CENTRAL COAST COUNCIL

PO Box 220
19 King Edward Street
Ulverstone Tasmania 7315
Tel (03) 6429 8900

admin@centralcoast.tas.gov.au
www.centralcoast.tas.gov.au

Alistair Bracken

Application for Planning

S.57 Land Use Planning and Approvals Act 1993

The following application has been received:

Application No.: **DA2026026**

Location: **Browns Lane, Penguin (CT211744/1)**

Proposal: **Residential - single dwelling**

The application may be inspected at the Administration Centre, 19 King Edward Street, Ulverstone during Office hours and on the council's website: www.centralcoast.tas.gov.au Any person may make representation in relation to the applications (in accordance with S.57(5) of the Act) by writing to the Chief Executive Officer, PO Box 220, Ulverstone 7315 or by email to admin@centralcoast.tas.gov.au and quoting the Application No. Any representations received by the Council are classed as public documents and will be made available to the public where applicable under the *Local Government (Meeting Procedures) Regulations 2025*.

The representation must be made on or before **10 March 2026**

Date of Notification: **21 February 2026**

Vicki Brereton
CHIEF EXECUTIVE OFFICER

CENTRAL COAST COUNCIL
PO Box 220
19 King Edward Street
ULVERSTONE TASMANIA 7315
Ph: (03) 6429 8900
Email: planning@centralcoast.tas.gov.au
www: centralcoast.tas.gov.au

Land Use Planning and Approvals Act 1993

Tasmanian Planning Scheme – Central Coast

PLANNING PERMIT APPLICATION

CENTRAL COAST COUNCIL
LAND USE PLANNING
Received: 6/02/2026
Application No: DA2026026
Doc ID: 544416

Office use only: *Zone:* *Permit Pathway – NPR/Permitted/Discretionary*

Use or Development Site:

Site Address Browns Lane, Penguin Tas 7316

Certificate of Title Reference Folio 1 Volume 211744
PID 6764378

Land Area 5.1 Hectares

Heritage Listed Property **NO** [X] **YES** [ ]

Applicant(s)

First Name(s) Raymond
Bernadette

Surname(s) Natoli
Catney

Company name (if applicable)

Contact No: 0412 041 091

Postal Address: PO Box 158, Penguin Tas 7316

Email address: ray@penguinvalleyfarm.com.au berniecatney@hotmail.com

Please tick box to receive correspondence and any relevant information regarding your application via email. [X]

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

First Name(s) Raymond
Bernadette

Middle Names(s) Eugene

Surname(s) Natoli
Catney

Company name (if applicable)

Postal Address: PO Box 158, Penguin Tas 7316

PERMIT APPLICATION INFORMATION (If insufficient space for proposed use and development, please attach separate documents)

"USE" is the purpose or manner for which land is utilised.

Proposed Use Single dwelling

Use Class
Office use only

"Development" is the works required to facilitate the proposed use of the land, including the construction or alteration or demolition of buildings and structures, signs, any change in ground level and the clearing of vegetation.

Proposed Development (please submit all documentation in PDF format to planning@centralcoast.tas.gov.au separating A4 documents & forms from A3 documents).

Single dwelling with driveway for access from property boundary to dwelling location.

Small amount of clearance of regrowth vegetation to comply with bushfire management requirements.
Dwelling and access route to be located on previously disturbed areas to minimise disturbance.

Value of the development – (to include all works on site such as outbuildings, sealed driveways and fencing)

$....$200,000..... Estimate/ ~~Actual~~

Total floor area of the development .....172.m^2

Declaration of Notice to Landowner

If land is NOT in the applicant's ownership

I , declare that the owner/each of the owners of the land has been notified of the intention to make this permit application under section 52(1) of the *Land Use Planning and Approvals Act 1993*.

Signature of Applicant Date

If the application involves land within a Strata Corporation

I , declare that the owner/each of the owners of the body corporation has been notified of the intention to make this permit application.

Signature of Applicant Date

If the application involves land owned or administered by the CENTRAL COAST COUNCIL

Central Coast Council consents to the making of this permit application.

General Managers Signature _____ Date

If the permit application involves land owned or administered by the CROWN

I, _____ the Minister

responsible for the land, consent to the making of this permit application.

