



## Public Notice Details

### Planning Application Details

<b>Application No</b>	DA2500090
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#### Property Details

<b>Property Location</b>	26 Craighourne Dam Road, Colebrook
--------------------------	------------------------------------

#### Application Information

<b>Application Type</b>	Discretionary Development Application
<b>Development Category</b>	Boundary Reorganization
<b>Advertising Commencement Date</b>	2 August 2025
<b>Advertising Closing Period</b>	16 August 2025
<small>If the Council Offices are closed during normal office hours within the above period, the period for making representations is extended.</small>	

Enquiries regarding this Application can be made via to Southern Midlands Council on (03) 6254 5050 or by emailing [planningenquires@southernmidlands.tas.gov.au](mailto:planningenquires@southernmidlands.tas.gov.au). Please quote the development application number when making your enquiry.

Representations on this application may be made to the General Manager in writing either by

Post: PO Box 21, Oatlands Tas 7120  
Email: [mail@southernmidlands.tas.gov.au](mailto:mail@southernmidlands.tas.gov.au)  
Fax: 03 6254 5014

All representations must include the authors full name, contact number and postal address and be received by the advertising closing date.



## APPLICATION FOR PLANNING PERMIT

## DEVELOPMENT / USE

Use this form to apply for a permit in accordance with section 57 and 58 of the *Land Use Planning and Approvals Act 1993*

Proposed  
use/development:  
(Provide details of  
proposed works and use).

RESIDENTIAL  
PROPOSED BOUNDARY ADJUSTMENT  
SUB-DIVISION

Location of  
Development:  
(If the development  
includes more than one  
site, or is over another  
property include address  
of both Properties).

26 CRAIGBOURNE DAM ROAD  
COUGBROOK

Certificate of Title/s  
Volume Number/Lot  
Number:

11 66 13 - 01 8222-2

Land Owners Name:

PHILLIP KENNEDY MURPHY  
ROSEANNE JOY MURPHY

Full Name/s or Full Business/Company Name

Applicant's Name:

PHILLIP KENNEDY MURPHY  
ROSEANNE JOY MURPHY

Full Name/s or Full Business/ Company Name (ABN if registered business or company name)

Contact details:

Postal address for correspondence: PO BOX 423 SORELL TAS 7172

Telephone or Mobile: 0419 310 438

Email address: ROSEANNE\_MURPHY@BIGPOND.COM.

(Please note it is your responsibility to provide your correct email address and to check your email for communications from the Council.)

Details  
Tax Invoice for  
application fees to be  
in the name of:  
(if different from  
applicant)

Full Name/s or Full Business or Company Name and ABN if registered business or company name

Print email address

AS ABOVE

ABN

What is the estimated value of all the new work proposed

\$ 6000



**For Commercial Planning Permit Applications Only**

Signage:

Is any signage proposed?

Yes

☐

No

☒

If yes, attach details: size, location and art work

Business Details:

Existing hours of operation

Hours	am	to	pm
Weekdays			
Sat			
Sun			

Proposed hours of new operation

Hours	am	to	pm
Weekdays			
Sat			
Sun			

Number of existing employees:

Number of proposed new employees:

Traffic Movements:

Number of commercial vehicles serving the site at present

Approximate number of commercial vehicles servicing the site in the future

Number of Car Parking Spaces:

How many car spaces are currently provided

How many new car spaces are proposed

Is the development to be staged:

Please tick ✓ answer

Yes ☐

☐

No ☐

☐

Please attach any additional information that may be required by Part 6.1 *Application Requirements* of the Tasmanian Planning Scheme – Southern Midlands.

Signed Declaration

**I/we as owner of the land or person with consent of the owner hereby declare that:**

1. I/we have read the Certificate of Title and Schedule of Easements for the land and I/we are satisfied that this application is not prevented by any restrictions, easements or covenants.
2. I/we provide permission by or on behalf of the applicant for Council officers to enter the site to assess the application.
3. The information given in this application is true and accurate. I/we understand that the information and materials provided with this application may be made available to the public. I/we understand that the Council may make such copies of the information and materials as, in its opinion, are necessary to facilitate a thorough consideration of the application.
4. I/we have secured the necessary permission from the copyright owner to communicate and reproduce the plans submitted with the application for assessment. I/we indemnify the Southern Midlands Council for any claim or action taken against it regarding a breach of copyright in respect of any of the information or material provided.
5. I/we declare that, in accordance with Section 52(1) of the Land Use Planning and Approvals Act 1993, that I have notified the owner of the intention to make this application. Where the subject property is owned or controlled by Council or the Crown, their consent is attached and the application form signed by the Minister of the Crown responsible and/or the General Manager of the Council.

Applicant Signature  
(If not the Title Owner)

X *Phillip Murphy*

Applicant Name (please print)

X PHILLIP MURPHY

Date

15 MAY 2025

Land Owner(s) Signature

X *Roseanne Murphy*

Land Owners Name (please print)

X ROSEANNE MURPHY

Date

15 MAY 2025



SMC - KEMPTON

RECEIVED

10/07/2025

Land Owner(s) Signature

*Philip Murphy*

Land Owners Name (please print)

PHILLIP MURPHY

Date

15 MAY 2025

## PRIVACY STATEMENT

The Southern Midlands Council abides by the Personal Information Protection Act 2004 and views the protection of your privacy as an integral part of its commitment towards complete accountability and integrity in all its activities and programs.

**Collection of Personal Information:** The personal information being collected from you for the purposes of the Personal Information Protection Act, 2004 and will be used solely by Council in accordance with its Privacy Policy. Council is collecting this information from you in order to process your application.

**Disclosure of Personal Information:** Council will take all necessary measures to prevent unauthorised access to or disclosure of your personal information. External organisations to whom this personal information will be disclosed as required under the Building Act 2000. This information will not be disclosed to any other external agencies unless required or authorised by law.

**Correction of Personal Information:** If you wish to alter any personal information you have supplied to Council please telephone the Southern Midlands Council on (03) 62545050. Please contact the Council's Privacy Officer on (03) 6254 5000 if you have any other enquires concerning Council's privacy procedures.



SMC - KEMPTON  
RECEIVED  
20/07/2025

LEARY COX & CRIPPS  
LAND & ENGINEERING SURVEYORS

Unit G04 40 Molle Street, HOBART TAS 7000  
P 03 6118 2030  
E admin@lccsurvey.com

Project Name and Address  
26 CRAIGBOURNE DAM RD  
COLEBROOK  
TAS 7027

Drawing Title  
SUBDIVISION PLAN  
CURRENT BOUNDARY LAYOUT  
Client  
MARCUS RALPH  
ARCHITECTURAL ANIMATION

SCALE  
0 10 20 30 40  
1:1000 at A3  
"THIS DOCUMENT IS, AND SHALL REMAIN, THE PROPERTY OF LEARY, COX & CRIPPS, LAND & ENGINEERING SURVEYORS. THE DOCUMENT MAY ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED AND IN ACCORDANCE WITH THE TERMS OF ENGAGEMENT FOR THE COMMISSION. UNAUTHORISED USE OF THE DOCUMENT IN ANY WAY IS PROHIBITED."

Contour Interval	N/A	FILE REF:	14215
Date	14-11-2024	Geocivil Ref	1421501
SHEET	1 of 2	AutoCAD Ref	1421501
DRAWN	MC	DATUM	GDA
CHKD	DC	Horz:	
		Vert:	

AMENDMENTS		
No.	Revision/Issue	Date

**IMPORTANT NOTE:**  
This plan was prepared as a proposed subdivision to accompany a subdivision application to the Southern Midlands Council and should not be used for any other purpose. The dimensions, areas and total number of lots shown hereon are subject to field survey and also to the requirements of Council and any other authority which may have requirements under any relevant legislation. In particular, no reliance should be placed on the information on this plan for any financial dealings involving the land. This note is an integral part of this plan.





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RECEIVED  
20/07/2025

**LEARY COX & CRIPPS**  
LAND & ENGINEERING SURVEYORS

Unit G04 40 Molle Street, HOBART TAS 7000  
P 03 6118 2030  
E admin@lccsurvey.com

Project Name and Address  
**26 CRAIGBOURNE DAM RD  
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Drawing Title  
**SUBDIVISION PLAN  
PROPOSED BOUNDARY LAYOUT**  
Client  
**MARCUS RALPH  
ARCHITECTURAL ANIMATION**

SCALE  
0 10 20 30 40  
1:1000 at A3  
"THIS DOCUMENT IS, AND SHALL REMAIN, THE PROPERTY OF LEARY, COX & CRIPPS, LAND & ENGINEERING SURVEYORS. THE DOCUMENT MAY ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED AND IN ACCORDANCE WITH THE TERMS OF ENGAGEMENT FOR THE COMMISSION. UNAUTHORISED USE OF THE DOCUMENT IN ANY WAY IS PROHIBITED."

Contour Interval	N/A	FILE REF:	<b>14215</b>	
Date	14-11-2024	Geocivil Ref	1421501	
SHEET	2 of 2	AutoCAD Ref	1421501	
DRAWN	MC	DATUM	Horz:	GDA
CHKD	DC		Vert:	

AMENDMENTS		
No.	Revision/Issue	Date

**IMPORTANT NOTE:**  
This plan was prepared as a proposed subdivision to accompany a subdivision application to the Southern Midlands Council and should not be used for any other purpose. The dimensions, areas and total number of lots shown hereon are subject to field survey and also to the requirements of Council and any other authority which may have requirements under any relevant legislation. In particular, no reliance should be placed on the information on this plan for any financial dealings involving the land. This note is an integral part of this plan.







## Stage 1.0 Preliminary Town Planning review of proposed Subdivision

**26 Craighourne Dam Road Colebrook, Tasmania 7027  
(CT-8222/1 & CT-116613/1)**

Ms Roseanne Murphy

Agriculture zone, Tasmanian Planning Scheme and  
Southern Midlands Council Local Provisions Schedule

20 January 2025

Gray Planning 2025 Commercial in Confidence

Version 1.0

Danielle Gray, Principal Consultant  
Gray Planning  
224 Warwick Street  
West Hobart TAS 7000

20 January 2025

Ms Roseanne Murphy  
c/- roseanne\_murphy@bigpond.com

Dear Roseanne,

Thank you for contacting Gray Planning to assist with planning enquiries you have for your property at 26 Craighourne Dam Road in Colebrook.

This property is currently zoned Agriculture zone under the *Southern Midlands LPS*.

Please find attached a preliminary town planning feasibility review for a proposed subdivision at 26 Craighourne Dam Road at Colebrook, Tasmania (CT-8222/2 and CT-116613/1).

The following town planning assessment and advice is intended to provide feasibility advice of the proposal for a subdivision against the Tasmanian Planning Scheme and Local Provisions Schedule for the Southern Midlands Council municipality with respect to the Agriculture zone.

Should you wish to discuss the assessment, I may be contacted on 0439 342 696.

Yours faithfully



Danielle Gray B.Env.Des. MTP. MPIA  
Principal Consultant, Gray Planning





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# 1 Introduction

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## 1.1 Purpose

The purpose of this report is to undertake a preliminary town planning review for feasibility and provide advice on the likely compliance of the proposed development (subdivision comprising a boundary reorganisation) at the subject site 26 Craighourne Dam Road at Colebrook in Tasmania (CT-8222/2 and CT-116613/1) against relevant development standards for subdivision in the Agriculture zone in the Local Provisions Schedule of the Tasmanian Planning Scheme for the Southern Midlands Council municipal area.

The property in question is 26 Craighourne Dam Road at Colebrook, Tasmania (CT-8222/2 and CT-116613/1) and has been referred to as 'the subject site' throughout the following report. Where individual titles have been referred to, their CT title reference number has been provided. The property street address has been sourced from Tasmanian Government valuation records.

## 1.2 Copyright

The report is subject to copyright the owner of which is Danielle Gray Planning, trading as Gray Planning. All unauthorised copying or reproduction of this report or any part of it is forbidden by law and is subject to civil and criminal penalties as set out in the *Copyright Act 1968*. All requests for permission to reproduce this report or its contents must be directed to Danielle Gray.

This document may only be used for the purposes for which it was commissioned and in accordance with the Letter of Engagement dated 6 December 2024 for the commission. Unauthorised use of this document in any form whatsoever is prohibited.

Last updated: 20 January 2025

Report Author: Danielle Gray B.Env.Des MTP MPIA

Version 1.0

## 1.3 Disclaimer

This report contains research undertaken by Gray Planning to determine what planning scheme development standards are likely to be applied in the event of an application for development (subdivision comprising a boundary reorganisation) on the subject site 26 Craighourne Dam Road at Colebrook, Tasmania (made up of titles CT-8222/2 and CT-116613/1) being submitted to Southern Midlands Council.

Given the discretionary process under the Resource Management Planning System in Tasmania, Gray Planning cannot guarantee a planning approval will be received from





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Southern Midlands Council in the event of a planning application for subdivision being submitted to Council.

Where a Permitted pathway is discussed, Gray planning cannot guarantee that Council will agree with compliance against the applicable Criteria in order to undertake a Permitted pathway.

As part of the research contained within this report, Gray Planning has not approached Council to determine if there are any outstanding orders, notices (such as abatement notices) or compliance matters associated with the subject site. These are outside the scope of this planning report. In the event that advice is required in these areas, it is recommended that legal advice is sought from a barrister & solicitor who specialises in local government and development (including planning and building) law within the state of Tasmania.

No other Gray Planning client benefits from the information or recommendations contained within this report.



## 2 Scope of Works

In the letter of engagement dated 6 December 2024, Gray Planning has been engaged to undertake the following work:

**Stage 1.0 Preliminary town planning review and provision of written advice for a proposed boundary reorganisation/subdivision (new lot containing existing dwelling and outbuildings and the pasture to be on separate lot) at 26 Craighourne Dam Road at Colebrook (Southern Midlands municipality) title reference CT-8222/1 and CT-11613/1**

*We will review the feasibility of a proposed boundary reorganisation/subdivision development at the property 26 Craighourne Dam Road against all applicable development standards for boundary reorganisation/subdivision in the applicable Agriculture zone in the Southern Midlands Local Provisions Schedule and State Planning Provisions and also provide written commentary against any applicable Codes and Planning Scheme overlays at the property.*

*We will review the current Planning Scheme zoning, any applicable overlays in the Local Provisions Schedule, the subject titles for the property and provide the client with written advice with feasibility advice and any considerations that would need to be addressed as part of any planning application. We will provide commentary against the provided draft proposal emailed through on 22 November 2024.*

*We will also confirm if any other experts would be required for the lodgement of an application for planning approval to Council (for example bushfire considerations).*

*To undertake the above will take approximately 6.5 to 7 hours and be chargeable at the 2024 rate for statutory planning rate of \$265 per hour (\$AUD) not including GST.*

*Advice will be provided in report form in pdf format via email to the client and their land surveyor/agent.*

*Our 2024 hourly rate for the above work is \$265 (\$AUD) per hour, not including GST.*

*\*Please note that we will additionally charge for the cost of retrieving property title documents and these are charged at a cost pass on basis. The current cost charged by Titles Office is \$37.40 (\$AUD) per property title document, noting that we will need to retrieve at least a title plan, title text and property report for each property (there are two properties with at least title documents per property). A pdf copy of these documents will be provided to the client and their surveyor/agent along with our preliminary advice in report format.*

*The above quote does not include provision for any general correspondence including emails, telephone calls, meetings or site inspections. These are charged on an hourly rate at \$265 per hour (\$AUD) at a Time and Materials basis as 'general correspondence'.*





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**General correspondence for the duration of services including telephone calls, meetings, site inspections, emails, written advice not specified in the above quote estimate under Stage 1.0:**

*To be charged on a Time and Materials basis throughout the duration of our assistance during 2024 to the client on the hourly rate of \$265 not including GST.*

*Please note\*\*: any work undertaken beyond 31 December 2024 will be charged on 2025 rates for statutory planning work of \$275 per hour not including GST.*

The following town planning report seeks to address the scope of works outlined above in Stage 1.0.

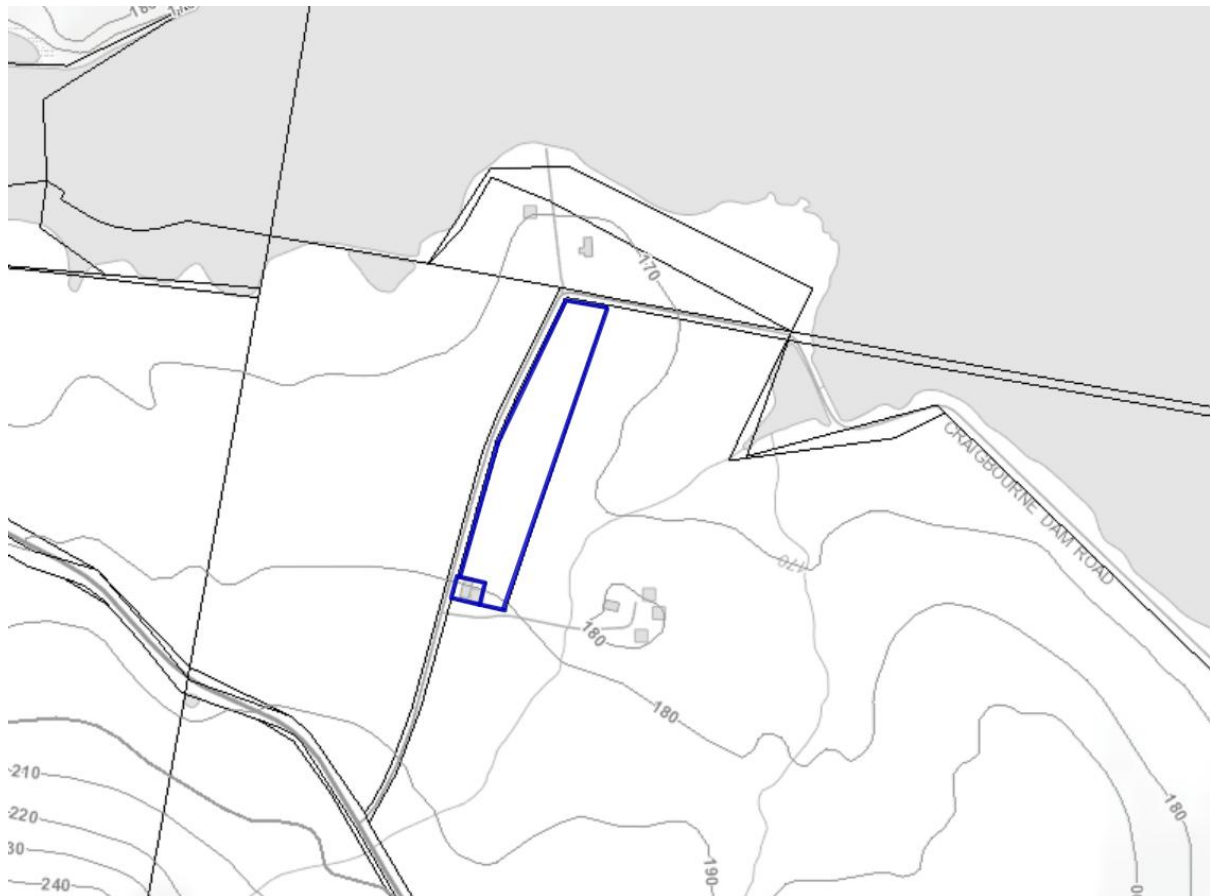


## 3 The subject site

### 3.1 The subject site

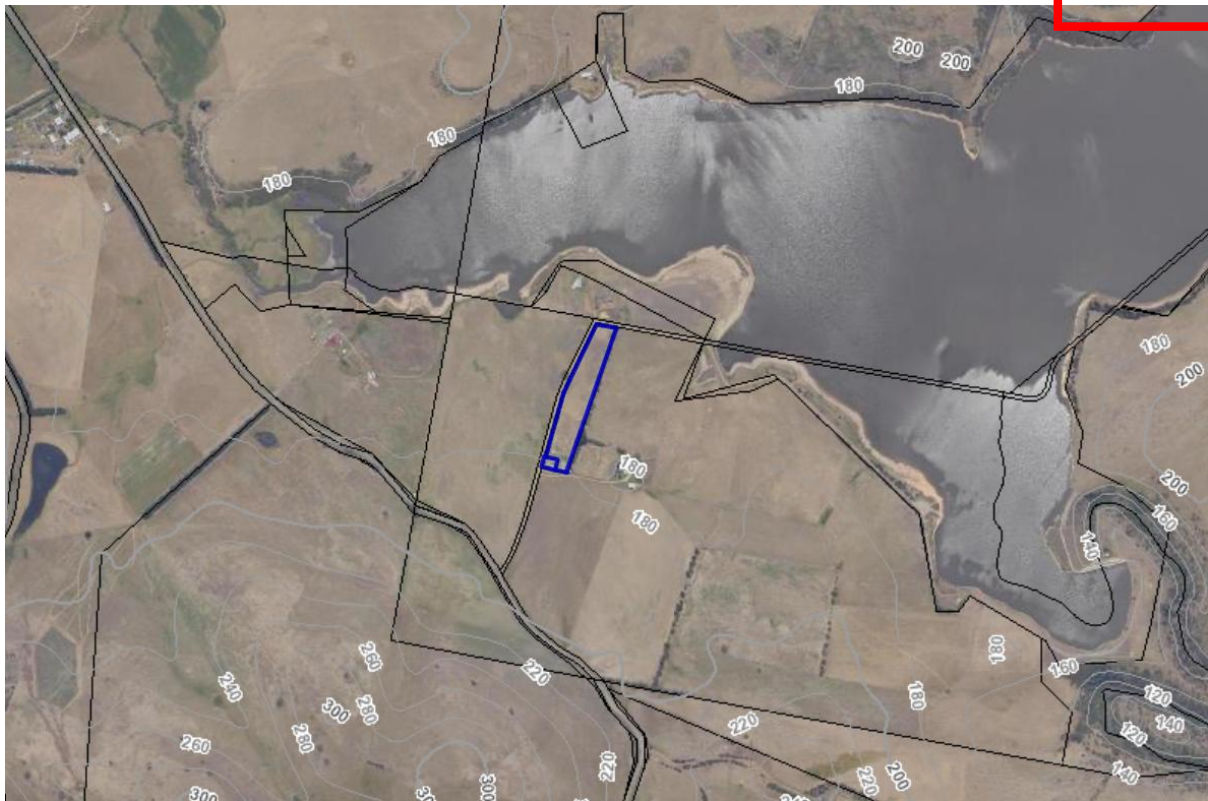
The subject site is made up of two separate titles that are located directly adjacent to each other. The subject site is 26 Craighourne Dam Road at Colebrook, Tasmania (CT-8222/2 and CT-116613/1).

