further subdivision as is the case with Devon Hills.
Concerned about structural integrity of representor's house if development on lot requires blasting	If any blasting were required, a dilapidation survey of adjoining dwellings would be required and any damage paid for by developers.
Request that a condition of permit be that the line of trees along boundary between 1 and 2 Gibbet Hill Rise be retained.	<p>The described trees are not within the Scenic Protection Overlay and not protected under the Biodiversity Protection Overlay. Any such condition could not be warranted under the Planning Scheme provisions.</p> <p>It is likely future owners of the lots will plant their own hedges/trees which will assist in providing privacy between the lots.</p>

<p>Concerned about sewage disposal and stormwater from new lots and runoff to adjoining properties</p>	<p>The wastewater report lodged with the application demonstrates that all lots are of sufficient size and soil profile to contain stormwater and sewage on site via a secondary treatment system designed in accordance with Australian Standards</p>
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