Minister (Signature) _____ Date

NB: If the site includes land owned or administered by the Central Coast Council or by a State government agency, the consent in writing (a letter) from the Council or the Minister responsible for Crown land must be provided at the time of making the application - and this application form must be signed by the Council or the Minister responsible.

Applicants Declaration

I/ we Raymond Natoli & Bernadette Catney
declare that the information I have given in this permit application to be true and correct to the best of my knowledge.

Signature of Applicant/s _____ Date 4th Feb 2026

Office Use Only	
Planning Permit Fee	$ .....
Public Notice Fee	$ .....
Permit Amendment / Extension Fee	$ .....
No Permit Required Assessment Fee	$ .....
TOTAL	$ .....
Validity Date	

RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
211744	1
EDITION	DATE OF ISSUE
5	30-Mar-2011

SEARCH DATE : 17-Dec-2025
SEARCH TIME : 12.10 pm

DESCRIPTION OF LAND

Parish of ASHWATER, Land District of DEVON
Lot 1 on Plan 211744
Derivation : The whole of Lot 31651 Gtd to The Warden Councillors & Electors of the Municipality of Penguin
Prior CT 2489/71

SCHEDULE 1

C457252 TRANSFER to RAYMOND EUGENE NATOLI and BERNADETTE CATNEY Registered 30-Sept-2003 at 12.02 pm

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

PLAN OF SURVEY

REGISTERED NUMBER
SP177196

OWNER: THE CROWN, RAYMOND EUGENE NATOLI & BERNADETTE CATNEY

FOLIO REFERENCE: SECTION 27A (APPL.) (M762547) ~~UNDER~~ F.R. 51217/3

GRANTEE: PART OF LOT 35506, 104A - OR - 11P Gtd. To: RODERICK JOHN McGLONE & DALIE MYRA McGLONE. & (SEE BELOW FOR CONTINUATION)

BY SURVEYOR: MALCOLM ALBERT COLIN LESTER of VERIS

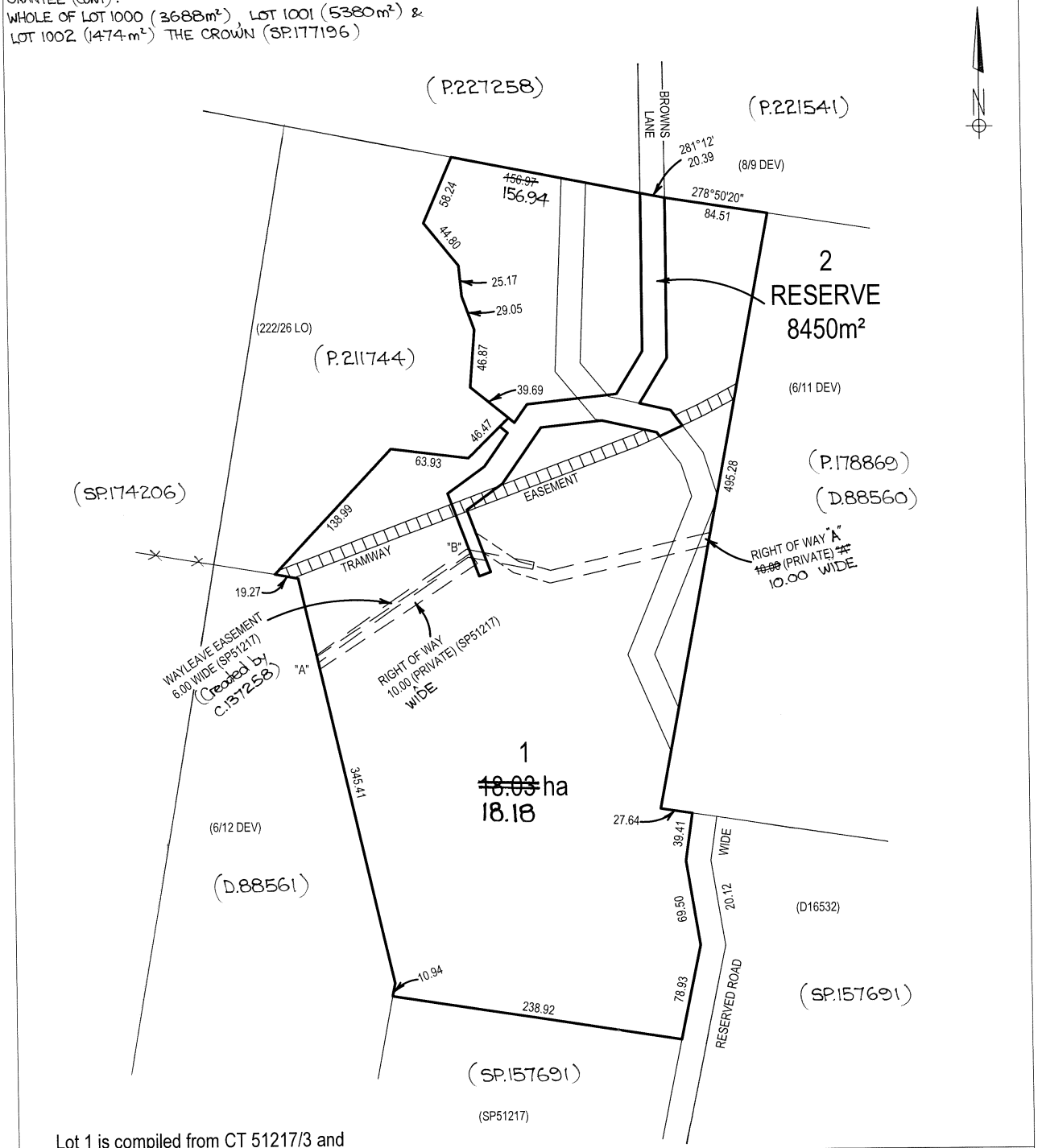
LOCATION: DEVON - ASHWATER ~~TOWN OF PENGUIN~~