The subject site is shown below outlined in both standard and aerial photo mapping sourced from the Tasmanian Government's GIS website TheList.



**Figure.1.** The subject site (outlined) is shown centrally. Source: TheLIST, sourced 20 January 2025. No nominated scale and no image modification.

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**Figure.2.** Aerial image of the subject site (outlined) is shown centrally. Source: TheLIST, sourced 20 January 2025. No nominated scale. No nominated scale and no image modification.







**Figure.3.** Aerial image of the subject site (outlined) is shown centrally. Source: TheLIST, sourced 20 January 2025. No nominated scale. No nominated scale and no image modification.

The subject site has legal road frontage onto Craighourne Dam Road to the west which is an 'acquired road'. When viewed on aerial photography, both titles have a gravel constructed access on their southern boundary located within the adjacent title 24 Craighourne Dam Road. This is evident in the above Figure 3 and has been arrowed. Access issues are considered under title document review in this advice.

The subject site does not have any right of way through any adjacent title in terms of access. Right of way, where applicable, are included in title text and sometimes on title plans. There is no such notation on any of the title documents for the subject site.

The subject site measures a total of approximately 2.078 hectares in total site area. According to property rating information, the subject site a dwelling measure 172sqm. No other buildings are referenced.

The use of the property is given as 'Rural Residential'.

The subject site is predominantly covered in cleared pasture.

There is vegetation running along the eastern side boundary that appears to be located within 24 Craighourne Drive but overhangs the shared title boundary. The gradient of the subject site is virtually level and sits between the 180 and 170m AHD contour according to TheList mapping.



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The subject site contains a dwelling on title CT-116613/1 and a smaller building as well as a small shed in the NE corner.

The larger title that makes up the subject site CT-8222/1 contains a large shed measuring approximately 220sqm in floor area that has two adjacent water tanks.

The image below appears to show a substantial portion of the dwelling constructed over the title boundary (arrowed).



**Figure.4.** Aerial image of the subject site showing existing development in the southern portion of the site. Source: TheLIST, sourced 20 January 2025. No nominated scale. No nominated scale and no image modification.



### 3.2 Servicing and topography of the subject site

Information sourced from TheLIST does not show the site being connected to any domestic supply for water stormwater, water or sewer services.

The subject site has a generally level gradient (generally flat in the northern portion of the subject site but has some very minor undulating and more elevated areas in the far south of the subject site with an increase in gradient to 180m AHD.

The subject site has no distinguishing topographical features or obvious site constraints. There is direct frontage to Craighourne Dam Road to the western boundary for both titles that make up the subject site.

Craighourne Dam Road is not sealed and is coated with red gravel FCR with no associated infrastructure such as kerb and gutter, footpaths etc.

The use of the subject site is for Rural Residential purposes and according to TheList rating information is rated for a single dwelling measuring 172sqm. Sheds and any other outbuildings are not referenced which may suggest they either have never had formal Council approval or Council approval has since been lost.



## 4 The title for the subject site

### 4.1 The Certificates of Title for the subject site

The titles for the subject site 26 Craighourne Dam Road at Colebrook, Tasmania is made up of two titles, these being CT-8222/2 and CT-116613/1.

The subject title for the subject site on title CT-8222/2 has an associated Schedule of Easements but does not have any covenants, building areas or registered agreements such as Part 5 Agreements registered under Section 71 of the Act.

There are no rights of way associated with the subject site.

The overleaf Figures provide the Title Plans for the subject site.

### 4.2 Rating information for the subject site

The property report shown below shows the rated use on the subject site. Where individual buildings are noted, this typically means that there is an approved set of plans and permit on Council records. There are none noted for the subject site for any outbuildings, just the dwelling which is apparently 172sqm in total floor area.

PREMIUM PROPERTY Information Report		
PROPERTY DETAILS - 26 CRAIGBOURNE DAM RD COLEBROOK		
<b>Property Name:</b>		
<b>Land Use:</b>	Residential - RURAL RESIDENTIAL (valuation purposes only)	
<b>Improvements:</b>	DWELLING	
<b>Improvement Sizes (Top 3 by Size):</b>	<b>Improvement:</b>	<b>Area:</b>
	DWELLING	172.0 square metres
	FENCING & PAVING	1.0 square metres
	WATER	1.0 square metres
<b>Number of Bedrooms:</b>	3	
<b>Construction Year of Main Building:</b>	1953	
<b>Roof Material:</b>	Galvanised Iron	
<b>Wall Material:</b>	Weatherboard	
<b>Land Area:</b>	2.078 hectares	
<b>Title References:</b>	8222/2 116613/1	
<b>Municipality:</b>	SOUTHERN MIDLANDS <a href="#">View Municipality Information Report</a>	
<b>Title owner:</b>	8222/2 : PHILLIP KENNEDY MURPHY, ROSEANNE JOY MURPHY 116613/1 : PHILLIP KENNEDY MURPHY, ROSEANNE JOY MURPHY	
<b>Interested parties:</b>	PHILLIP KENNEDY MURPHY, ROSEANNE JOY MURPHY	
<b>Postal address:</b>	26 CRAIGBOURNE DAM RD	
<b>(Interested Parties)</b>	COLEBROOK TAS 7027	

**Figure.5.** Property report for the subject site noting recognised rural residential land use and also the total land size of the subject site which is the area of both titles combined. Source: TheList, sourced 20 January 2025.

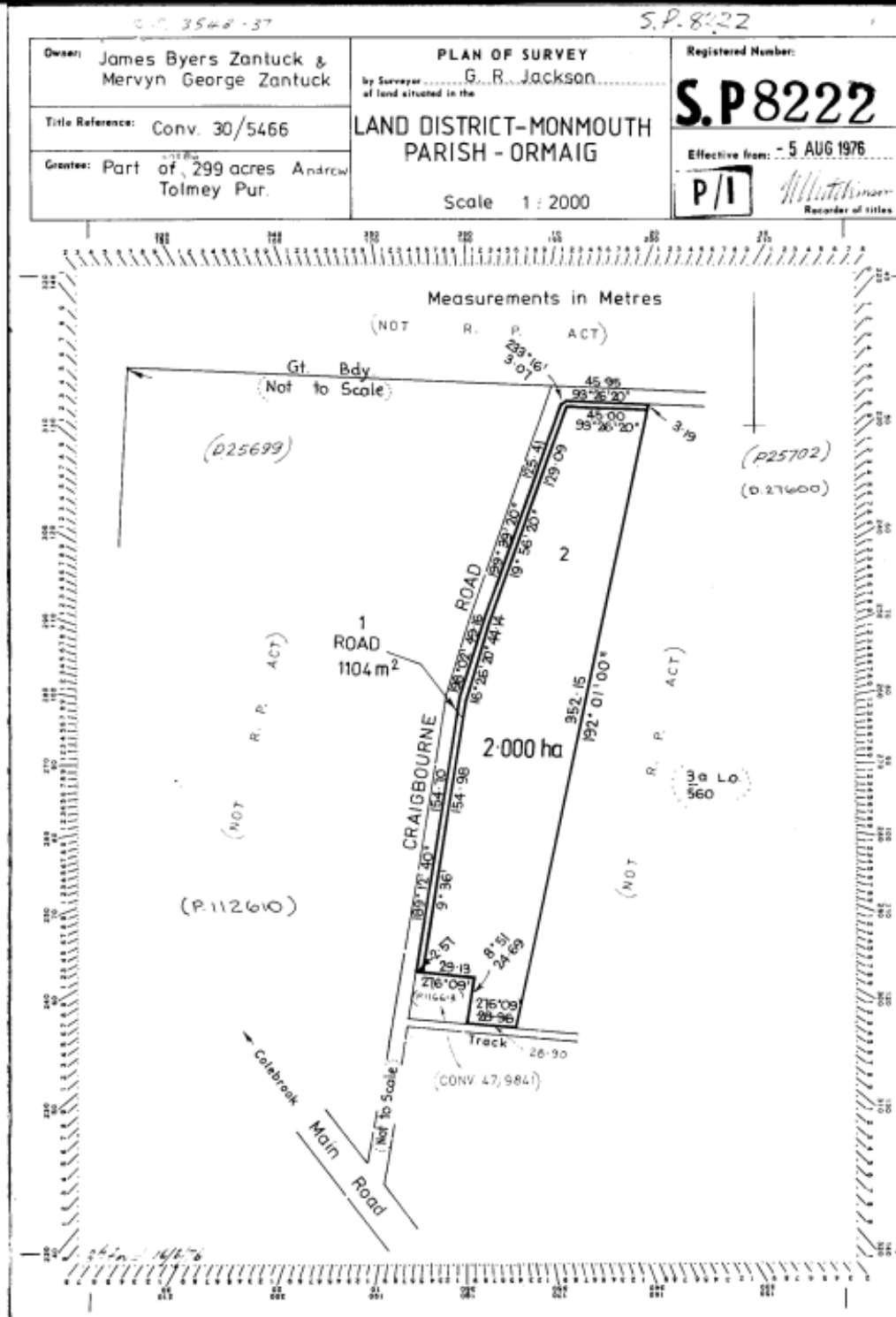




## FOLIO PLAN

## RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



Search Date: 20 Jan 2025

Search Time: 12:02 PM

Volume Number: 8222

Revision Number: 01

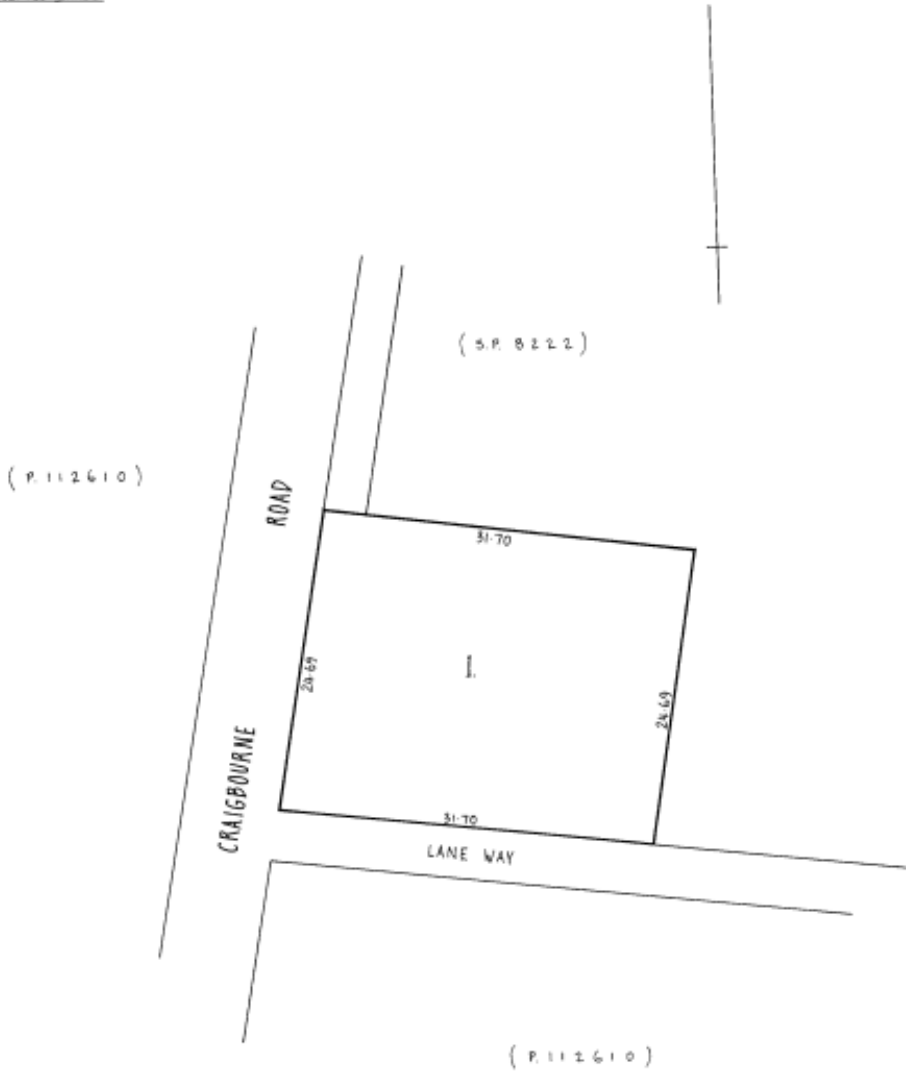
Page 1 of 1

Department of Natural Resources and Environment Tasmania

[www.thelist.tas.gov.au](http://www.thelist.tas.gov.au)

**Figure.6.** Title plan for CT-8222/2 for the subject site. This title contains the large outbuilding. Source: TheList, sourced 20 January 2025. No nominated scale.

10/07/2025

FILE NUMBER W. 2753		<b>CONVERSION PLAN</b>		REGISTERED NUMBER <b>P 116613</b>
GRANTEE PART OF LOT 86, 299.0.0. GTD. TO ANDREW TOLMEY		LOCATION MONMOUTH - ORMAIG		APPROVED - 5 APR 1995 <i>Michael Dine</i> Recorder of Titles
		CONVERTED FROM ST / 5537		
		NOT TO SCALE LENGTHS IN METRES		
MAPSHEET MUNICIPAL CODE No. 28	LAST UPI No. 610	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN		DRAWN MC
<b>SKETCH BY WAY OF ILLUSTRATION ONLY</b> <u>'EXCEPTED LANDS'</u>				
				

**Figure.7.** Title plan for CT-116613/1 for the subject site. This title contains the dwelling. Source: TheList, sourced 20 January 2025. No nominated scale.



## 5 The subject site zoning

### 5.1 Relevant zone under the Local Provisions Schedule, Tasmanian Planning Scheme for the Southern Midlands Council

The subject site is wholly zoned Agriculture under the Southern Midlands Council Local Provisions Schedule (LPS). The zoning is shown below in Figure 8.



**Figure.8.** Aerial image of the subject overlaid with zoning. The dark brown shading indicates properties zoned Agriculture (which includes the subject site). Beige coloured overlay indicates properties zoned Rural. Colebrook Road to the south has a Utilities zone placed over it. Source: TheList, sourced 20 January 2025. No nominated scale.

The subject site is in an area where surrounding properties are zoned Agriculture. The Agriculture zone appears to have been applied to properties with large cleared areas which may facilitate grazing activity.

From examination of aerial images of the subject site there are non discernible uses other than residential (in the form of single dwellings, sometimes with associated outbuildings) or grazing/cleared areas used for pasture.

10/07/2025

There is no forestry activity evident and no agricultural use such as cropping or orchards or intensive animal husbandry (dairy, poultry or piggery etc).





## 6 The proposal

### 6.1 The proposed Subdivision/Boundary Reorganisation

The client seeks advice against a proposal moving the title boundaries to create a larger lot for the title containing the dwelling while reducing (by almost half) the vacant title.

This plan has been drawn up by surveyors Leary Cox and Cripps and was provided to Gray Planning by architectural designer Marcus Ralph on behalf of the client.

The proposal seeks to create 2 lots from 2 lots and is effectively a boundary reorganisation.

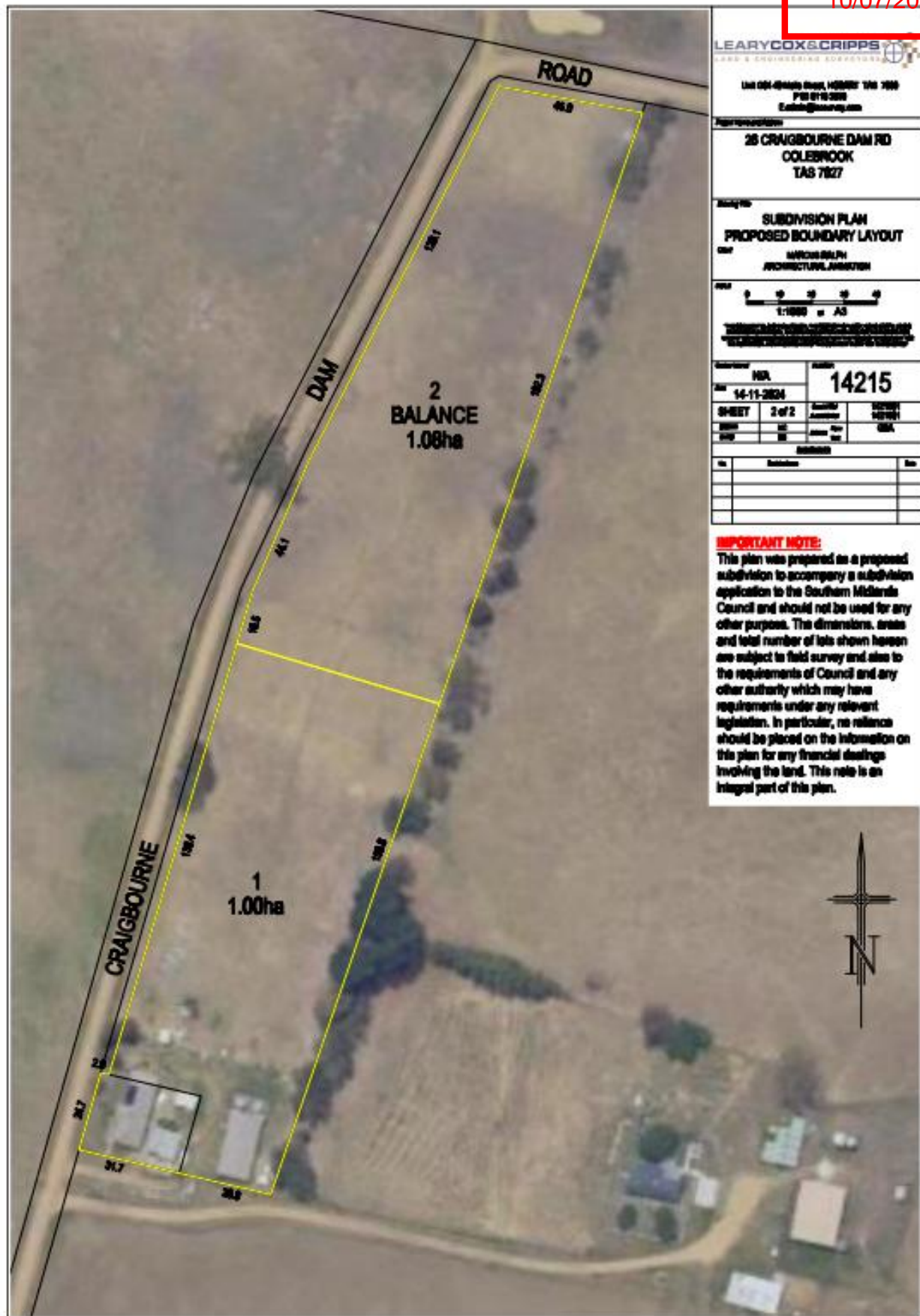
The proposed lot 1 measures 1 hectare and will contain the existing dwelling and all outbuildings while the proposed lot 2 measures 1.08 hectares and is vacant and will contain pasture.