APPROVED
EFFECTIVE FROM 14 JAN 2021
Recorder of Titles

SCALE 1:3000 | LENGTHS IN METRES | Surveyors Ref: D15023 F01-1

MAPSHEET MUNICIPAL CODE No. ~~108~~ 104 (4044)(4244) | LAST UPI No | LAST PLAN SP51217 | ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN

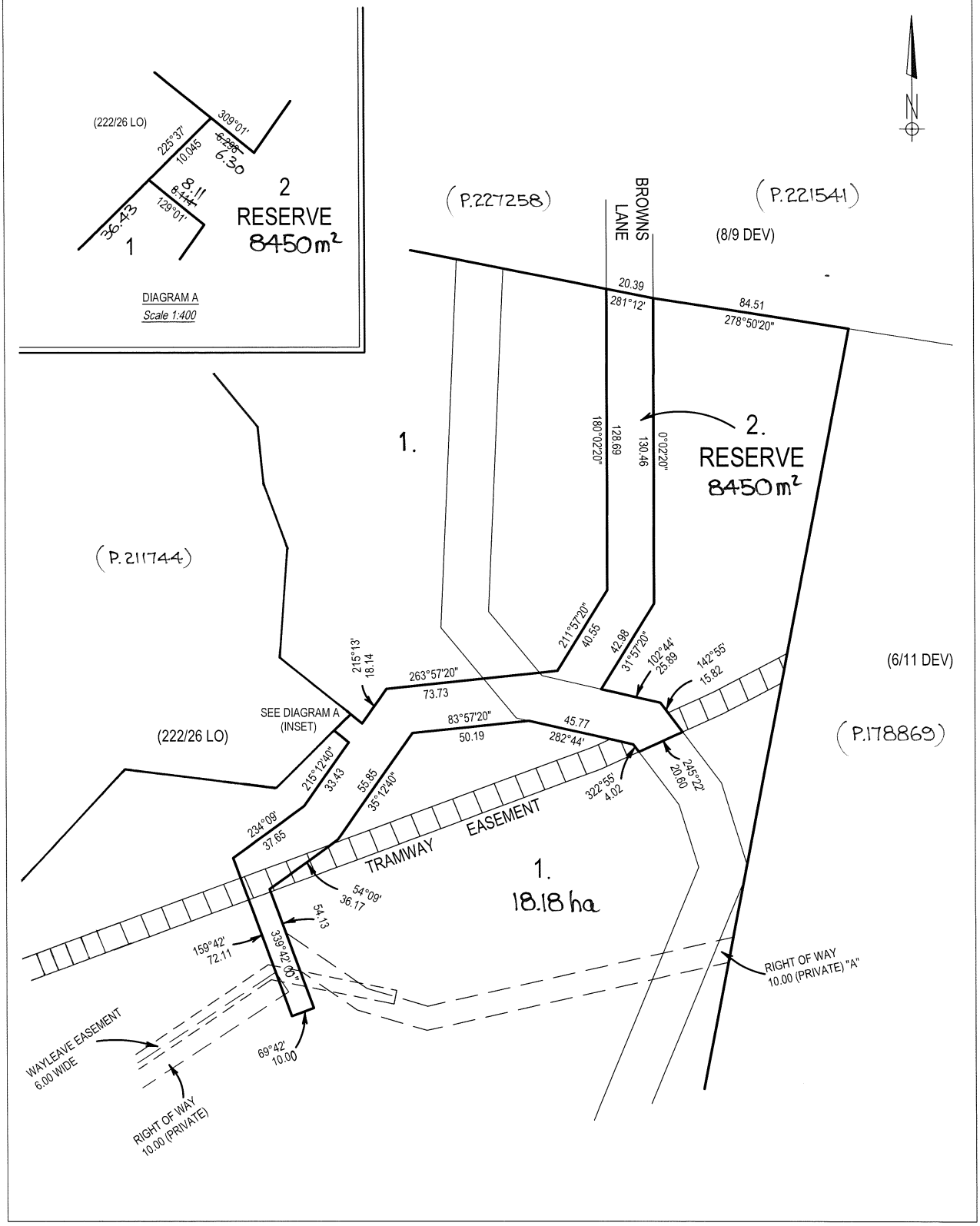
GRANTEE (CONT):
WHOLE OF LOT 1000 (3688m²), LOT 1001 (5380m²) & LOT 1002 (1474m²) THE CROWN (SP.177196)