This plan is provided overleaf.

The proposed subdivision as sought by the client is discussed in detail overleaf against required development standards for subdivision in the Agricultural zone.



10/07/2025



**Figure.9.** Proposed plan of subdivision. Source: Leary Cox and Cripps. Not to nominated scale.



03 6288 8449  
0439 342 696



danielle@grayplanning.com.au  
224 Warwick St, West Hobart, Tas, 7000



grayplanning.com.au  
ABN 99148920244

## 7 Applicable Planning Scheme Zone Standards

The subject site is wholly zoned Agriculture under the *Southern Midlands Council Local Provisions Scheme* under the *Tasmanian Planning Scheme*.

The subject site is also covered with a Planning Scheme overlay with an overlay which is discussed later in this report.

### 7.1 Planning Scheme Zoning subdivision standards applicable to the proposal

The proposal was assessed under Planning Scheme development standards for subdivision in terms of a boundary reorganisation, given that the proposal starts with two titles and will retain two titles in a different configuration.

The Tasmanian Planning Scheme for the Southern Midlands Council municipal area came into effect on 15 June 2022.

The Agriculture zone provides minimal subdivision potential in terms of creating new lots and also has the primary objective of facilitating agricultural use and development.

There is also consideration of ensuring that any existing sensitive use (residential use) is protected from adjoining agricultural activity where subdivision is proposed. This is to avoid land use conflict occurring.

The purpose of the Agriculture zone is outlined below, noting that its focus is on the facilitation and protection of Agricultural use.

Tasmanian Planning Scheme – State Planning Provisions

## 21.0 Agriculture Zone

### 21.1 Zone Purpose

The purpose of the Agriculture Zone is:

- 21.1.1 To provide for the use or development of land for agricultural use.
- 21.1.2 To protect land for the use or development of agricultural use by minimising:
  - (a) conflict with or interference from non-agricultural uses;
  - (b) non-agricultural use or development that precludes the return of the land to agricultural use; and
  - (c) use of land for non-agricultural use in irrigation districts.
- 21.1.3 To provide for use or development that supports the use of the land for agricultural use.



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The development standards for all development including subdivision in the Agriculture zone are found in section 21.0 of the State Planning Provisions of the Tasmanian Planning Scheme and LPS for the Southern Midlands Council.

Comments are provided against the applicable development standards for the proposed development which is defined as being a boundary reorganisation.

There is a single clause (21.5.1) that relates to subdivision (and boundary reorganisation) in the Agriculture zone. This clause is shown overleaf in its entirety.





## 21.5 Development Standards for Subdivision

### 21.5.1 Lot design

Objective:	To provide for subdivision that: (a) relates to public use, irrigation infrastructure or Utilities; and (b) protects the long term productive capacity of agricultural land.
Acceptable Solutions	Performance Criteria
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, must: (a) be required for public use by the Crown, a council or a State authority; (b) be required for the provision of Utilities or irrigation infrastructure; or (c) be for the consolidation of a lot with another lot provided both lots are within the same zone.	<b>P1</b> Each lot, or a lot proposed in a plan of subdivision, must: (a) provide for the operation of an agricultural use, having regard to: (i) not materially diminishing the agricultural productivity of the land; (ii) the capacity of the new lots for productive agricultural use; (iii) any topographical constraints to agricultural use; and (iv) current irrigation practices and the potential for irrigation; (b) be for the reorganisation of lot boundaries that satisfies all of the following: (i) provides for the operation of an agricultural use, having regard to: a. not materially diminishing the agricultural productivity of the land; b. the capacity of the new lots for productive agricultural use; c. any topographical constraints to agricultural use; and d. current irrigation practices and the potential for irrigation; (ii) all new lots must be not less than 1ha in area; (iii) existing buildings are consistent with the setback required by clause 21.4.2 A1 and A2; (iv) all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use; and (v) it does not create any additional lots; or

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	<p>(c) be for the excision of a use or development existing at the effective date that satisfies all of the following:</p> <p>(i) the balance lot provides for the operation of an agricultural use, having regard to:</p> <ol style="list-style-type: none"> <li>not materially diminishing the agricultural productivity of the land;</li> <li>the capacity of the balance lot for productive agricultural use;</li> <li>any topographical constraints to agricultural use; and</li> <li>current irrigation practices and the potential for irrigation;</li> </ol> <p>(ii) an agreement under section 71 of the Act is entered into and registered on the title preventing future Residential use if there is no dwelling on the balance lot;</p> <p>(iii) any existing buildings for a sensitive use must meet the setbacks required by clause 21.4.2 A2 or P2 in relation to setbacks to new boundaries; and</p> <p>(iv) all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use.</p>
<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</p>	<p><b>P2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, is capable of being provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ol style="list-style-type: none"> <li>the topography of the site;</li> <li>the distance between the lot or building area and the carriageway;</li> <li>the nature of the road and the traffic, including pedestrians; and</li> <li>the pattern of development existing on established properties in the area.</li> </ol>



The following comments are made against each section of the clause for subdivision/boundary reorganisation in the Agriculture zone.

The A1 Acceptable Solution offers a Permitted pathway for some applications. Permitted applications cannot be refused by Council and do not have to be publicly advertised.

### **Clause 21.5.1.A1 Lot Design**

The following A1 Acceptable Solution outlines:

#### **A1**

*Each lot, or a lot proposed in a plan of subdivision, must:*

- (a) be required for public use by the Crown, a council or a State authority;*
- (b) be required for the provision of Utilities or irrigation infrastructure; or*
- (c) be for the consolidation of a lot with another lot provided both lots are within the same zone.*

The proposed subdivision the client would be seeking (creating no additional new titles from two existing for private use) is not for any of the purposes outlined in (a) to (c) inclusive as it would seek approval for new lots to be reconfigured from the same number of existing lots. Lot consolidation is defined as adhesion. This would mean combining the two titles that make up the subject site.

The consolidation of a lot is an adhesion where 2 or more separate titles are adhered together, resulting in the loss of at least one title.

As a result of not being able to meet any of the 3 options under the A1 Acceptable Solution, the proposal would have to demonstrate compliance with the P1 Performance Criteria.

The P1 Performance Criteria are separated into 3 different options.

P1(a) requires that any subdivision must be sought in order to facilitate an agricultural use (proposed or existing). This clause is not relevant as the proposal is not for subdivision per se but if for a boundary reorganisation only.

P1(b) are criteria for proposals where no new titles are proposed to be created but that existing titles of adjacent land have their boundaries amended (reorganised). No new lots per se can be created. This clause is relevant for the proposal.

P1(c) relates to subdivision that seeks to separate a recognised existing use onto a separate title with new lot(s) being created. This clause is not technically applicable as the dwelling is not be 'excised'.

More than one option may be applicable to a proposal, based on the nature of that proposal. In this case, P1(b) is applicable to the proposal as a boundary reorganisation.

Comments are provided as follows.



*P1 (a) provide for the operation of an agricultural use, having regard to:*

Comment:

The proposal would have to clearly demonstrate that the division of land was to facilitate any existing or proposed agricultural use.

Agricultural use is defined in the Planning Scheme as:

agricultural use	means use of the land for propagating, cultivating or harvesting plants or for keeping and breeding of animals, excluding domestic animals and pets. It includes the handling, packing or storing of plant and animal produce for dispatch to processors. It includes controlled environment agriculture and plantation forestry.
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Council would be likely to ask for a report from an agricultural consultant confirming that each proposed lot area would enable the nominated agricultural uses (forestry or grazing/pastoral/hay cutting) to be feasible in terms of the extent of available land to undertake that activity, its access to water if required and if the size of the proposed lot would result in the nominated use being economically viable if undertaken within that proposed lot.

This is considered very much an uphill battle as the resulting lots are both 1 hectares and Council are likely to argue that the subdivision is to facilitate residential purposes.

The following comments are provided against P1(a) clause. The requirements of P1(a) are also repeated in P1(b) and P1(c).

P1(a):

*(i) not materially diminishing the agricultural productivity of the land;*

Comment:

The proposal would have to clearly demonstrate that the division of land was to facilitate any existing or proposed agricultural use and that by creating smaller lots, that productivity would not be diminished.

This can be a difficult argument to successfully make, as generally, the larger the lot the greater agricultural productivity.

An argument would have to be formulated by an agricultural consultant that put forward an argument that each lot will facilitate grazing or a similar pastoral use. This would be a very difficult ask and it would be expected that agricultural consultants would be reluctant to do so.

It is again considered that reducing the size of the vacant lot in order to substantially increase the size of the residential lot so they are both around 1 hectare would likely result in the vacant title having a diminished capacity for agricultural productivity as its area would be significant reduced and effectively halved to be reduced to 1 hectare.





*(ii) the capacity of the new lots for productive agricultural use;*

Comment:

A subdivision application would need to be accompanied by an agricultural assessment that nominated each proposed lot with an agricultural use confirming that the size and configuration of the lot would be able to be used for nominated agricultural uses.

Again, there is the difficult argument that with virtually all agricultural uses, agricultural potential is reduced with reduced lot area.

Again, it is considered that this clause is problematic as the proposal appears to facilitate residential use only. No existing agricultural use of the land is either rated or apparent from aerial images.

Even if grazing and cutting pasture for hay is apparent on the vacant lot, reducing this by half would be almost impossible to argue that the reduction would enable productive agricultural use. Generally it is accepted that reducing agricultural land leads to reduced capacity and Council is almost certain to adopt this approach to a reduction in land zoned Agriculture.

*(iii) any topographical constraints to agricultural use; and*

Comment:

The subject site does not exhibit any obvious topographical constraints such as excessive gradient, identified karst areas or undulating topography that is inaccessible by vehicle.

*(iv) current irrigation practices and the potential for irrigation;*

Comment:

It is understood that the land is not irrigated. This means the subject site is not in an irrigation district.

It is not known if there are any water rights to the adjacent dam. Water rights are often held by property owners in the form of a license from the state government to access a given amount of water per annum from a river/watercourse.

The apparent lack of available irrigation to the subject site would present difficulties in arguing that the subject site can support agricultural activity in order to facilitate any subdivision.



*P1 (b) be for the reorganisation of lot boundaries that satisfies all of the following:*

*(i) provides for the operation of an agricultural use, having regard to:*

*a. not materially diminishing the agricultural productivity of the land;*

*b. the capacity of the new lots for productive agricultural use;*

*c. any topographical constraints to agricultural use; and*

*d. current irrigation practices and the potential for irrigation;*

*(ii) all new lots must be not less than 1ha in area;*

*(iii) existing buildings are consistent with the setback required by clause 21.4.2 A1 and A2;*

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

*(v) it does not create any additional lots; or*

**Comment:**

The above criteria P1(b) would be applicable to the client's proposal to which seeks to create two titles from two existing titles. The above relates to proposals where boundaries are proposed to be adjusted but no new additional lots are to be created.

Any boundary reorganisation proposals are still required to be facilitate agricultural use (existing or proposed) as outlined under P1(b)(i).

Comments are provided against each portion of the clause b for boundary reorganisations:



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*(i) provides for the operation of an agricultural use, having regard to: a. not materially diminishing the agricultural productivity of the land; b. the capacity of the new lots for productive agricultural use; c. any topographical constraints to agricultural use; and d. current irrigation practices and the potential for irrigation;*

Comment:

The above requirements (a) to (d) all relate to proving agricultural capacity is not diminished by the proposal. As already discussed, the proposal appears to facilitate existing residential use and to create a new vacant lot that, at 1.08 hectares) would have extreme difficulty in being able to be used for any agricultural use. The most likely intended future use would be residential given its small size.

It is considered that even in the absence of input from an agricultural consultant, this clause is likely to be extremely problematic and would be expected to lead to Council refusing the proposal.

*(ii) all new lots must be not less than 1ha in area;*

Comment:

The proposal would comply with this as no lot is under 1 hectare.

*(iii) existing buildings are consistent with the setback required by clause 21.4.2 A1 and A2;*

Comment:

The setbacks under 21.4.2.A1 are:



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## 21.4.2 Setbacks

Objective:	That the siting of buildings minimises potential conflict with use on adjoining properties.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Buildings must have a setback from all boundaries of: <ul style="list-style-type: none"> <li>(a) not less than 5m; or</li> <li>(b) if the setback of an existing building is within 5m, not less than the existing building.</li> </ul>		<b>P1</b> Buildings must be sited to provide adequate vehicle access and not cause an unreasonable impact on existing use on adjoining properties, having regard to: <ul style="list-style-type: none"> <li>(a) the bulk and form of the building;</li> <li>(b) the nature of existing use on the adjoining properties;</li> <li>(c) separation from existing use on the adjoining properties; and</li> <li>(d) any buffers created by natural or other features.</li> </ul>

The existing buildings from the southern boundary adjacent to 24 Craighourne Dam Road are less than 5m to this boundary.

However, the proposal would not reduce the setback to be less than an existing building and in the case of setbacks from the northern boundary would significantly increase setbacks.

It is therefore considered the proposal would comply with A1(b) as no setback would be reduced to below an existing building.

The setbacks under 21.4.2.A2 are:

<b>A2</b> Buildings for a sensitive use must have a setback from all boundaries of: <ul style="list-style-type: none"> <li>(a) not less than 200m; or</li> <li>(b) if the setback of an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.</li> </ul>	<b>P2</b> Buildings for a sensitive use must be sited so as not to conflict or interfere with an agricultural use, having regard to: <ul style="list-style-type: none"> <li>(a) the size, shape and topography of the site;</li> <li>(b) the prevailing setbacks of any existing buildings for sensitive uses on adjoining properties;</li> <li>(c) the location of existing buildings on the site;</li> <li>(d) the existing and potential use of adjoining properties;</li> <li>(e) any proposed attenuation measures; and</li> <li>(f) any buffers created by natural or other features.</li> </ul>
---	---

The proposal would not reduce the setback to be less than an existing building and in the case of setbacks from the northern boundary would significantly increase setbacks.

It is therefore considered the proposal would comply with A2(b) as no setback would be reduced to below an existing building used for a sensitive use (dwelling) with the setback to





the vacant lot to 138m. It is also noted that the existing dwelling appears to be located 2-3m over the title boundary shared with CT-8222/2.

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

Comment:

The subject site adjoins Craighourne Dam Road on the western boundary.

Existing access however is located to the south for both titles, over 24 Craighourne Dam Road. There is no easement on the titles for this access in the form of a right of way.

There is a 'laneway' shown on the title for CT-116613/1 but no rights of access are mentioned with respect to this laneway.

The title for 24 Craighourne Dam Road were also retrieved and there is no reference to #26 having a right of way or any easement for access over the land for #24.

It is therefore considered that the existing access arrangements are not legally binding and that any proposal would have to propose new access arrangements for each lot onto Craighourne Dam Road to the west or alternatively seek a right of way to be enshrined onto titles for 24 Craighourne Dam Road and the subject site.

*(v) it does not create any additional lots;*

Comment:

The proposal complies as no new titles are being created. The title seeks to create 2 lots from 2 lots, neither of which are road titles.

P1(c) which relates to the excision of an existing use or development is not relevant as the proposal as laid out is a boundary reorganisation. An excising of an existing use or development is seeking a brand new title for that use or development where it currently does not have its own title.

There is a second section to clause 21.5.1 with this relating to road access requirements for all proposals and this is discussed overleaf.



**Clause 21.5.1.A2 Lot Design**

The following A2 Acceptable Solution applies:

**A2**

*Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.*

As already noted, there appears to be no legally binding access for the subject site across 24 Craighourne Dam Road. This could easily be resolved by new access arrangements onto Craighourne Dam Road to the west or by seeking a right of way to be registered on the title for 24 Craighourne Dam Road.

## 7.2 Planning Scheme Zoning subdivision standard summary

When considering the most applicable clause that applies to the development, clause P1(b) under clause 21.5.1 is most applicable as it relates to boundary reorganisations.

A boundary reorganisation is the most appropriate definition for what is proposed as the proposal seeks to adjust the boundary between the two titles that make up the subject site, resulting in their sizes more or less being 'evened up'.

The biggest issue for the proposal is its lack of ability to be able to demonstrate that the proposal will not diminish agricultural potential and that it seeks to facilitate the agricultural use of the land, as required to be demonstrated under P1(b)(i).

The proposal will result in 2 lots one of which contains a dwelling. The proposed new vacant lot as shown on the Leary Cox and Cripps plan is marginally over 1 hectare.

It would be extremely difficult to formulate any argument that reducing a vacant parcel of land from around 2 hectares to marginally over 1 hectare will not result in diminishing the agricultural capacity of the land.

It is considered that few, if any, agricultural consultants would be agreeable to making this argument.

On that basis, it is not recommended to pursue an application under clause 21.5.1 but rather consider a minor boundary adjustment which is a separate clause under the State Planning Provisions and does not trigger the agricultural zone requirements to facilitate and not diminish agricultural use or capacity.

This clause (7.3.1) for an alternative pathway is discussed below.



## 7.3 Permitted minor boundary adjustments

Like previous Interim Planning Schemes, the Tasmanian Planning Scheme's State Planning Provisions enables minor boundary adjustments to be undertaken that are considered to be Permitted and are assessed under the specific clause found in 7.3.1 of the State Planning Provisions.

Such applications are not assessed under the zone standards for either subdivision or boundary reorganisations. Codes are also not triggered.

Permitted applications under the *Land Use Planning and Approvals Act 1993* cannot be refused, are not advertised and are subject to a 28 day assessment timeframe (as opposed to the 42 day timeframe).

Clause 7.3.1 is as follows:

### 7.3 Adjustment of a Boundary

7.3.1 An application for a boundary adjustment is Permitted and a permit must be granted if:

- (a) no additional lots are created;
- (b) there is only minor change to the relative size, shape and orientation of the existing lots;
- (c) no setback from an existing building will be reduced below the relevant Acceptable Solution setback requirement;
- (d) no frontage is reduced below the relevant Acceptable Solution minimum frontage requirement;
- (e) no lot is reduced below the relevant Acceptable Solution minimum lot size unless already below the minimum lot size; and
- (f) no lot boundary that aligns with a zone boundary will be changed.

Comments are provided against each of the six criteria that make up clause 7.3.1. In order to be assessed under this clause, the proposal MUST comply with each. This means that Council must also agree that each criteria are met.

*An application for a boundary adjustment is Permitted and a permit must be granted if:*

*(a) no additional lots are created;*

Comment:

The proposal seeks 2 lots from 2 existing lots and therefore no new lots are being created. The proposal complies.



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(b) there is only minor change to the relative size, shape and orientation of the existing lots;

Comment:

This clause will be the kicker. Council must agree that the changed boundaries are 'minor'. The proposal as currently designed could not be considered as 'minor' in any context or reasonable interpretation as the vacant lot will be halved in size and the house lot will be increased in size more than 10 times over.

It is recommended that an amended proposal should be drawn up that includes all buildings within the subject site with a minimum 5m setback to the new shared title boundary within the subject site.

This, if agreed by Council, would result in all buildings being on one title measuring approximately 1840sqm and a vacant balance still close to 2 hectares in area.

This suggested alternative layout is shown below:



(c) no setback from an existing building will be reduced below the relevant Acceptable Solution setback requirement;

Comment:

Firstly, a potential application should be discussed with Council on the basis that it will resolve the existing situation where the dwelling itself will not longer be located constructed partially over a title boundary. Councils are typically agreeable to resolving such situations.

Secondly, the minimum setback is 5m for all outbuildings. This should be achieved in an amended proposal. The setback for buildings used for a sensitive use (dwellings) either





200m or not less than the existing. The proposal would go from a 0m setback to a 5m setback minimum. It is argued the proposal would comply. Discussions should be held with Council prior to formal lodgement to obtain their agreement on this.

*(d) no frontage is reduced below the relevant Acceptable Solution minimum frontage requirement;*

Comment:

The minimum frontage of lots in the Agriculture zone is not specified. Instead, it states that legal frontage must be achieved.

There is also no minimum Acceptable Solution frontage requirement other than 'Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority' which is noted under A2 of clause 21.5.1.

Both titles in an alternative proposal as shown would have frontage onto Craighourne Dam Road. However, existing access is through 24 Craighourne Dam Road and this should either be formalised by registering a right of way over the title for 24 Craighourne Dam Road or by indicating new accesses onto Craighourne Dam Road. Discussions should be held with Council prior to formal lodgement to obtain their agreement on this as the Acceptable Solution does require the road authorities 'requirements' to be made. Council will likely express a preferred outcome.

*(e) no lot is reduced below the relevant Acceptable Solution minimum lot size unless already below the minimum lot size; and*

Comment:

There is no relevant Acceptable Solution for minimum lot size in the Agriculture zone. There is a minimum of 1 hectare under the P1 Performance Criteria but this clause for 7.3.1 does not make any reference to the Performance Criteria minimum lot size, only the Acceptable Solution minimum lot size.

It is considered that the proposal would not be problematic under this.

*(f) no lot boundary that aligns with a zone boundary will be changed.*

Comment:

The subject site is entirely zoned Agriculture and so is the entire surrounding area. This clause is therefore complied with.



It is considered that a redrawn and redesigned proposal could potentially comply with the requirements of clause 7.3.1 for minor boundary adjustments and therefore achieve an outcome of all buildings being relocated on single title while also achieving a vacant title with a minor reduction in site area.

However, consultation should be taken with Council planning staff to confirm they are on the same page. The currently situation of addressing buildings constructed over title boundaries should be used as a valid justification for the proposal, given Councils are typically keen to resolve this issue.



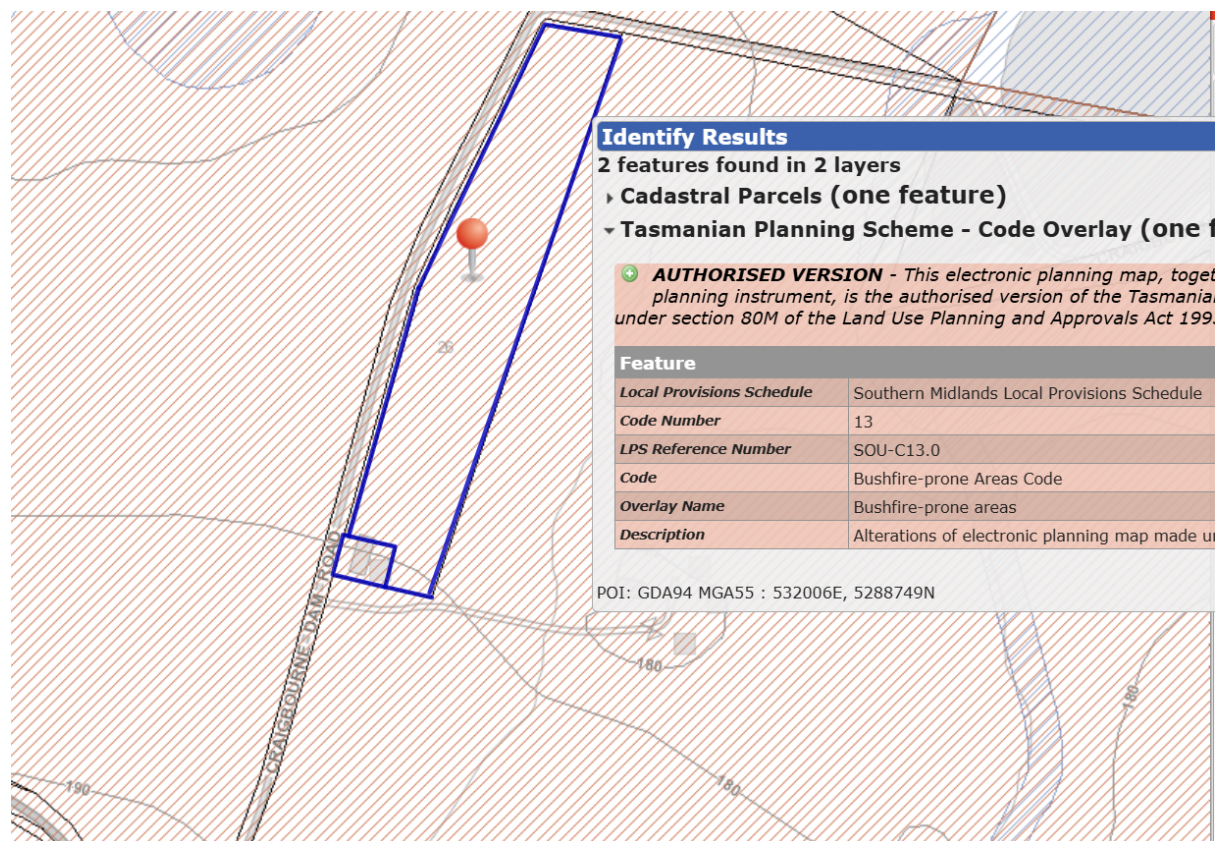
## 8 Applicable Planning Scheme overlays

### 8.1 Planning Scheme General overlays applicable to the proposal

In terms of General Planning Scheme overlays, there are none that affect the subject site.

### 8.2 Planning Scheme Code overlays applicable to the proposal

In terms of Code overlays, there is a single overlay that affects the subject site. This is shown below.



**Figure.10.** Planning Scheme Code overlay for the Bushfire Prone Area overlay that affects the entirety of the subject site and surrounding area. Source: TheLIST, sourced 20 January 2025. No nominated scale and no image modification.

The above Code overlay mapping for the Tasmanian Planning Scheme in Figure 10 notes that the subject site has 1 Code overlay across the subject site.

This overlay is the subject site and surrounding area being entirely covered with a Bushfire Prone Areas overlay confirming they are bushfire prone.

This overlay and its implication are discussed in more detail under the Codes section of this report.



## 9 Applicable Planning Scheme Codes

### 9.1 Planning Scheme Codes

Comments are made under each Code as follows:

(\*\*it should be noted that Codes will be irrelevant where an alternative Permitted pathway is taken under clause 7.3.1)

#### **C1.0 Signage Code**

This Code applies to new signage and is therefore not applicable to a proposed subdivision or boundary reorganisation.

#### **C2.0 Parking and Sustainable Transport Code**

This Code is not relevant as it provides standards for the provision of car parking for new use and development.

The proposal is for a subdivision, not a new use and therefore this Code is not applicable.

It would however have to be confirmed in any proposal that the existing dwelling will retain 2 off street parking spaces (which can be very easily achieved).

#### **C3.0 Road and Railway Assets Code**

This Code will apply as any new lots would require new accesses to be formally approved where the option was taken to create new accesses onto Craighourne Dam Road as opposed to registering a right of way over the neighbouring land at 24 Craighourne Dam Road.

The following clause would be applicable to a subdivision proposed under 21.5.1:





### C3.5 Use Standards

#### C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction

Objective:	To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.
Acceptable Solutions	Performance Criteria
<p><b>A1.1</b></p> <p>For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:</p> <ul style="list-style-type: none"> <li>(a) a new junction;</li> <li>(b) a new vehicle crossing; or</li> <li>(c) a new level crossing.</li> </ul> <p><b>A1.2</b></p> <p>For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.</p> <p><b>A1.3</b></p> <p>For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.</p> <p><b>A1.4</b></p> <p>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <ul style="list-style-type: none"> <li>(a) the amounts in Table C3.1; or</li> <li>(b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road.</li> </ul> <p><b>A1.5</b></p> <p>Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>	<p><b>P1</b></p> <p>Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</p> <ul style="list-style-type: none"> <li>(a) any increase in traffic caused by the use;</li> <li>(b) the nature of the traffic generated by the use;</li> <li>(c) the nature of the road;</li> <li>(d) the speed limit and traffic flow of the road;</li> <li>(e) any alternative access to a road;</li> <li>(f) the need for the use;</li> <li>(g) any traffic impact assessment; and</li> <li>(h) any advice received from the rail or road authority.</li> </ul>

It is considered that this clause is unproblematic given the excellent sight distances along Craighourne Dam Road and the level topography and expected very low traffic levels.

### C4.0 Electricity Transmission Infrastructure Protection Code

This Code is not relevant as it is for development and new works in an Electricity Transmission Corridor, a Communications Station Buffer Area or a Substation Facility Buffer Area.



**C5.0 Telecommunications Code**

This Code is not relevant as it is for development involving telecommunications.

**C6.0 Local Historic Heritage Code**

This Code does not apply as the subject site is not within a Heritage Precinct and is not an individually listed Heritage Place.

**C7.0 Natural Assets Code**

This Code would not be triggered as the subject site does not contain any mapped Waterway and Coastal Protection Area overlay.

**C8.0 Scenic Protection Code**

This Code does not apply as the subject site is not mapped as being within a scenic protection area or tourist road corridor.

**C9.0 Attenuation Code**

The subject site does not contain any pastoral and grazing according to the valuation report.

None of the uses or activities listed in Tables C9.1 and C9.2 have been identified on the subject site or surrounding area.

Therefore, this Code is not likely relevant to a proposal.



**C10.0 Coastal Erosion Hazard Code**

The subject site is inland and not in a mapped coastal area and therefore this Code is not applicable.

**C11.0 Coastal Inundation Hazard Code**

The subject site is inland and is not in a mapped coastal area and therefore this Code is not applicable.

**C12.0 Flood Prone Areas Code**

This Code does not apply as the subject site is not mapped as being flood prone.

**C13.0 Bushfire Prone Areas Code**

The subject site is in an area mapped with an overlay as being a bushfire prone area. This Code will be triggered as the Code requires an assessment for any new subdivision proposals.

A Bushfire Hazard Management Plan and associated assessment for a subdivision proposal would need to be prepared by an accredited bushfire practitioner and lodged as part of planning application documents.

Where a proposal under 7.3.1 was sought, this Code would not be triggered.

**C14.0 Potentially Contaminated Land Code**

This Code does not apply as the subject site is not known to have has any one of the following activities undertaken on it at any point:

**Table C14.2 Potentially Contaminating Activities**

Potentially Contaminating Activity	Potentially Contaminating Activity
Acid / alkali plant and formulation	Mineral processing



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Ammunition manufacture and usage (e.g. shooting ranges)	Mine sites involving waste rock or tailings deposits
Asbestos production, handling or disposal	Oil or gas production or refining
Asphalt/bitumen manufacturing	Paint manufacture and formulation
Battery manufacturing or recycling	Pesticide manufacture and formulation
Boat/ship building, marinas, slip ways and associated boat yards	Petroleum product or oil storage
Boiler or kiln usage	Pharmaceutical manufacture and formulation
Chemical manufacture and formulation (e.g. fertilisers, paints, pesticides, photography, plastics, solvents)	Power stations
Commercial engine and machinery repair sites	Printing
Drum conditioning works	Radio-active material usage (e.g. hospitals)
Dry cleaning establishments	Railway yards
Electrical transformers	Scrap yards and recycling facilities
Ethanol production plants	Sewage treatment plants
Explosives industries	Sheep and cattle dips
Fertiliser manufacturing plants	Sites of fires involving hazardous materials, including firefighting foam use
Fill material imported onto a site from a potentially contaminated source	Sites of incidents involving release of hazardous materials
Foundry operations	Spray painting industries
Gas works	Spray storage and mixing sites (e.g. for orchards)
Herbicide manufacture	Tanning and associated trades
Industrial activities involving hazardous chemicals in significant quantities	Textile operations
Iron and steel works	Tyre manufacturing and retreading works
Landfill sites, including on-site waste disposal and refuse pits	Wood preservation and storage or cutting of treated timber
Metal smelting, refining or finishing	Wool scouring
Metal treatments (e.g. electroplating) and abrasive blasting	



**C15.0 Landslip Hazard Code**

This Code will not apply as the subject site while the site is not mapped with an overlay.

**C16.0 Safeguarding of Airports Code**

This Code does not apply as the subject site is not mapped with any overlay as being in an attenuation area. Additionally, the subject site is not within an area shown on any prescribed planning scheme map and does not involve any development in airspace.

## 9.2 Planning Scheme Specific Area Plans applicable to the proposal

The subject site is not mapped as being within any Specific Area Plans.





## 10 Summary

The proposed subdivision as drawn is problematic under the requirements for either subdivision/boundary reorganisations in the Agriculture zone.

Regardless of what the proposal is defined as, there is a requirement that any amendment to titles must facilitate agricultural use and development and must not diminish the agricultural capacity of the land.

The reduction of the land into 2 one hectare titles this creating a 1 hectare vacant lot would be a likely impossible argument to make that agricultural capacity of the vacant title is not diminished, as it would be halved in size.

If the client is seeking to locate all buildings onto one title and that is the outcome being sought, it is instead recommended to instruct the surveyor to prepare an alternative proposal as shown on page 33 of this report and to arrange to meet with Council planning staff to discuss the merits of a proposal against the requirements of clause 7.3.1, particularly (b) of 7.3.1 which states that the proposal must represent a 'minor change'.

It should be emphasised in any discussions that the proposal is sought to solve the current situation where buildings have been constructed over title boundaries and that all buildings are desired to be on a single lot.





Proposed 2-lot Subdivision  
26 Craighourne Dam Road, Colebrook  
**Bushfire Hazard Report**



Client: Phil and Rosanne Murphy.

May 2025, J10943v1.0

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Appendix A - Plan of Subdivision

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## 1.0 Introduction

This Bushfire Hazard Report is for a boundary re-organisation for 2 lots which is classed as a subdivision at 26 Craighourne Dam Road, Colebrook. This Bushfire Hazard Report is a requirement of a subdivision application within a bushfire prone area under the Tasmanian Planning Scheme – Southern Midlands and C13.0 Bushfire Prone Areas Code (the Code). This report has been prepared by Alice Higgins, a qualified person under Part 4a of the *Fire Service Act 1979* of Geo Environmental Solutions Pty Ltd for Phil and Rosanne Murphy.

To comply with Acceptable Solutions under C13.6 the plan of subdivision must:

- show building areas for each lot,
- demonstrate the requirements for public and private access,
- demonstrate the provisions of water supplies for firefighting,
- indicate Hazard Management Areas (HMAs) which separate building areas from bushfire prone vegetation with separation distances required for BAL 19 as a minimum as per Table 2.6 of AS 3959-2018 Construction of Buildings in Bushfire Prone Areas,
- be accompanied by a Bushfire Hazard Management Plan (BHMP) that addresses all the individual lots as a minimum as per Table 2.6 of AS 3959-2018 Construction of Buildings in Bushfire Prone Areas, and
- 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.

## 2.0 Proposal

The proposed boundary re-organisation/ subdivision comprises two existing titles (CT: 116613/1 – 0.079 ha) and (CT: 8222/2 – 2.0 ha) and will result in the formation of 2 lots (Lot 1 – 1.0ha) and a Lot 2 (Balance Lot -1.08 ha), as show in the plan of subdivision supplied by the proponent in Appendix A. There is an existing class 1a habitable building on proposed Lot 1, and Lot 2 is undeveloped. Lots 1 and 2 can comply with Hazard Management Area standards. Lot 1 relies upon managed land external to the lot to the west within the Craighourne Dam Road Reserve and the private access (to the south) to the existing class 1a habitable building on adjoining property as shown on the BHMP. Public access to the new lots will be provided by an existing public roadway (Craighourne Dam Road). The development is proposed to occur in one stage. Both proposed lots are comprised of predominantly grassland vegetation with a strip of vegetation along the eastern boundary and managed gardens surrounding the existing class 1a habitable on Lot 1.



### 3.0 Site Description

The 2 existing titles (CT: 116613/1 and CT: 8222/2) are located at 26 Craighourne Dam Road, Colebrook approximately 2.7 km south-east from the Colebrook township and 2 km west of Mount Bains (Figure 1). The site is situated on the southern banks of Craighourne Lake in a rural setting on gentle slopes (0 to 5 degrees) with a northerly aspect at an elevation of 170 to 180 m above sea level. The lots surrounding the site consist of existing dwellings (on large sized lots (e.g., approx. > 100 ha) characterised by predominantly grassland with native forest vegetation further to the east and west.

The site is not serviced with a reticulated water supply, nor is there a nearby fire hydrant.



Figure 1. The site in a topographical context outlined in pink (Image source: LISTmap 2025).

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A zoning map is provided in Figure 2 which illustrates that the site and surrounding land is zoned as Agriculture under the Tasmanian Planning Scheme -Southern Midlands (LISTmap 2025).

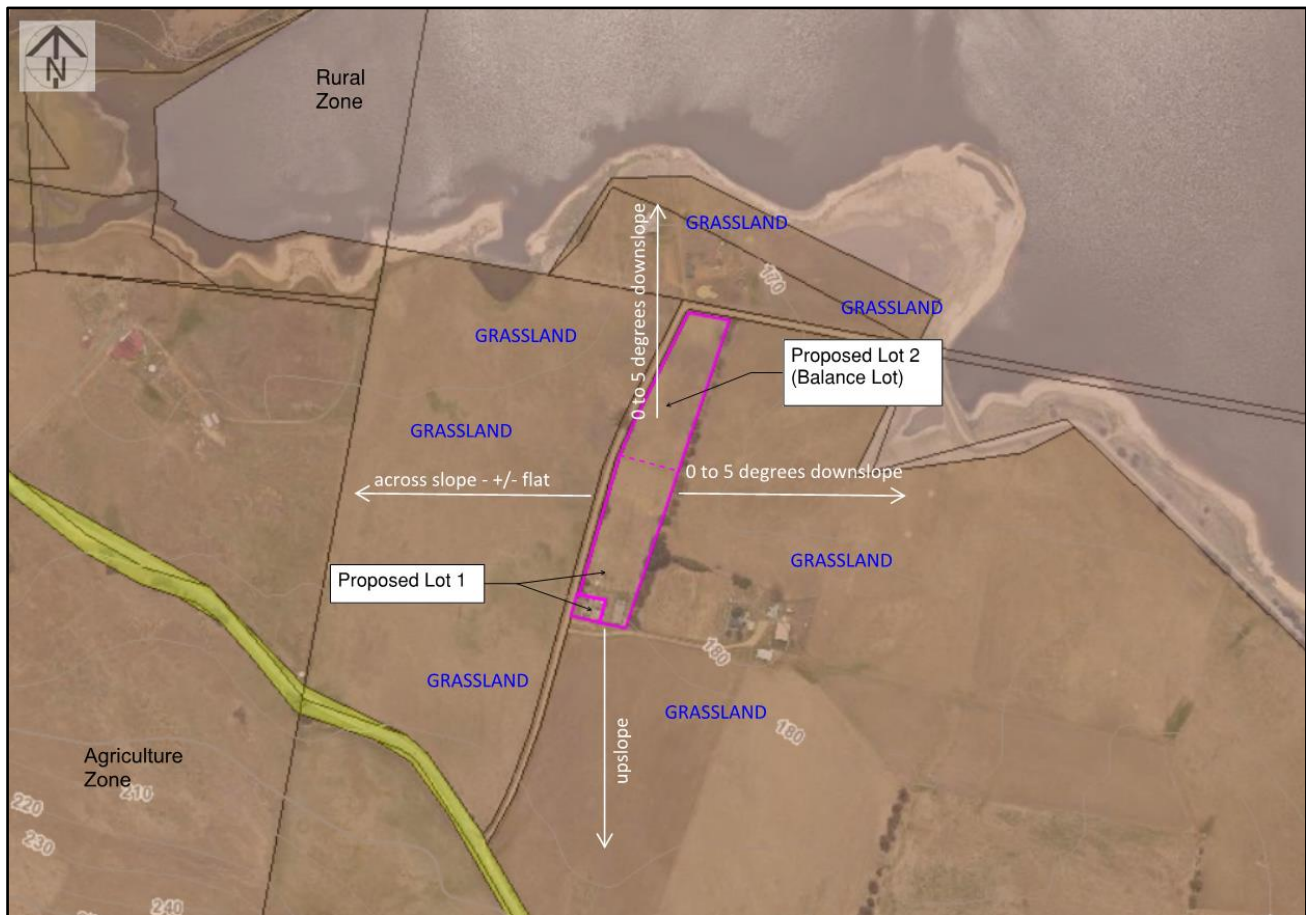


Figure 2. Shows the location of the site (outlined in pink) in the context of the adjacent lands, classified vegetation, and slopes (Image source: LISTmap 2025).