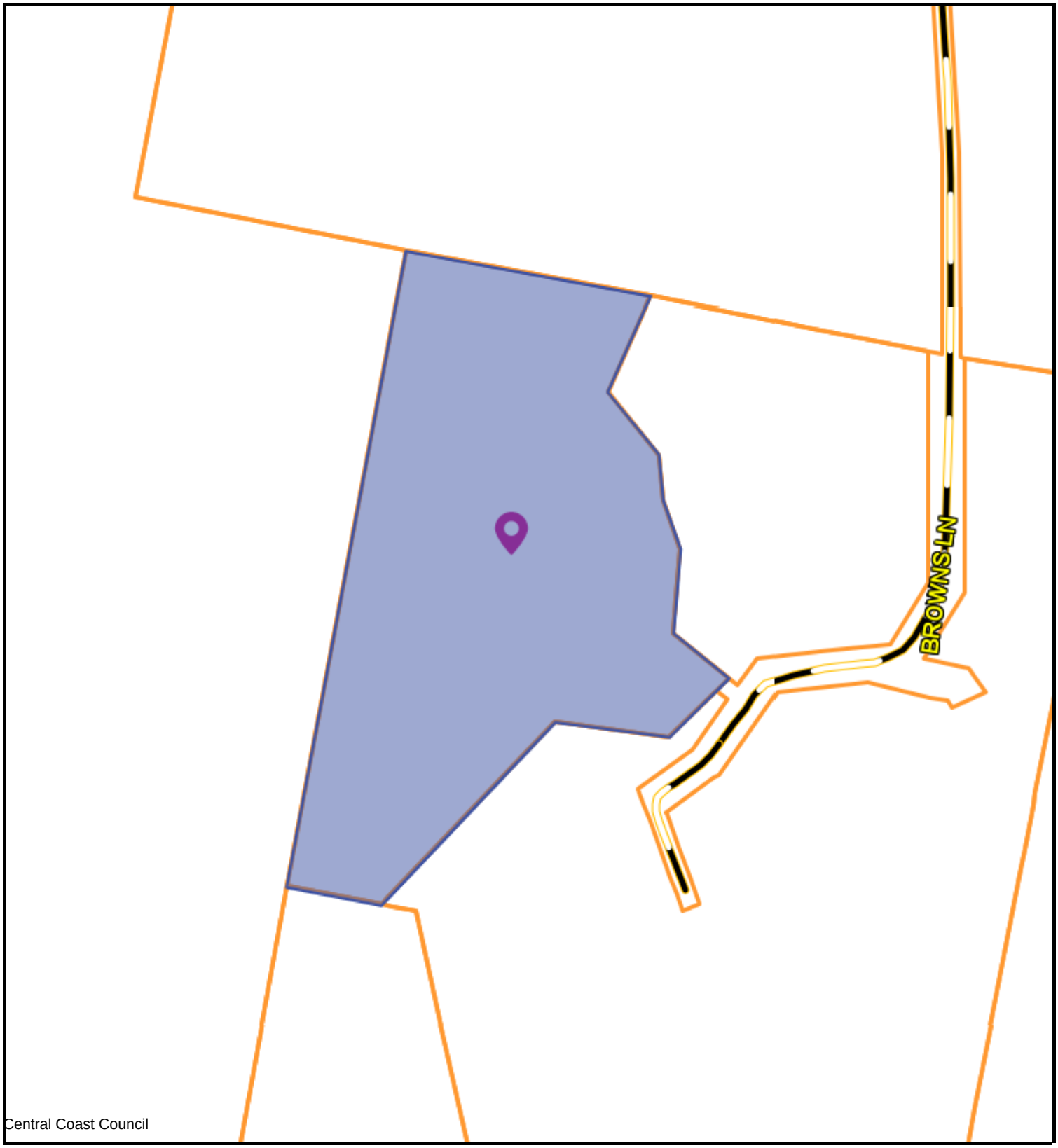


Lot 1 is compiled from CT 51217/3 and this survey

Sandra Sykes 23/9/19
COUNCIL DELEGATE DATE

PLAN OF SURVEY ANNEXURE SHEET SHEET 1 OF 1 SHEETS	OWNER R.E NATOLI & B. CATNEY FOLIO REFERENCE SECTION 27A (APPL.) UNDER F.R. 51217/3 SCALE 1: 1500 LENGTHS IN METRES	Registered Number SP 177196
SIGNED FOR IDENTIFICATION PURPOSES Council Delegate Date 23/9/19	THIS ANNEXURE SHEET FORMS PART OF THE ATTACHED INDEX PLAN. THE SURVEYORS CERTIFICATE EXTENDS TO DETAILS ON THIS SHEET Registered Land Surveyor Date 13/9/19	APPROVED EFFECTIVE FROM 14 JAN 2021 Recorder of Titles





CENTRAL COAST COUNCIL
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18-Feb-2026

BROWNS LANE,
PENGUIN (CT211744/1)
DA2026026

IMPORTANT
This map was produced on the GEOCENTRIC DATUM OF AUSTRALIA 1994 (GDA94), which has superseded the Australian Geographic Datum of 1984 (AGD66/84). Heights are referenced to the Australia Height Datum (AHD). For most practical purposes GDA94 coordinates, and satellite derived (GPS) coordinates based on the World Geodetic Datum 1984 (WGS84), are the same.

50 m

Scale = 1:2940.840

PROJECT INFO
PROJECT ADDRESS: BROWNS LANE, PENGUIN 7316
OWNER NAME: R NATOLI
LAND TITLE REFERENCE: FOL 1 VOL 211744
PROPERTY ID: 6764378
PROJECT DESCRIPTION: PROPOSED RESIDENCE
COUNCIL NAME: CENTRAL COAST
BAL REPORT REF. : BAL29

DESIGNER DETAILS
DESIGNER NAME & LICENCE NO.: BEN LAUGHLIN LIC # 086400157
BUSINESS NAME & CONTACT DETAILS:AJM DRAFTING SERVICES PH: 0417669317 E: ben@ajmdrafting.com.au