## 4.0 Bushfire Hazard Assessment

### 4.1 Vegetation

The site and adjacent lands within 140 metres of the proposed building areas carry grassland vegetation (Figures 3 to 6). The highest risk vegetation occurs on every azimuth with the prevailing wind direction being from the northwest of the sites.

### 4.2 Slopes

The effective slopes in relation to the proposed building areas are gentle (<5 degrees) and will not significantly influence the bushfire attack at the sites.



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Figure 3. Northern azimuth from the site of the proposed development looking at grassland 0 to 5 degrees downslope and Craighourne Lake beyond.



Figure 4. Eastern azimuth from the site of the proposed development looking at grassland 0 to 5 degrees downslope and Craighourne Lake beyond.



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Figure 5. Southern azimuth from the site of the proposed development looking at grassland upslope.



Figure 6. Western azimuth from the site of the proposed development looking at grassland across slope.

### 4.3 Bushfire Attack Level

An assessment of vegetation and topography was undertaken within and adjacent to the proposed building areas on each lot. A bushfire attack level assessment as per AS3959-2018 was completed which has determined setbacks for each building area from bushfire-prone vegetation which do not exceed BAL-19 of AS3959-2018 (Appendix B).

- All future class 1a habitable buildings on Lot 2 (Balance Lot) will comply with construction standards BAL 12.5 as per AS3959 -2018 (Sections 3 and 5).
- Any alterations and additions to the existing class 1a habitable building on Lot 1 will comply with construction standards for BAL 12.5 as per AS3959-2018 (Sections 3 and 5).
- If any alterations and additions to the existing class 1a habitable building on Lot 1 are proposed outside of the provided building area, a new Bushfire Hazard Report and BHMP will be required at the building application stage. The building areas and bushfire attack levels are identified on the BHMP.

## 5.0 Bushfire Prone Areas Code

Code C13.0 of the planning scheme articulates requirements for the provision of hazard management areas, standards for access and firefighting water supplies and requirements for hazard management for staged subdivisions.

### 5.1 Hazard Management Areas

Hazard management areas are required to be established and/or maintained for both Lots 1 and 2, they provide an area around the building within which fuels are managed to reduce the impacts of direct flame contact, radiant heat and ember attack on the site. Lot 1 will require the HMA to be established prior to sealing of titles.

The BHMP shows building areas (for class 1a habitable buildings) and the associated HMA's for each lot, guidance for establishment and maintenance of HMA's is provided below.

The subdivision is to occur in one stage. Each proposed lot can accommodate a hazard management area with sufficient separation from bushfire-prone vegetation not exceeding the requirements for BAL-19 of AS3959-2018. This means that each lot is not dependant on a formal agreement on adjacent land for management for bushfire mitigation. In this instance, Craighourne Dam Road and the property access (south of Lot 1) to the adjoining property to the east are considered managed land as a part of the assessment.



### 5.1.1 Building Areas

Building areas for class 1a habitable buildings are shown on the BHMP. Each lot has been assessed and a Bushfire Attack Level (BAL) assigned to it. If future buildings or works to buildings are located within the building area and comply with the minimum setbacks for the hazard management area, the buildings may be constructed to the bushfire attack level assigned to that lot. If associated structures like sheds or other non-habitable buildings exist or are proposed, they do not need to conform to a BAL unless they are within 6 metres of the class 1a habitable building or within 6 metres of another building that is within 6 metres of the class 1a habitable building. The building area for Lot 1 includes the footprint of the existing class 1a habitable building and associated structures within 6 metres and the building area for Lot 2 (balance lot) includes the footprint for the proposed future class 1a habitable building.

### 5.1.2 Hazard Management Area Requirements

A HMA will need to be established and maintained for the life of the development and is shown on the BHMP. Guidance for the establishment and maintenance of the HMA is given below and on the BHMP.

A HMA is the area, between a habitable building or building area and the bushfire prone vegetation, which provides access to a fire front for firefighting, which is maintained in a minimal fuel condition and in which there are no other hazards present which will significantly contribute to the spread of a bushfire. This can be achieved through but is not limited to the following strategies.

- Remove fallen limbs, sticks, leaf and bark litter,
- Maintaining grass at less than a 100mm height,
- Avoid or minimise the use of flammable mulches (especially against buildings),
- Thin out under-story vegetation to provide horizontal separation between fuels,
- Prune low-hanging tree branches (<2 metres from the ground) to provide vertical separation between fuel layers,
- Remove and or prune larger trees to maintain a 6-metre horizontal separation between canopies,
- Minimise the storage of flammable materials such as firewood,
- Maintaining vegetation clearance around vehicular access,
- Use low-flammability plant species for landscaping purposes where possible, and
- Clear out any accumulated leaf and other debris from roof gutters and other debris accumulation points.
- It is not necessary to remove all vegetation from the hazard management area, trees and shrubs may provide protection from wind borne embers and radiant heat under some circumstances if other fuels are appropriately managed.

#### HMA Maintenance

The established HMA must be maintained in a minimal fuel state for bushfire protection mechanisms to be effective. The need to maintain an effective HMA into the future must be considered when planting gardens and landscaping. An annual inspection and maintenance of the HMA should be conducted prior to the bushfire season. It is particularly important that any flammable fine fuels at ground level such as leaves, litter and wood piles are suitably managed.

Any additional fire protection measures implemented by the owners such as fire pumps and sprinkler systems must be tested regularly to ensure functionality.

## 5.2 Public and Firefighting Access

### 5.2.1 Public Roads

There is no proposal for the construction of new public roadways or fire trails, in this circumstance there are no applicable standards for the construction of new public roads or fire trails.

### 5.2.2 Property Access

Property access will be required to be established for access to static water supply connection points for Lots 1 and 2 and is required for building compliance.

There is existing property access to the existing class 1a habitable building on proposed Lot 1, however is on the adjoining property to the south. An indicative property access is shown within Lot 1 title boundaries and for Lot 2 on the BHMP.

A. If property access to Lots 1 and 2 is less than 30 m long, there are no specific design and construction standard requirements as per C13.6.2 and Table C13.2 Element A of the code.

B. If property access to Lots 1 and 2 is greater than 30 m but less than 200 m long and access is required for a fire appliance to access a firefighting water point, the following design and construction standards apply as per C13.6.2 and Table C13.2 Element B of the Code. The property access to Lot 1 is required to conform with the following specifications prior to the sealing of titles.

- all- weather construction,
- load capacity of at least 20 t, including for bridges and culverts,
- minimum carriageway width of 4 m,
- minimum vertical clearance of 4 m,
- minimum horizontal clearance of 0.5 m from the edge of the carriageway,
- cross falls of less than 3 degrees (1:20 or 5%),
- dips less than 7 degrees (1:8 or 12.5%) entry and exit angle,
- curves with a minimum inner radius of 10 m,
- maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads, and
- terminate with a turning area for fire appliances provided by one of the following:
  - a turning circle with a minimum outer radius of 10m, or
  - a property access encircling the building, or
  - a hammerhead “T” or “Y” turning head 4 m wide and 8 m long

### 5.3 Water Supplies for Firefighting

The building areas are not serviced by a reticulated water supply system with fire hydrants.

In this circumstance dedicated, static, firefighting water supplies will be provided in accordance with C13.6.2 and Table C13.5 Elements A, B, C, D and E of the code. The firefighting water supply for Lot 1 will be provided prior to the sealing of titles.

Table 1. Requirements for Static Water Supplies dedicated for Firefighting.

Element		Requirement
A.	Distance between building area to be protected and water supply	The following requirements apply: (a) The building area to be protected must be located within 90 metres of the firefighting water point of a static water supply; and (b) The distance must be measured as a hose lay, between the firefighting water point and the furthest part of the building area
B.	Static Water Supplies	A static water supply: (a) May have a remotely located offtake connected to the static water supply; (b) May be a supply for combined use (firefighting and other uses) but the specified minimum quantity of firefighting 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 firefighting 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 3959:2018, the tank may be constructed of any material provided that the lowest 400 mm of the tank exterior is protected by: (i) metal; (ii) non-combustible material; or (iii) fibre-cement a minimum of 6 mm thickness.
C.	Fittings, pipework and accessories (including stands and tank supports)	Fittings and pipework associated with a firefighting water point for a static water supply must: (a) Have a minimum nominal internal diameter of 50mm; (b) Be fitted with a valve with a minimum nominal internal diameter of 50mm; (c) Be metal or lagged by non-combustible materials if above ground; (d) Where buried, have a minimum depth of 300mm; (e) Provide a DIN or NEN standard forged Storz 65 mm coupling fitted with a suction washer for connection to firefighting equipment; (f) Ensure the coupling is accessible and available for connection at all times; (g) Ensure the coupling is fitted with a blank cap and securing chain (minimum 220 mm length); (h) Ensure underground tanks have either an opening at the top of not less than 250 mm diameter or a coupling compliant with this Table; and (i) Where a remote offtake is installed, ensure the offtake is in a position that is: (i) Visible; (ii) Accessible to allow connection by firefighting equipment; (iii) At a working height of 450 – 600mm above ground level; and (iv) Protected from possible damage, including damage by vehicles.
D.	Signage for static water connections	The firefighting water point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must: (a) comply with water tank signage requirements within AS 2304:2019; or (b) comply with the Tasmania Fire Service Water Supply Signage Guideline published by the Tasmania Fire Service.
E.	Hardstand A hardstand area for fire appliances must be provided:	(a) No more than three metres from the firefighting water point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like); (b) No closer than six metres from the building area to be protected; (c) With a minimum width of three metres constructed to the same standard as the carriageway; and (d) Connected to the property access by a carriageway equivalent to the standard of the property access.

## 6.0 Compliance

### 6.1 Planning Compliance

Table 2 summarises the compliance requirements for subdivisions in bushfire prone areas against Code C13.0 as they apply to this proposal. A planning certificate has been issued for the associated BHMP as being compliant with the relevant standards as outlined below and is in Appendix D.

Table 2. Compliance with Code C13 of the Tasmanian Planning Scheme – Southern Midlands

Clause	Compliance
C13.4 Use or development exempt from this code	Not applicable.
C13.5 1 Vulnerable Uses	Not applicable.
E13.5.2 Hazardous Uses	Not applicable
C13.6.1 Subdivision: Provision of hazard management areas	<p>The Bushfire Hazard Management Plan is certified by an accredited person. Each lot within the subdivision has a building area and associated hazard management area shown which does not exceed BAL-19 construction standards. Hazard management areas can be contained within each individual lot. This is based on Craighourne Dam Road and the property access to the south being considered managed land. There is no requirement for part 5 agreements or easements to facilitate hazard management.</p> <p>The proposal is compliant with the acceptable solution at A1(b).</p>
C13.6.2 Subdivision: Public and firefighting access	<p>There is no proposal for the construction of new public roadways or fire trails as part of this development. Minimum standards for property access have been specified for all lots consistent with Table C13.2.</p> <p>The Bushfire Hazard Management Plan is certified by an accredited person.</p> <p>The proposal is compliant with the acceptable solution at A1(b).</p>
C13.6.3 Subdivision: Provision of water supply for firefighting purposes	<p>The building areas are not serviced by a reticulated water supply system with fire hydrants. In this circumstance dedicated static firefighting water supplies will be provided in accordance with table C13.5.</p> <p>The proposal is compliant with the acceptable solution at A2(b).</p>

### 6.2 Building Compliance (for future development)

Future residential development may not require assessment for bushfire management requirements at the planning application stage. Subsequent building applications will require demonstrated compliance with the Directors Determination. If future development is undertaken in compliance with the BHMP associated with this report, a building surveyor may rely upon it for building compliance purposes if it is not more than 6 years old. If associated structures like sheds or other non-habitable buildings exist or are proposed, they do not need to conform to a BAL unless they are within 6 m of the habitable building/s.



## 7.0 Summary

The proposed development occurs within a bushfire-prone area. The vegetation is classified as grassland, with the highest risk is presented by vegetation on every azimuth of the building areas.

Lot 1 will require compliance with the standards for property access, firefighting water supplies and hazard management areas prior to the sealing of titles.

A BHMP has been developed and shows hazard management areas with building areas and construction standards, the location of existing and proposed property access with specifications for their construction and requirements for the provision of firefighting water supplies.

## 8.0 Glossary and Abbreviations

**AS** – Australian Standard

**BAL – Bushfire Attack Level** – A means of measuring the severity of a building's potential exposure to ember attack, radiant heat, and direct flame contact, using increments of radiant heat expressed in kilowatts per metre squared, and the basis for establishing the requirements for construction to improve protection of building elements from attack by bushfire (AS3959-2018).

**BFP – Bushfire Practitioner** – An accredited practitioner recognised by Tasmania Fire Service.

**BHMP – Bushfire Hazard Management Plan** – A plan for an individual habitable building or subdivision identifying separation distances required between a habitable building(s) and bushfire-prone vegetation based on the BAL for the site. The BHMP also indicates requirements for construction, property access and firefighting water.

**Class 1a building** – A single habitable building, being a detached house, or one of a group of attached habitable buildings being a town house, row house or the like (NCC 2022).

**deg** – degrees

**FDI – fire danger index** – Relates to the chance of a fire starting, its rate of spread, its intensity, and the difficulty of its suppression, according to various combinations of air temperature, relative humidity, wind speed and both the long- and short-term drought effects (AS3959-2018).

**ha** – hectares

**HMA – Hazard Management Area** – The area, between a habitable building or building area and the bushfire-prone vegetation, which provides access to a fire front for firefighting, which is maintained in a minimal fuel condition and in which there are no other hazards present which will significantly contribute to the spread of a bushfire.

**km** - kilometres

**m** – metres

**mm** – millimetres

**NASH** – National Association of Steel Framed Housing

**t** – tonnes

## 9.0 References

Australian Building Codes Board, National Construction Code, Building Code of Australia, Australian Building Codes Board, Canberra.

*Building Act 2016*. The State of Tasmania Department of Premier and Cabinet.

Building Regulations 2016. The State of Tasmania Department of Premier and Cabinet.

Directors Determination – Bushfire Hazard Areas, version 1.2 16<sup>th</sup> July 2024. Director of Building Control.

LISTmap 2025. Land Information System Tasmania, Tasmania Government.

Standards Australia, AS3959-2018 Construction of buildings in bushfire-prone areas. Sydney, NSW., Australia.

Tasmania Fire Service 2020, Building for Bushfire – Planning and Building in Bushfire-Prone Areas for Owners and Builders. Tasmania Fire Service, Tasmania.

Tasmanian Planning Scheme – Southern Midlands, Tasmanian Planning Commission 2015, Tasmanian Planning Commission, Hobart.

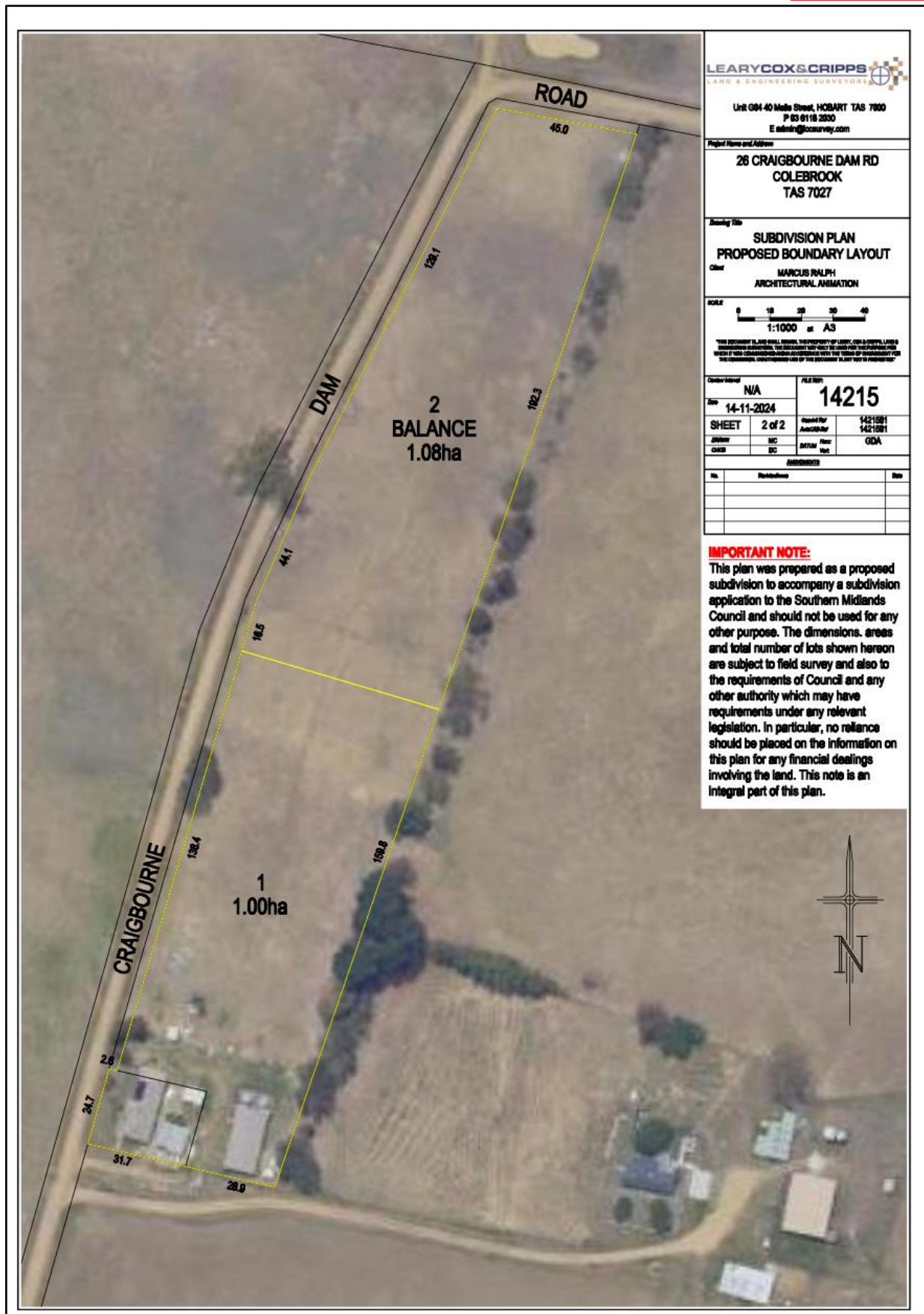
## 10.0 Limitations Statement

This Bushfire Hazard Report has been prepared in accordance with the scope of services between Geo-Environmental Solutions Pty. Ltd. (GES) and the applicant. To the best of GES's knowledge, the information presented herein represents the Client's requirements at the time of printing of the report. However, the passage of time, manifestation of latent conditions or impacts of future events may result in findings differing from that described in this report. In preparing this report, GES has relied upon data, surveys, analyses, designs, plans and other information provided by the Client and other individuals and organisations referenced herein. Except as otherwise stated in this report, GES has not verified the accuracy or completeness of such data, surveys, analyses, designs, plans and other information.

The scope of this study does not allow for the review of every possible bushfire hazard condition and does not provide a guarantee that no loss of property or life will occur because of bushfire. As stated in AS3959-2018 "It should be borne in mind that the measures contained in this Standard cannot guarantee that a building will survive a bushfire event on every occasion. This is substantially due to the degree of vegetation management, the unpredictable nature and behaviour of fire, and extreme weather conditions". In addition, no responsibility is taken for any loss which is a result of actions contrary to AS3959-2018 or the Tasmanian Planning Scheme Bushfire Prone Areas Code.

This report does not purport to provide legal advice. Readers of the report should engage professional legal practitioners for this purpose as required. No responsibility is accepted for use of any part of this report in any other context or for any other purpose by third party

## Appendix A - Site Plan

**LEARY COX & CRIPPS**  
LAND & ENGINEERING SURVEYORSUnit 604 40 Mallett Street, HOBART TAS 7000  
P 03 6118 2500  
E [enquiries@lcsurvey.com](mailto:enquiries@lcsurvey.com)

Project Name and Address

26 CRAIGBOURNE DAM RD  
COLEBROOK  
TAS 7027

Drawing Title

SUBDIVISION PLAN  
PROPOSED BOUNDARY LAYOUT

Client

MARCUS RALPH  
ARCHITECTURAL ANIMATION

Scale

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1:1000 at A3

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## Appendix B – Bushfire Attack Level Assessment Tables

Table 1. Bushfire Attack Level Assessment for Lot 1 (existing class 1a habitable building)

Azimuth	Vegetation Classification	Effective Slope	Distance to Bushfire-Prone Vegetation	Hazard Management Area Width	Bushfire Attack Level
North	Grassland <sup>^</sup>	>0 to 5° downslope	0 to >100 metres	16 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
East	Grassland <sup>^</sup>	>0 to 5° downslope	0 to >100 metres	Min 16 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
South	Exclusion 2.2.3.2 (e, f) <sup>^</sup>	flat 0°	0 to 18 metres	Title Boundary	BAL-12.5
	Grassland <sup>^</sup>	upslope	18 to >100 metres		
	--	--	--		
	--	--	--		
West	Exclusion 2.2.3.2 (e, f) <sup>^</sup>	flat 0°	0 to 14 metres	Title Boundary	BAL-12.5
	Grassland <sup>^</sup>	flat 0°	14 to >100 metres		
	--	--	--		
	--	--	--		

<sup>^</sup> Vegetation classification as per AS3959-2018 and Figures 2.4(A) to 2.4 (H).<sup>^^</sup> Exclusions as per AS3959-2018, section 2.2.3.2, (a) to (f).



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## Appendix B – Bushfire Attack Level Assessment Tables

Table 2. Bushfire Attack Level Assessment for Lot 2 (Balance Lot)

Azimuth	Vegetation Classification	Effective Slope	Distance to Bushfire-Prone Vegetation	Hazard Management Area Width	Bushfire Attack Level
North	Grassland^	>0 to 5° downslope	0 to >100 metres	16 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
East	Grassland^	>0 to 5° downslope	0 to >100 metres	Min16 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
South	Grassland^	upslope	0 to >100 metres	14 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
West	Exclusion 2.2.3.2 (e, f)^	flat 0°	0 to 25 metres	Min 14 metres	BAL-12.5
	Grassland^	flat 0°	25 to >100 metres		
	--	--	--		
	--	--	--		

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## Appendix C

### Bushfire Hazard Management Plan

Sheet 1 of 2  
Prepared by:  
Alice Higgins



Design and Specification Requirements

Standards for Property Access

If property access to Lots 1 and 2 (Balance Lot) is less than 30 metres long, there are no specific design and construction standard requirements as per Table 13.2 Element A of the code.

If property access length is greater than 30 metres and less than 200 metres; or access is required for a fire appliance to access a water connection point which is required to comply with Table C13.2 Element B of the code.

The following design and construction requirements apply to property access:

- (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° (1:20 or 5%);
- (7) Dips less than 7° (1:8 or 12.5%) entry and exit angle;
- (8) Curves with a minimum inner radius of 10 metres;
- (9) Maximum gradient of 15° (1:3.5 or 28%) for sealed roads, and 10° (1:5.5 or 18%) for unsealed roads; and
- (10) Terminate with a turning area for fire appliances provided by one of the following:
  - (a) A turning circle with a minimum inner radius of 10 metres;
  - (b) A property access encircling the building; or
  - (c) A hammerhead “T” or “Y” turning head 4 metres wide and 8 metres long.

Static Water Supply for Fire fighting

The site is not serviced by a reticulated water supply, therefore a dedicated, static fire fighting water supply will be provided in accordance with the following;

Static water supplies and associated infrastructure for fire fighting purposes will be provided in accordance with Table C13.5 Elements A, B, C, D, and E of the code.

A Distance between building area to be protected and water supply

The following requirements apply:

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

B) Static Water Supplies

A static water supply:

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

Static Water Supply for Fire fighting

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

- (a) Have a minimum nominal internal diameter of 50mm; (2) Be fitted with a valve with a minimum nominal internal diameter of 50mm;
- (b) Be fitted with a valve with a minimum nominal internal diameter of 50mm;
- (c) Be metal or lagged by non-combustible materials if above ground;
- (d) Where buried, have a minimum depth of 300mm (compliant with AS/NZS 3500.1-2003 Clause 5.23);
- (e) Provide a DIN or NEN standard forged Storz 65 mm coupling fitted with a suction washer for connection to fire fighting equipment;
- (f) Ensure the coupling is accessible and available for connection at all times;
- (g) Ensure the coupling is fitted with a blank cap and securing chain (minimum 220 mm length);
- (h) Ensure underground tanks have either an opening at the top of not less than 250 mm diameter or a coupling compliant with this Table; and
- (i) Where a remote offtake is installed, ensure the offtake is in a position that is:
  - (i) Visible;
  - (ii) Accessible to allow connection by fire fighting equipment,
  - (iii) At a working height of 450 – 600mm above ground level; and
  - (iv) Protected from possible damage, including damage by vehicles.

D) Signage for static water connections

The fire fighting water point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must comply with the Tasmania Fire Service Water Supply Signage Guideline published by the Tasmania Fire Service

E) Hardstand

A hardstand area for fire appliances must be provided:

- (a) No more than three metres from the fire fighting water point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like);
- (b) No closer than six metres from the building area to be protected;
- (c) With a minimum width of three metres constructed to the same standard as the carriageway; and
- (d) Connected to the property access by a carriageway equivalent to the standard of the property access.

Hazard Management Area Requirements

A hazard management area is required to be established and maintained for the life of the building and is shown on this BHMP. Guidance for the establishment and maintenance of the hazard management area is also provided.

A hazard management area is the area, between a habitable building or building area and the bushfire prone vegetation, which provides access to a fire front for firefighting, which is maintained in a minimal fuel condition and in which there are no other hazards present which will significantly contribute to the spread of a bushfire. This can be achieved through, but is not limited to the following actions;

- Remove fallen limbs, sticks, leaf and bark litter;
- Maintain grass at less than a 100mm height;
- Remove pine bark and other flammable mulch (especially from against buildings);
- Thin out under-story vegetation to provide horizontal separation between fuels;
- Prune low-hanging tree branches (<2m from the ground) to provide (vertical separation between fuel layers;
- Prune larger trees to maintain a 6 metre horizontal separation between canopies;
- Minimise the storage of flammable materials such as firewood;
- Maintain vegetation clearance around vehicular access and water supply points;
- Use low-flammability species for landscaping purposes where appropriate;
- Clear out any accumulated leaf and other debris from roof gutters and other accumulation points.

It is not necessary to remove all vegetation from the hazard management area, trees may provide protection from wind borne embers and radiant heat under some circumstances.

Certification No. J10943

Alice Higgins  
Acc. No. BFP-165  
Scope 1, 2, 3A, 3B, 3C.

Do not scale from these drawings. Dimensions to take precedence over scale. Written specifications to take precedence over diagrammatic representations.	Client Name and Address: Phil and Rosanne Murphy 26 Craighourne Dam Road Colebrook, TAS, 7027	C.T.: 116613/1 & 8222/2 PID: 5896109	Date: 29/05/2025	Bushfire Hazard Management Plan: 26 Craighourne Dam Road, Colebrook. 29th May 2025. J10943v1.0 Bushfire Hazard Report: 26 Craighourne Dam Road, Colebrook. 29th May 2025. J10943v1.0	Drawing Number: A01	Sheet 2 of 2 Prepared by: Alice Higgins
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## Appendix D

### Planning Certificate

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

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

**Street address:**

26 Craighourne Dam Road, Colebrook

**Certificate of Title / PID:**

CT: 116613/1 &amp; 8222/2, PID: 5896109

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

Subdivision resulting in 2 lots

**Applicable Planning Scheme:**

Tasmanian Planning Scheme – Southern Midlands

**3. Documents relied upon**

This certificate relates to the following documents:

Title	Author	Date	Version
Plan of Subdivision	Leary Cox and Cripps	14/11/2024	1
Bushfire Hazard Report 26 Craighourne Dam Road, Colebrook, May 2025, J10943v1.0	Alice Higgins	29/05/2025	1
Bushfire Hazard Management Plan 26 Craighourne Dam Road, Colebrook, May 2025, J10943v1.0	Alice Higgins	29/05/2025	1

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



**4. Nature of Certificate**

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

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

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

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

<input checked="" type="checkbox"/>	<b>E1.6.1 / C13.6.1 Subdivision: Provision of hazard management areas</b>	
	<b>Acceptable Solution</b>	<b>Compliance Requirement</b>
<input type="checkbox"/>	E1.6.1 P1 / C13.6.1 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input 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"/>	<b>E1.6.2 / C13.6.2 Subdivision: Public and fire fighting access</b>	
	<b>Acceptable Solution</b>	<b>Compliance Requirement</b>
<input type="checkbox"/>	E1.6.2 P1 / C13.6.2 P1	<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 (Lot 5)
<input checked="" type="checkbox"/>	E1.6.2 A1 (b) / C13.6.2 A1 (b)	Access complies with relevant Tables

<input checked="" type="checkbox"/>	<b>E1.6.3 / C13.1.6.3 Subdivision: Provision of water supply for fire fighting purposes</b>	
	<b>Acceptable Solution</b>	<b>Compliance Requirement</b>
<input type="checkbox"/>	E1.6.3 A1 (a) / C13.6.3 A1 (a)	Insufficient increase in risk
<input type="checkbox"/>	E1.6.3 A1 (b) / C13.6.3 A1 (b)	Reticulated water supply complies with relevant table.
<input type="checkbox"/>	E1.6.3 A1 (c) / C13.6.3 A1 (c)	Water supply consistent with the objective
<input type="checkbox"/>	E1.6.3 A2 (a) / C13.6.3 A2 (a)	Insufficient increase in risk (Lot 5)
<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

10/07/2025

**5. Bushfire Hazard Practitioner****Name:**

Alice Higgins

**Phone No:**

03 62231839

**Postal  
Address:**29 Kirksway Place  
Battery Point Tas. 7004**Email  
Address:**

ahiggins@geosolutions.net.au

**Accreditation No:**

BFP – 165

**Scope:**

1, 2, 3a, 3b

**6. Certification**

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



Is exempt from the requirement Bushfire-Prone Areas Code because, having regard to the objective of all applicable standards in the Code, there is considered to be an insufficient increase in risk to the use or development from bushfire to warrant any specific bushfire protection measures, or



The Bushfire Hazard Management Plan/s identified in Section 3 of this certificate is/are in accordance with the Chief Officer's requirements and compliant with the relevant **Acceptable Solutions** identified in Section 4 of this Certificate.

**Signed:**  
certifier**Name:**

Alice Higgins

29/05/2025

**Certificate  
Number:**

J10943

(for Practitioner Use only)



# GEO-ENVIRONMENTAL SOLUTIONS

## LAND CAPABILITY ASSESSMENT

*26 Craighourne Dam Road, Colebrook TAS 7027*

Client:  
Roseanne Murphy

June 2025



## DOCUMENT CONTROL RECORD

Document Prepared By:



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DOCUMENT CONTROL			
Report Title:	26 Craighourne Dam Road, Colebrook		
Project Type:	Land Capability Assessment		
Client:	Roseanne Murphy		
Project Job Number:	J10943		
Revision Version:	V01		
Date:	18/06/2025		
Prepared By:	Vaida Seikyte	Reviewed By:	JP Cumming

APPROVED BY		
Name	Signature:	Date
JP Cumming		18/06/2025

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## EXECUTIVE SUMMARY

Geo-Environmental Solutions Pty Ltd was engaged by Roseanne Murphy to complete a land capability assessment for a proposed boundary adjustment situated at 26 Craighourne Dam Road, Colebrook (CT8222/2 and CT116613/1).

The existing property is currently divided into two lots, the smaller lot of approximately 780m<sup>2</sup> supports the existing dwelling on site and the larger lot of approximately 2 ha which contains outbuildings and open paddocks. The proposed boundary adjustment will create two lots both approximately 1ha in size and allow the existing outbuildings and wastewater system for the dwelling to be contained on one of the new lots (lot 1).

The proposed new boundary and adjacent land falls within land zone 'Agricultural' under the Tasmanian Planning Scheme – Southern Midlands.

Following field inspection for the proposed land suggested of subdivision, the land has been classified as Class 4. None of the land examined is prime agricultural land as defined under the State Protection of Agricultural Land Policy 2009, and none of the land is classified as of regional significance.

The capability of the land is suited for continued rural residential use with associated agriculture, mainly grazing with occasional cropping. This is providing suitable land management techniques are utilised to maintain the soil resource. The reorganisation of boundaries does not conflict with continued agricultural management on either the subject property or adjacent properties.

10/07/2025

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## FOUNDING STATEMENT

This assessment report is one of many completed by John Paul Cumming of Geo-Environmental Solutions P/L (GES). John Paul holds a first-class honours degree in Agricultural Science (major in soil science) and a PhD in environmental soil chemistry. John Paul was formerly an Honorary Research Associate in the Faculty of Engineering, Science, and Technology where he has participated in a number of academic and research projects pertaining to soil and environmental management. John Paul has current status as a Stage 2 Certified Professional Soil Scientist from the Australian Society of Soil Science Inc.

John Paul is a graduate member of the Australian Institute of company directors, and a director of Geo-Environmental Solutions P/L (GES). In his role at GES John Paul has completed numerous land capability assessments for Federal, State and Local Government agencies. In addition, John Paul has supervised over 20,000 site and soil classifications for residential developments according to AS2870-2011 and AS/NZS1547-2012.

# 1 Agricultural Report Summary

## 1.1 Introduction

Geo-Environmental Solutions Pty Ltd was engaged by Roseanne Murphy to complete a land capability assessment for a proposed boundary adjustment situated at 26 Craighourne Dam Road, Colebrook (CT8222/2 and CT116613/1).

The existing property is currently divided into two lots, the smaller lot of approximately 780m<sup>2</sup> supports the existing dwelling on site and the larger lot of approximately 2 ha which contains outbuildings and open paddocks (**see figure 1**). The proposed boundary adjustment will create two lots both approximately 1ha in size and allow the existing outbuildings and wastewater system for the dwelling to be contained entirely on one of the new lots (lot 1).



Figure 1 – Site location (Source: The List)

The proposed new boundary and adjacent land falls within land zone 'Agriculture' under the Tasmanian Planning Scheme – Southern Midlands.

The land area proposed for boundary reorganisation falls within land zone "Agriculture" under Tasmania Planning Scheme – Southern Midlands (Figure 2).

It is the scope of this report to consider the agricultural capability of the titles, the potential impact of the proposed boundary adjustment on continued agricultural use.

The report will make reference to the relevant objectives as outlined by the Tasmania Planning Scheme – Southern Midlands.

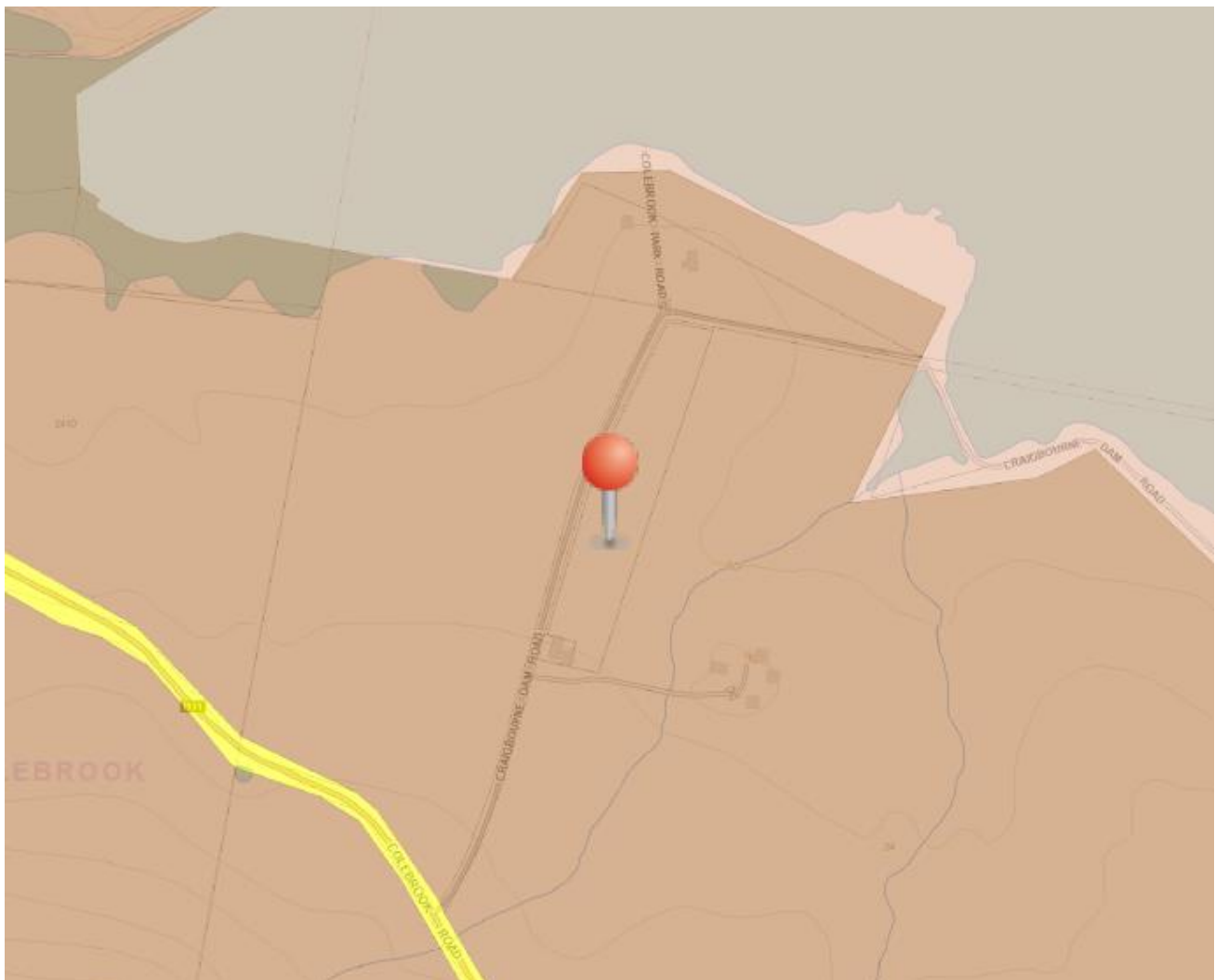


Figure 2 – Planning Zones – Tasmania Planning Scheme – Southern Midlands 2021



## 2 Site Information

Site information pertaining to the agricultural capability of the land was collected from desktop and field survey. Field survey was undertaken to assess soil profiles and the suitability of the soils for agriculture.

### 2.1 Topography

The two properties assessed (CT8222/2 and CT116613/1) are located at 26 Craigbourne Road, Colebrook and has a total area of approximately 2.1ha. The project area is associated with gently sloping low plateau topography on the southern side of the Craigbourne Dam. The majority of the site has of gentle gradient (1-3°) in the north portion of the site with some gently sloping slopes of 3-6° on the upper slopes of the site towards the existing dwelling. The smaller title supporting the house has a few associated trees and shrubs whilst the majority of the existing larger lot is open pasture with a row of trees along the eastern boundary. There are no drainage lines or creeks on the property and no dams for water storage (Figure 3 -5).