GENERAL NOTES
BUILDER TO VERIFY ALL DIMENSIONS & LEVELS
BOUNDARY/SETBACK INFO INDICATIVE ONLY
READ WITH ALL ENGINEERING DOCUMENTS
UNDERGROUND SERVICES TO BE CONFIRMED
BAL REPORT TAKES PRECEDENCE (IF APPLICABLE)

PROJECT DATA
CLIMATE ZONE 7
BAL RATING 29
VEGETATION REPORT: BY OTHER

AREA SCHEDULE

SITE AREA:	51370m²
PROPOSED RESIDENCE	172m²

DRAWING SCHEDULE

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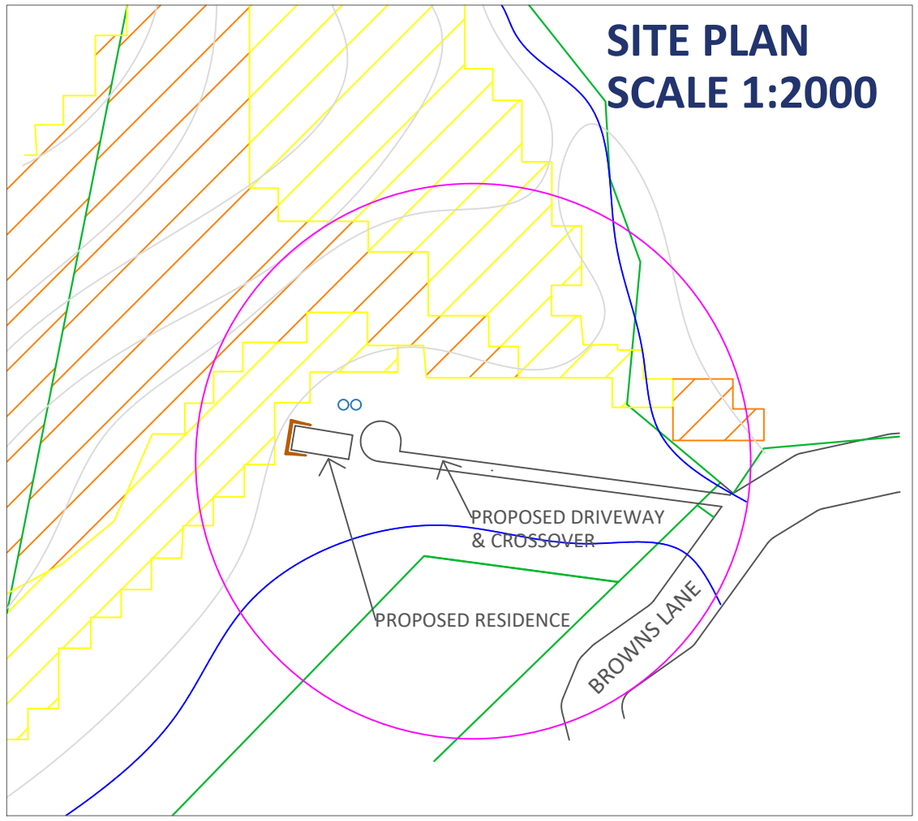
PLANS by:
AJM Drafting Services
ABN: 98 602 040 886
154 TARLETON ROAD, TARLETON
Ph: 0417 669 317 E: ben@ajmdrafting.com.au