Figure 3 – Looking south towards the existing dwelling in the distance





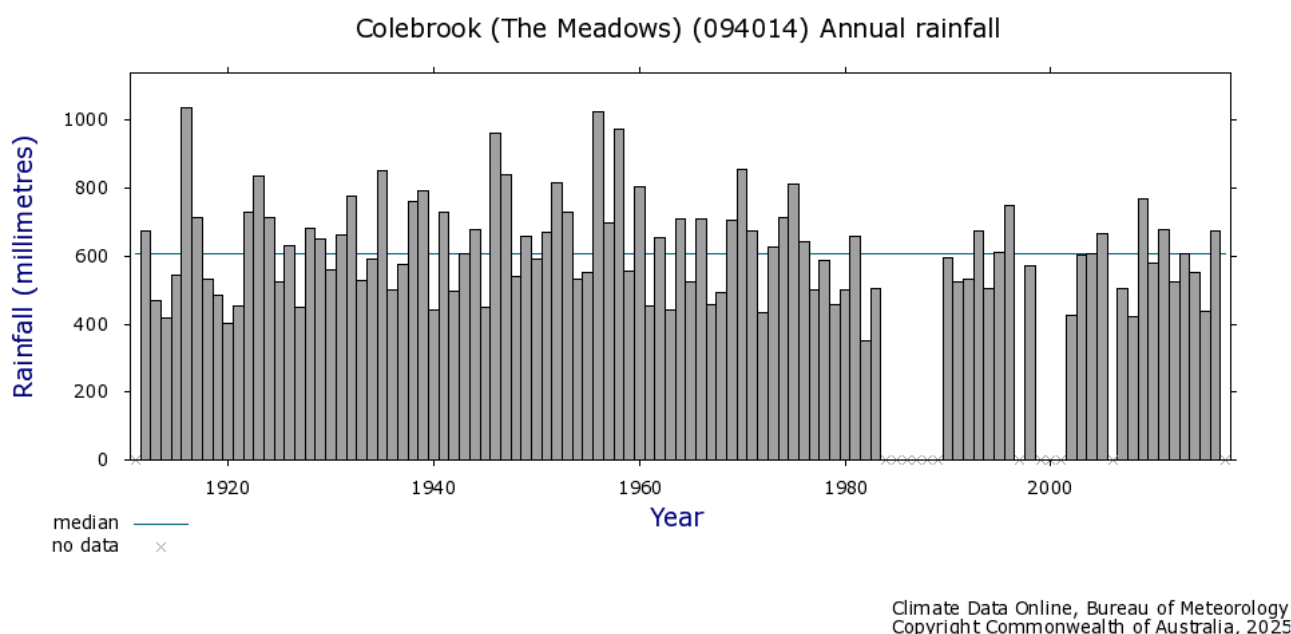
Figure 4 – Looking north towards the northern boundary tot eh adjacent dwelling and sheds



Figure 5 – Looking east across the eastern boundary

## 2.2 Climate

According to the rainfall information supplied by the Bureau of Meteorology, the weather station at Campania (Kincora 094014) has recorded an average annual rainfall of 495mm. This is considering a low annual rainfall and any intensive agricultural use will require supplementary irrigation. This is generally consistent with many other agricultural regions in the eastern region of the state. The mean monthly rainfall indicates that there is a winter/spring bias with lowest monthly rainfall occurring during February and highest monthly rainfall generally recorded during August/September.



Product Code: IDCJAC0001

Figure 6 – Mean yearly rainfall records for Colebrook

The mean maximum temperature from the enarest available station (Campania 18km away) of 18.7 suit a range of temperature fresh fruit and vegetable production (Figure 8). The highest daily temperatures recorded will not pose a problem for temperate plants and maximum night temperatures are below 20°C. This is sufficient to prevent plants continuing to respire at high levels after daily heat stress, which could be problematic for fruit production.

The mean lowest temperatures recorded do indicate a minor potential for frost risk. However, the highest frost risk occurs during the winter months (May – Aug) (Figure9). As most intensive horticultural crops are temperature plants, the critical period for frost avoidance is during flowering (Sept – Oct). Minimum temperatures during this time are generally above 4°C meaning the risk of frost is low. Therefore, it is anticipated that temperatures will not decrease to significantly low levels or be of high enough frequency to prohibit most temperate crops. Any effect of frost can therefore be minimised through management practices.



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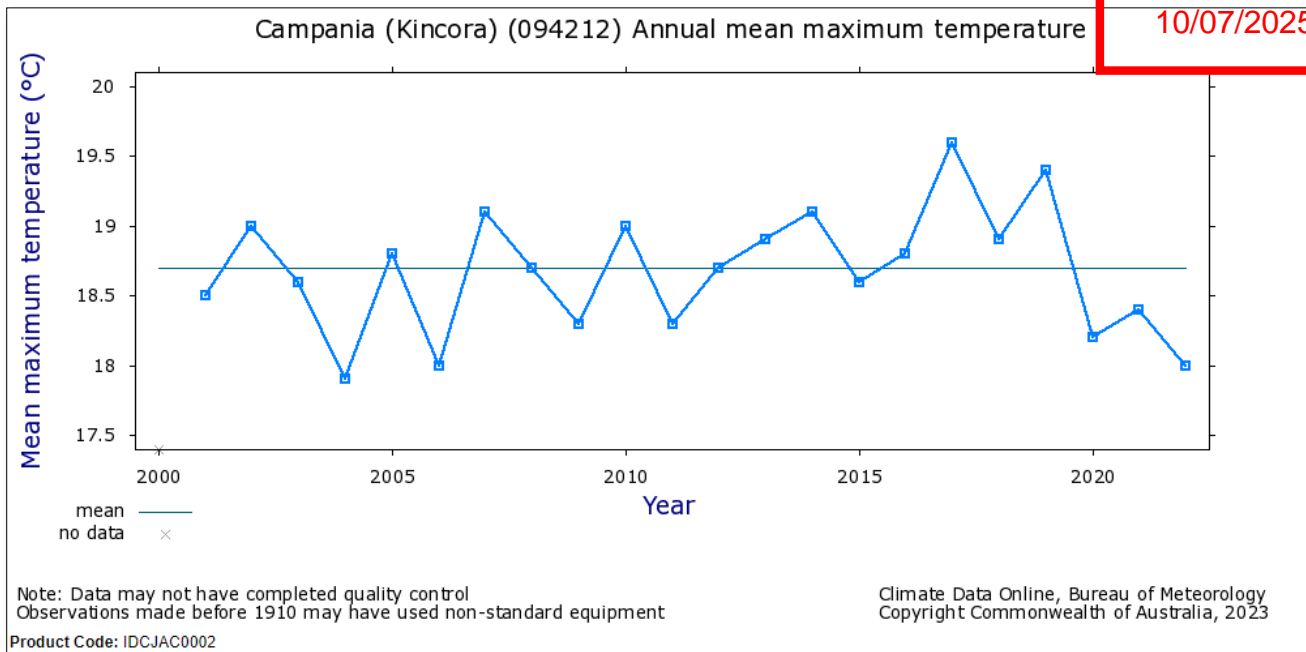


Figure 7 Mean maximum temperature trends for Campania

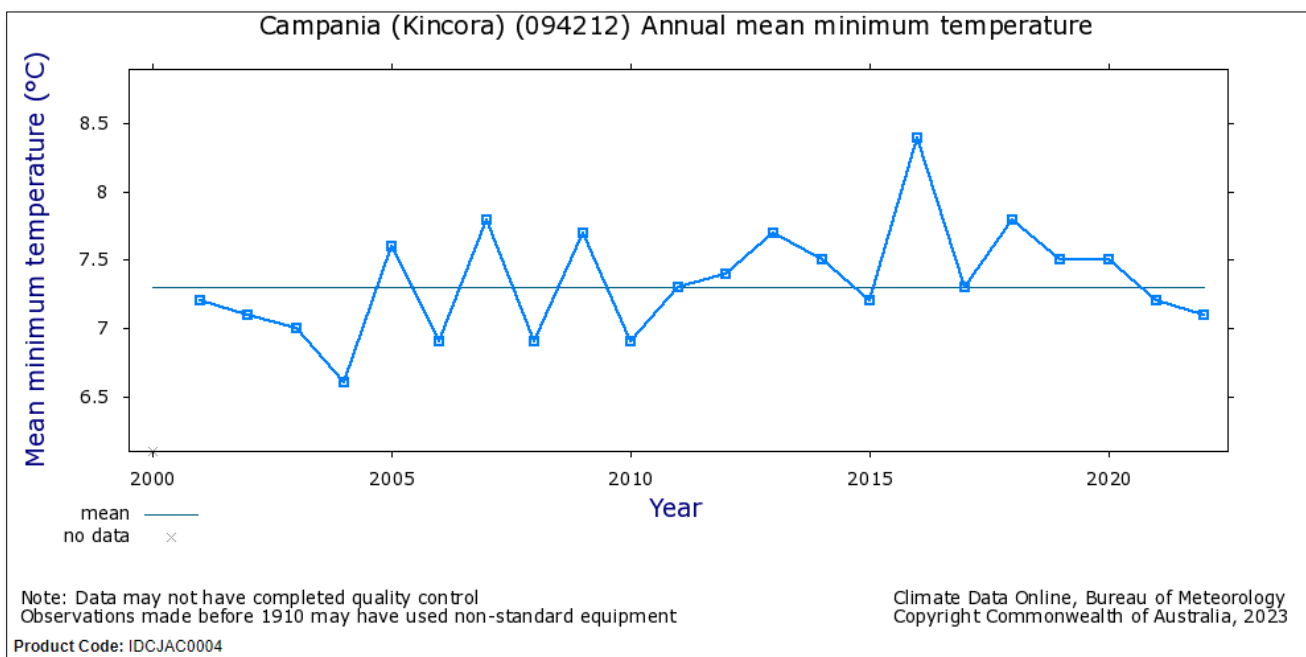


Figure 8 – Mean minimum temperature trends for Campania

## 2.3 Geology

The study area falls within the Mineral Resources Tasmania 1:25 000 mapping sheet 5227 for Tea Tree, Tasmania (Figure 15). This indicates that the property is underlain by Triassic Sandstone (Rlp). The drilling and soil assessment on site confirmed that Triassic sandstone was underlying the site with associated duplex clay soils (classified as Kurosols according to the Australian Soil Classification).

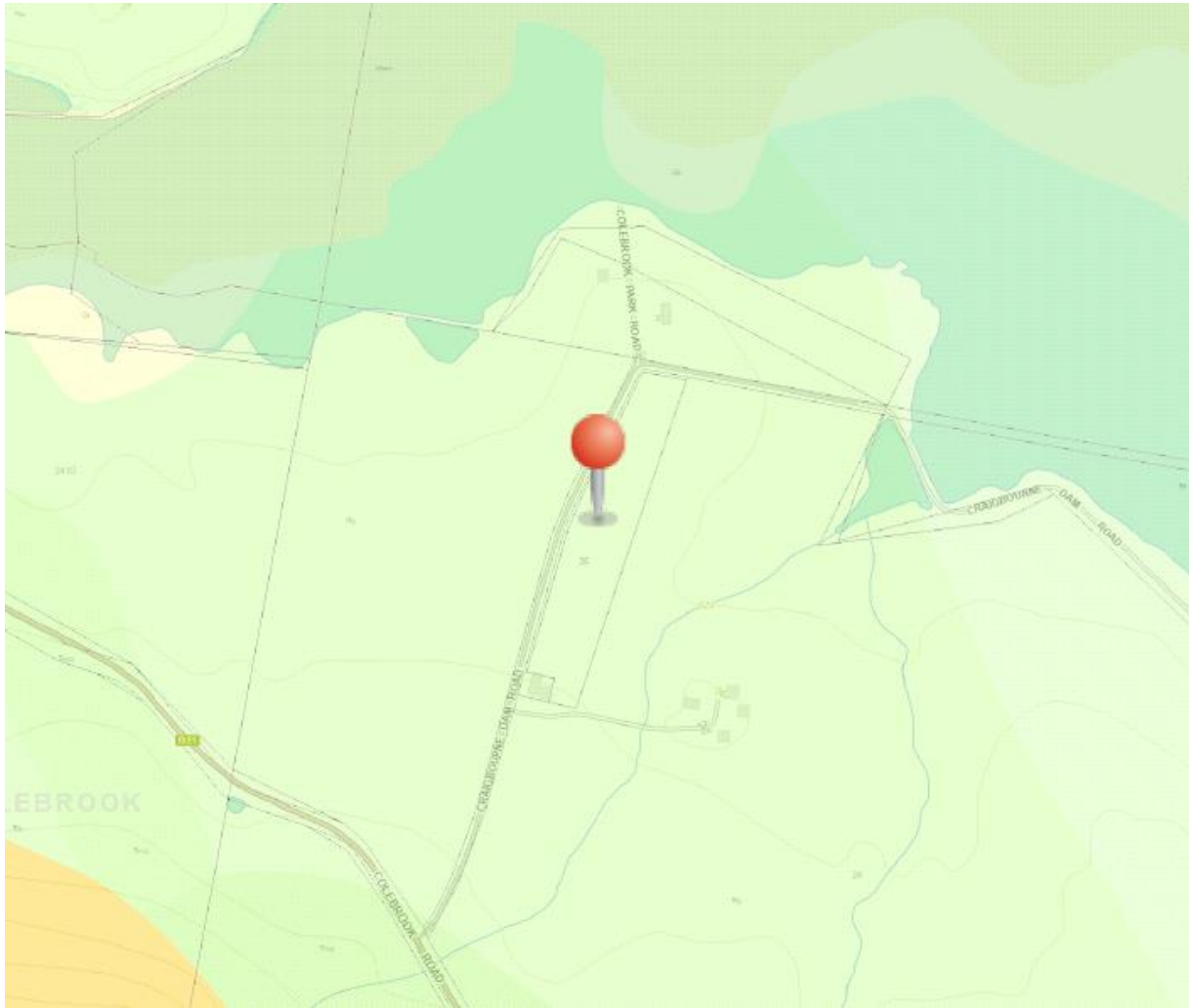


Figure 9 - Underlying Geology (Source: MRT 1:25 000 Tea Tree Tasmania Mapping)



### 3 Land Capability Classes Assessment

Agricultural Land Capability assessment has been developed in Tasmania by the Department of Primary Industries Water and Environment according to the guidelines described in Noble (1992) and Grose (1999). The system uses a rating system of 7 classes to classify land according to the ability of the land to sustain a range of agricultural uses without land degradation. Agricultural land capability is generally based upon the permanent biophysical features of the land such as geology, soils, slope, climate, erosion hazard etc. The classification system assumes an average standard of land management and that production will be sustainable if the land is managed according to the guidelines of its Class. The system does not take into account the economics of production, distance from markets, social or political factors; all of which can change over time.

Land classified as class 1 – 4 is generally suitable for cropping activities subject to the limitations of each class, class 5 & 6 land is generally suitable only for grazing with careful management, and class 7 land is unsuitable for agricultural use (Grose 1999). According to the State Policy on the Protection of Agricultural Land 2009 land classified as class 1, 2 and 3 is defined as prime agricultural land. The revised Protection of agricultural land policy also has provision for the protection of significant agricultural land from other land classes, and in particular land within declared irrigation districts. Therefore, the task of the current land capability assessment was to confirm the published land capability mapping of the area, and further define the agricultural capability of the site.

The property is classified as Class 4 agricultural land and according to Grose (1999):

**CLASS 4** land is defined as:

Land primarily suitable for grazing but which may be used for occasional cropping. Severe limitations restrict the length of cropping phase and/or severely restrict the range of crops that could be grown. Major conservation treatments and/or careful management is required to minimise degradation. Cropping rotations should be restricted to one to two years out of ten in a rotation with pasture or equivalent, during 'normal' years to avoid damage to the soil.

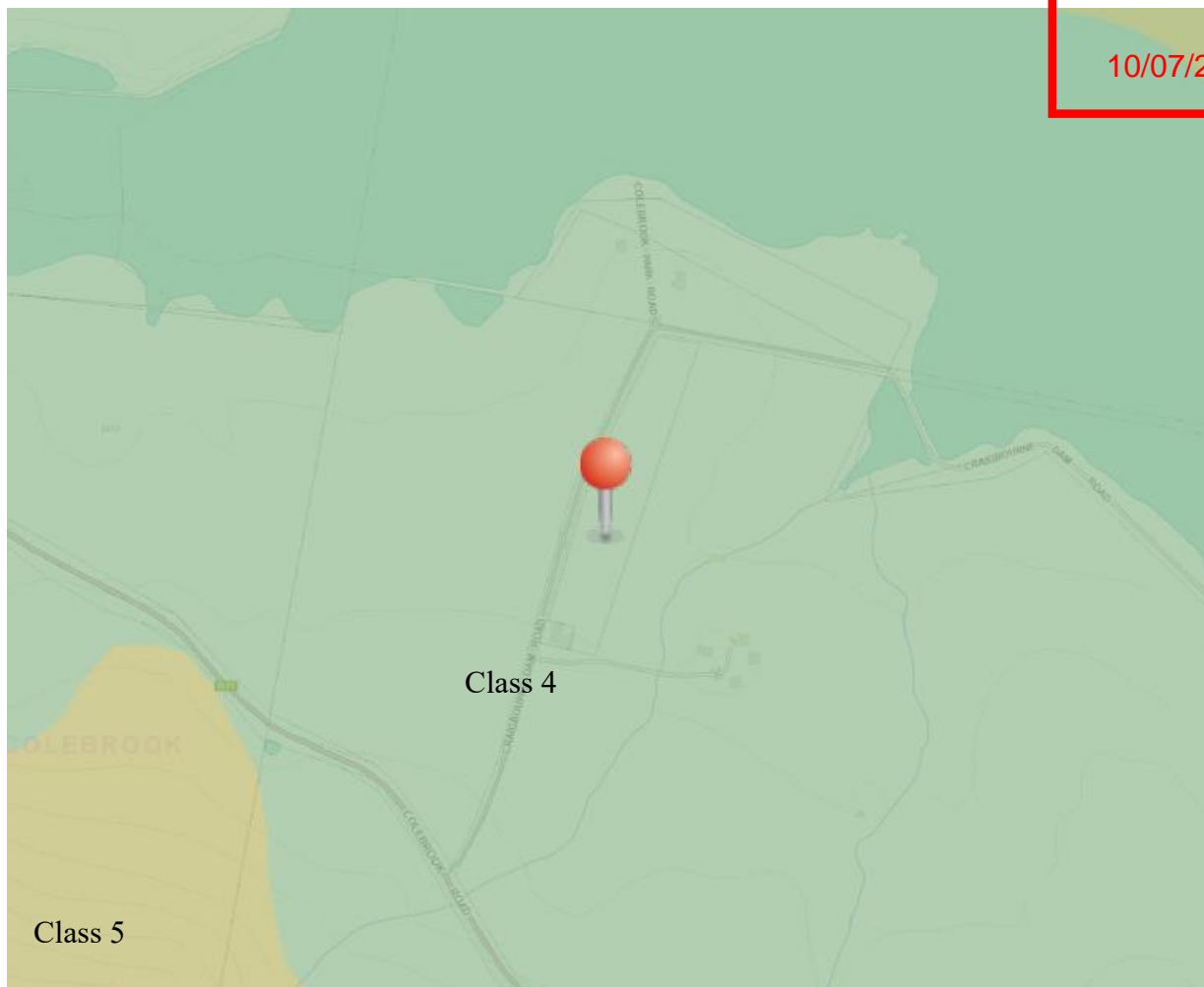


Figure 10 – Land Classification boundaries from Land Capability Survey of Tasmania, (Musk and DeRose, 2000)

### 3.1 Agricultural Land Use

The project area is classified as Class 4 agricultural land. None of the examined land is prime agricultural land as defined under the State Protection of Agricultural Land Policy 2009. The site is capable of supporting a restricted range of crops and a moderate level of grazing. It is mainly limited because of low average annual rainfall and cold winter soil temperatures for pasture or crop growth. The property also does not have any watercourses or farm dams for water access, and has limited potential for future water access. The proposed future land use following the boundary adjustment is consistent with current land use as a grazing property associated with rural residential use and the land use of surrounding properties which also support rural residential use with associated grazing and limited cropping.

The boundary reorganization will allow the existing buildings and wastewater system for the existing dwelling to be contained entirely within a new lot as the existing house lot is currently too small (approx. 780m<sup>2</sup>) to allow this. Following field inspection of the land suggested for the boundary adjustment, it is clear the capability of the land is suited for continued agricultural use, providing suitable land management techniques are utilised to maintain soil resources regardless of the boundary adjustment.

#### 4 Planning Scheme – Agriculture Zone

The stated objective of Clause 21.5.1 for a development standard for subdivision of the Tasmanian Planning Scheme – Southern Midlands is:

*To provide for subdivision that:*

- (a) relates to public use, irrigation infrastructure or Utilities; and*
- (b) protects the long-term productive capacity of agricultural land.*

The conditions whereby a boundary adjustment will be approved are outlined in the Table 1. To demonstrate compliance with the zone standards the development must demonstrate compliance with Clause 21.5.1 (Subdivision). As there is no acceptable solution (A1) the development must satisfy the performance criteria (P1). Summary comments relating to compliance of each performance criteria are also outlined in the Tables on the following pages:

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**Table 1** Clause 21.5.1 P1

Acceptable Solutions	Performance Criteria	Comments
<p>A1</p> <p><i>Each lot, or a lot proposed in a plan of subdivision, must:</i></p> <p><i>(a) be required for public use by the Crown, a council or a State authority;</i></p> <p><i>(b) be required for the provision of Utilities or irrigation infrastructure; or</i></p> <p><i>(c) be for the consolidation of a lot with another lot provided both lots are within the same zone.</i></p>	<p>(a) provide for the operation of an agricultural use, having regard to:</p> <ul style="list-style-type: none"> <li>(i) not materially diminishing the agricultural productivity of the land;</li> <li>(ii) the capacity of the new lots for productive agricultural use;</li> <li>(iii) any topographical constraints to agricultural use; and</li> <li>(iv) current irrigation practices and the potential for irrigation;</li> </ul>	<ul style="list-style-type: none"> <li>(i) The boundary adjustment will not diminish the agricultural productivity of the land. No works or changes to the land or ability to grow pasture or crops in the soil will result from the proposal.</li> <li>(ii) No new lots are proposed. The capacity of the land to support agriculture will not change as part of the proposal.</li> <li>(iii) Both lots do not have any topographical constraint for agricultural use.</li> <li>(iv) There is currently no irrigation on site and there will be no change to water access or irrigation potential.</li> </ul>
	<p>(b) be for the reorganisation of lot boundaries that satisfies all of the following:</p> <ul style="list-style-type: none"> <li>(i) provides for the operation of an agricultural use, having regard to: <ul style="list-style-type: none"> <li>a. not materially diminishing the agricultural productivity of the land;</li> <li>b. the capacity of the new lots for productive agricultural use;</li> <li>c. any topographical constraints to agricultural use; and</li> <li>d. current irrigation practices and the potential for irrigation;</li> </ul> </li> <li>(ii) all new lots must be not less than 1ha in area;</li> <li>(iii) existing buildings are consistent with the setback required by clause 21.4.2 A1 and A2;</li> </ul>	<ul style="list-style-type: none"> <li>(i) a) the boundary adjustment will have no impact on the agricultural productivity of the land.</li> <li>b) both lots can remain in the same agricultural production after the boundary adjustment. There is no change to the productive capacity of the soils on each lot.</li> <li>c) Both lots do not have any constraint for agricultural use.</li> <li>d) there is currently no irrigation on the lots and there will be no change to water access or potential irrigation on the lots.</li> <li>(ii) Both proposed lots are larger than 1ha.</li> <li>(iii) Refer to 21.4.2 A2 Table below</li> <li>(iv) Both lots will have access via Craighourne Dam Road.</li> <li>(v) The proposed works are only to adjust the internal boundary, which will not create any additional lots</li> </ul>

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	<p>(iv) all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use; and</p> <p>(v) it does not create any additional lots; or</p>	
	<p>be for the excision of a use or development existing at the effective date that satisfies all of the following:</p> <p>(i) the balance lot provides for the operation of an agricultural use, having regard to:</p> <p>a. not materially diminishing the agricultural productivity of the land;</p> <p>b. the capacity of the balance lot for productive agricultural use;</p> <p>c. any topographical constraints to agricultural use; and</p> <p>d. current irrigation practices and the potential for irrigation;</p> <p>(ii) an agreement under section 71 of the Act is entered into and registered on the title preventing future Residential use if there is no dwelling on the balance lot;</p> <p>(iii) any existing buildings for a sensitive use must meet the setbacks required by clause 21.4.2 A2 or P2 in relation to setbacks to new boundaries; and</p> <p>(iv) all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use.</p>	<p>n/a</p>



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## 21.4.2 P2

Acceptable Solutions	Performance Criteria	Comments
<p><i>Buildings for a sensitive use must have a setback from all boundaries of:</i></p> <p>(a) <i>not less than 200m; or</i></p> <p>(b) <i>if the setback of an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.</i></p>	<p><b>P2</b></p> <p>Buildings for a sensitive use must be sited so as not to conflict or interfere with an agricultural use, having regard to:</p> <p>(a) the size, shape and topography of the site;</p> <p>(b) the prevailing setbacks of any existing buildings for sensitive uses on adjoining properties;</p> <p>(c) the location of existing buildings on the site;</p> <p>(d) the existing and potential use of adjoining properties;</p> <p>(e) any proposed attenuation measures; and</p> <p>(f) any buffers created by natural or other features.</p>	<p>a) proposed lot 1 has an existing sensitive use dwelling which is not conflicting with the site. The residential dwelling is surrounded by trees and the land fenced around for grazing. The existing dwelling is also located close (&lt;200m) from a dwelling on the adjacent property to the east, and within 500m of dwellings on adjacent properties to the north and west.</p> <p>b) the exiting dwelling is located within 200m of a sensitive residential use on the adjoining property to the east such that it is in a zone of existing long term rural residential use</p> <p>c) the existing dwelling and outbuildings have been in place for many years and are located with separation from the adjacent property afforded by trees on one side and roadways on the other two sides.</p> <p>d) the immediately adjoining property to the east has a mix of rural residential and grazing use according to long term land use mapping. This land use has low potential to cause conflicts between the adjacent properties.</p> <p>e) n/a</p> <p>f) the presence of a tree line on the eastern boundary, public roadways to the west and north, plus the private roadway to the south provide physical separation.</p>

## 5 CONCLUSIONS

- The property and the land immediately surrounding the properties are predominantly classified as Class 4 land for agricultural use.
- None of the land examined is prime agricultural land as defined under the State Protection of Agricultural Land Policy 2009
- The land does not have identified regional agricultural significance.
- The land is suitable for continued grazing and limited cropping.
- The land assigned to the new lot and balance will not reduce the ability of agricultural use.
- The proposed boundary adjustment will allow continued access to both lots and position the outbuildings and wastewater system associated with the existing dwelling within the new lot boundary of lot 1.
- The property and surrounding properties have supported rural residential use in conjunction with agriculture for many years and the proposal will not affect this land use mix into the future.
- The proposed boundary reorganisation will not in any way restrict or hinder the use of land for agricultural purposes on adjoining lots.



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

## REFERENCES

Grose. C.J. (1999). Land Capability Survey Handbook: Guidelines for the Classification of Agricultural Land in Tasmania – Second Edition, Department of Primary Industries, Water and Environment, Tasmania

Musk R. and De Rose R. (2000), Land Capability Survey of Tasmania. Derwent Report. Department of Primary Industries, Water and Environment, Tasmania, Australia.

Noble K E (1992). Land Capability Survey Handbook. Department of Primary Industries, Water and Environment, Tasmania

## Appendix 1 – Proposed plans







## SEARCH OF TORRENS TITLE

10/07/2025

VOLUME	FOLIO
116613	1
EDITION	DATE OF ISSUE
10	23-Nov-2024

SEARCH DATE : 20-Jan-2025

SEARCH TIME : 12.08 PM

DESCRIPTION OF LAND

Parish of ORMAIG, Land District of MONMOUTH  
Lot 1 on Plan 116613  
Being the land described in Conveyance 57/5537  
Derivation : Part of 299-0-0 Granted to A. Tolmey  
Derived from W2753

SCHEDULE 1

N217912 TRANSFER to PHILLIP KENNEDY MURPHY and ROSEANNE JOY  
MURPHY Registered 23-Nov-2024 at noon

SCHEDULE 2

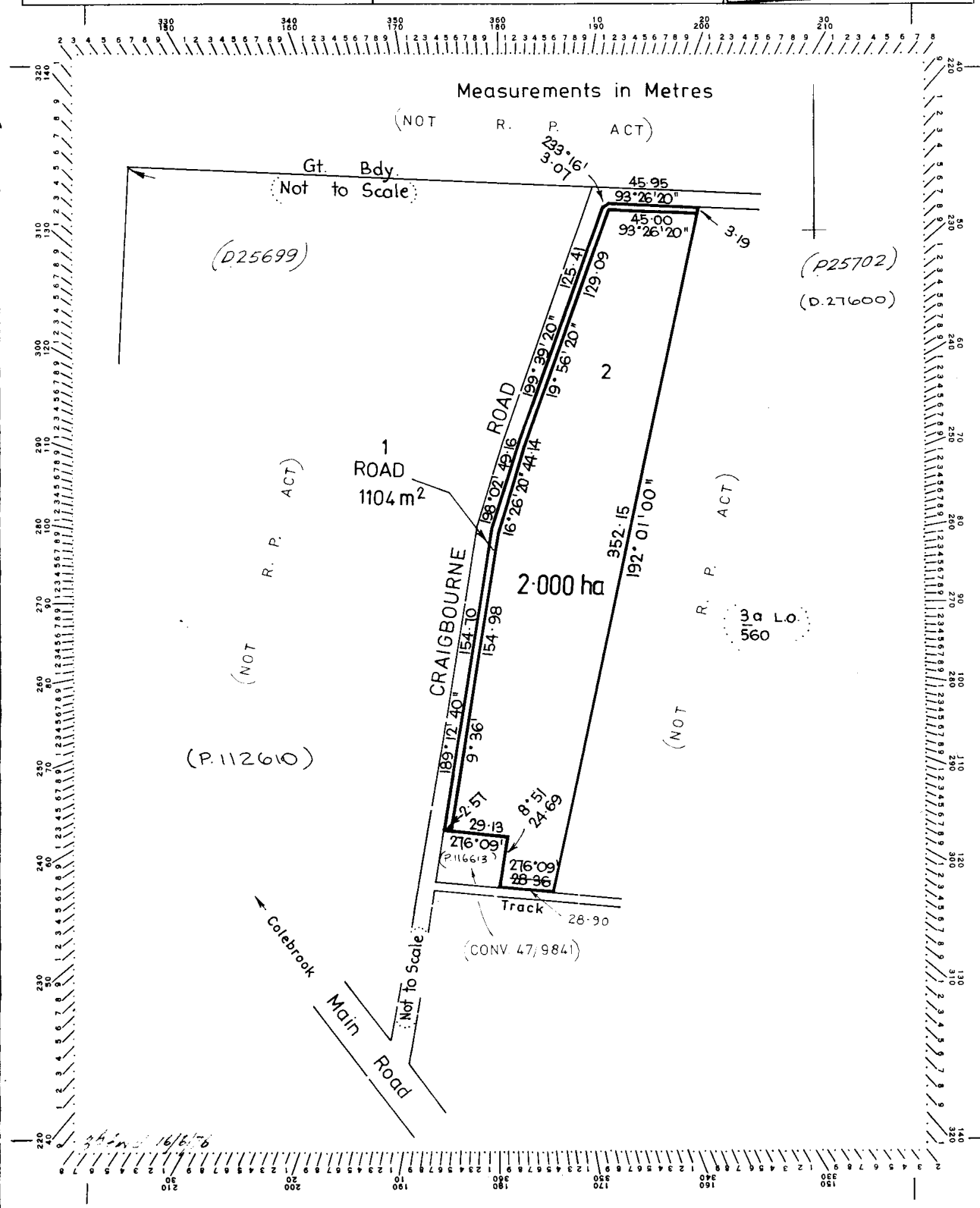
Reservations and conditions in the Crown Grant if any  
E399908 MORTGAGE to National Australia Bank Limited  
Registered 23-Nov-2024 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

10/07/2025

Owner: James Byers Zantuck & Mervyn George Zantuck	PLAN OF SURVEY by Surveyor G. R. Jackson of land situated in the	Registered Number: <b>S.P 8222</b>
Title Reference: Conv. 30/5466	LAND DISTRICT-MONMOUTH PARISH - ORMAIG	Effective from: - 5 AUG 1976
Grantee: Part of <sup>Lot 80</sup> 299 acres Andrew Tolmey Pur.	Scale 1 : 2000	<b>P/I</b> <i>W. Hutchinson</i> Recorder of titles



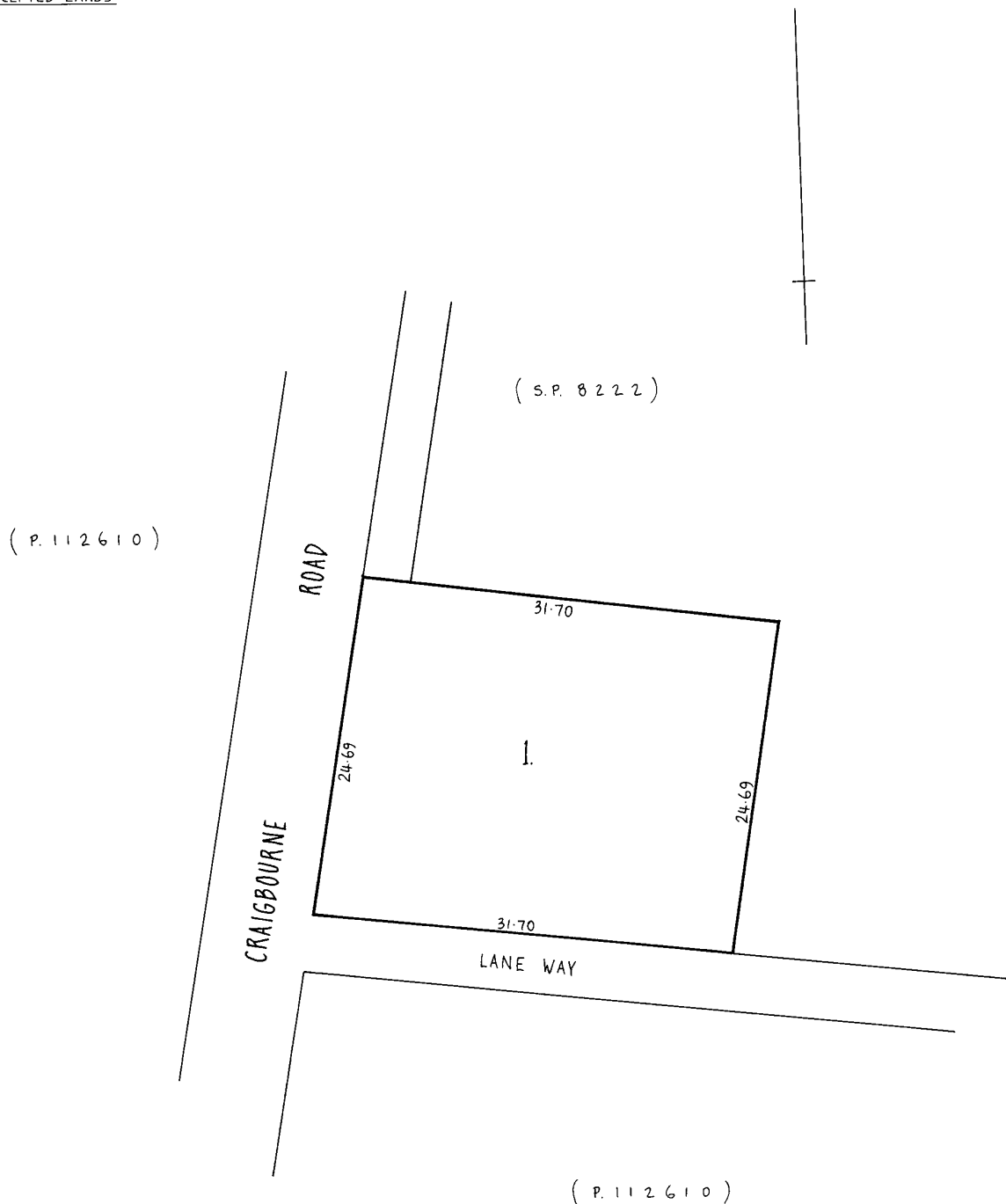


10/07/2025

FILE NUMBER W. 2753		<b>CONVERSION PLAN</b>		REGISTERED NUMBER
GRANTEE PART OF LOT 86, 299.0.0. GTD. TO ANDREW TOLMEY		LOCATION MONMOUTH - ORMAIG		<b>P 116613</b>
		CONVERTED FROM 57 / 5537		APPROVED - 5 APR 1995
		NOT TO SCALE		<i>Michael Dine</i> Recorder of Titles
MAPSHEET MUNICIPAL CODE No. 28	LAST UPI No. 610	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN		DRAWN MC

**SKETCH BY WAY OF ILLUSTRATION ONLY**

"EXCEPTED LANDS"



A-183

## SEARCH OF TORRENS TITLE

10/07/2025

VOLUME	FOLIO
8222	2
EDITION	DATE OF ISSUE
10	23-Nov-2024

SEARCH DATE : 20-Jan-2025

SEARCH TIME : 12.02 PM

DESCRIPTION OF LAND

Parish of ORMAIG, Land District of MONMOUTH  
Lot 2 on Sealed Plan 8222  
Derivation : Part of Lot 86 Gtd to A Tolmey  
Prior CT 3551/19

SCHEDULE 1

N217912 TRANSFER to PHILLIP KENNEDY MURPHY and ROSEANNE JOY  
MURPHY Registered 23-Nov-2024 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any  
A534709 FENCING PROVISION in Transfer  
E399908 MORTGAGE to National Australia Bank Limited  
Registered 23-Nov-2024 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

## SEARCH OF TORRENS TITLE

10/07/2025

VOLUME	FOLIO
112610	1
EDITION	DATE OF ISSUE
7	29-Nov-2022

SEARCH DATE : 20-Jan-2025

SEARCH TIME : 01.55 PM

DESCRIPTION OF LAND

Parish of ORMAIG, Land District of MONMOUTH  
Lot 1 on Plan 112610  
Being the land described in Conveyance 52/1042  
Excepting thereout [Lot 1 SP 8222] [Lot 2 95/80 DO 44/3573]  
[Lot 1 P25702] [Lot 1 D27600] and [Lot 1 D27603]  
Derivation : Part of Lot 86 [299 acres] granted to Andrew  
Tolmey  
Derived from A14192

SCHEDULE 1

N103651 TRANSFER to FRASER JOHN MILLER and MELINA NARDI  
Registered 29-Nov-2022 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any  
B22901 BURDENING EASEMENT: the full and free right and  
liberty for The Crown from time to time and at all  
times to submerge either wholly or in part for any  
length of time and from time to time to again expose  
to the air wholly or in part and for any length of  
time in respect of the land marked "Flood Easement"  
on Plan 112610  
B104268 TRANSFER of Burdening Easement created by B22901 in  
favour of RIVERS & WATER SUPPLY COMMISSION  
D69500 VESTING of the Burdening Easement created by B22901  
is now in favour of Tasmanian Irrigation Pty Ltd  
Registered 04-Oct-2012 at noon  
E325139 MORTGAGE to Commonwealth Bank of Australia  
Registered 29-Nov-2022 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



10/07/2025

S.P. 8222

7



**SCHEDULE OF EASEMENTS**

**PLAN NO.**

NOTE:—The Town Clerk or Council Clerk must sign the certificate on the back page for the purpose of identification.

**S.P. 8222**

The Schedule must be signed by the owners and mortgagees of the land affected. Signatures should be attested.

No Easements or profits a prender are created to benefit or burden any lot shown on the plan.

SIGNED by DOBSON, MITCHELL & ALLPORT  
Solicitors for JAMES BYLRS ZANTUCK  
and MERVYN GEORGE ZANTUCK the  
Registered Proprietors of the land  
comprised in Conveyance No. 30/5466  
in the presence of

*M. Backett  
Lawyer  
Hobart*

SIGNED by GORDON WILLIAM LAWRENCE  
as Attorney of the COMMERCIAL BANK  
OF AUSTRALIA as Mortgagee under  
Mortgage No. 30/5467.  
In the presence of;

*William Lawrence*  
Bank Officer,  
Hobart.

DOBSON, MITCHELL & ALLPORT

PER: *[Signature]*

**THE COMMERCIAL BANK  
OF AUSTRALIA LIMITED**  
By its Attorney

*[Signature]*

8222

Certified correct for the purposes of the Real Property Act 1862, as amended.

DORSON, MITCHELL & ALLPORT.

PER: 

*Subdivider/Solicitor for the Subdivider*


This is the schedule of easements attached to the plan of JAMES BYERS ZANTUCK

AND MAERVYN GEORGE ZANTUCK comprising part of the land in

CONV 30/5446

(Insert Title Reference)

Sealed by RICHMOND COUNCIL on 11-5-1976

  
Council Clerk/Town Clerk

50740