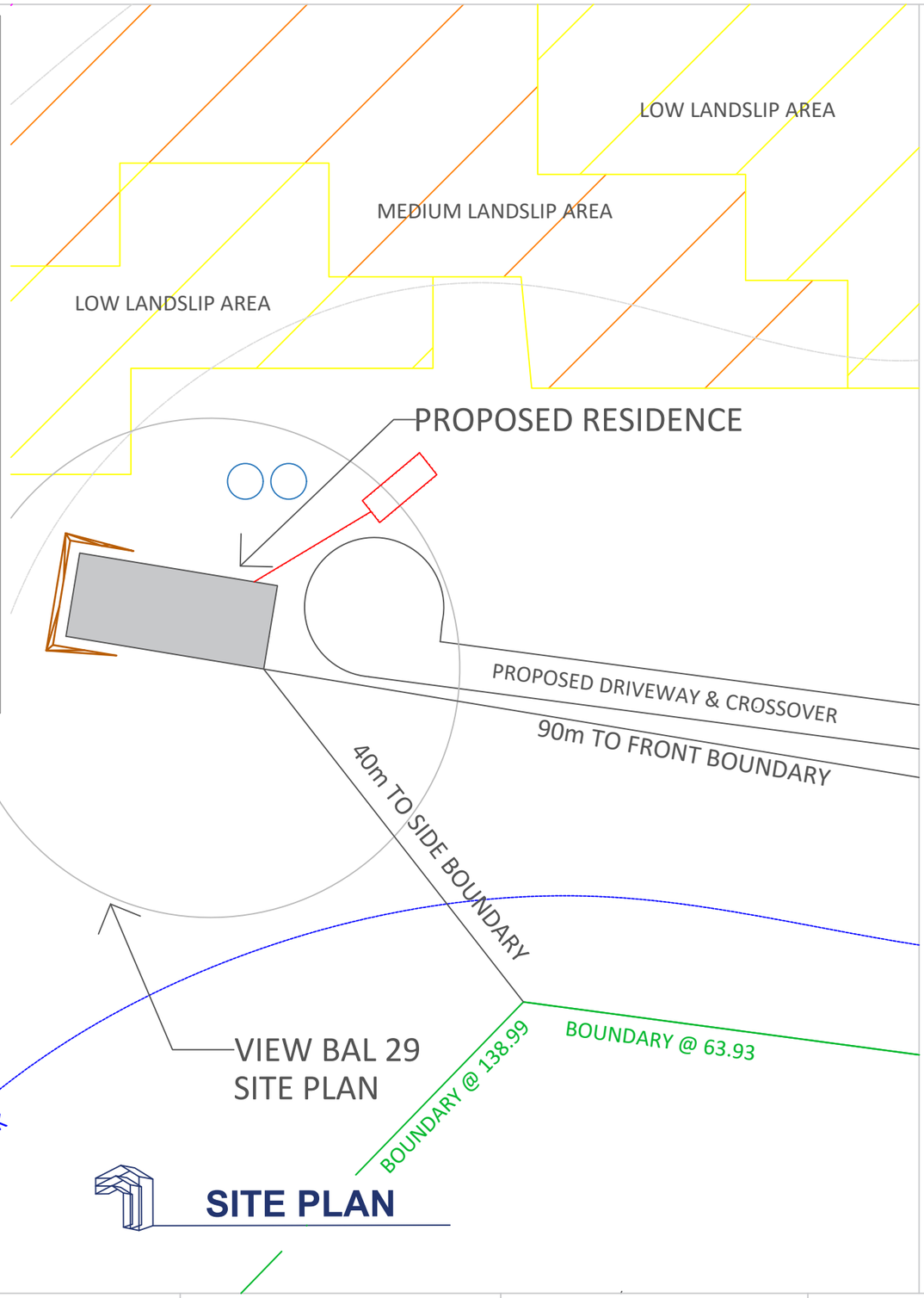
PROPOSED RESIDENCE
FOR: R NATOLI
AT: BROWNS LANE,
PENGUIN 7316

DATE PUBLISHED: 19/12/25
SCALE: 1:100
PAPER: A3
JOB No.: BROWNSLN

DRAWING:
COVER PAGE

01





LEGEND & NOTES

- CREEK
- PROPOSED WASTE WATER LOCATION
- BOUNDARY
- CONTOURS
- LOW LANDSLIP
- MED LANDSLIP
- STORMWATER

SITE PLAN NOTES

ALL WORKS TO COMPLY WITH NCC, AUSTRALIAN STANDARDS, TAS DIRECTOR'S DETERMINATIONS AND COUNCIL REQUIREMENTS.

BOUNDARIES, CONTOURS AND SERVICE LOCATIONS ARE INDICATIVE ONLY. NO SITE SURVEY WAS PROVIDED; ALL INFORMATION SHOWN IS BASED ON BEST AVAILABLE DATA AND MUST BE VERIFIED ON SITE.

BUILDER TO CONFIRM ALL DIMENSIONS, LEVELS, SETOUT AND FFL PRIOR TO COMMENCEMENT.

STORMWATER TO DISCHARGE TO COUNCIL ONSITE STORAGE TANK.

AJM DRAFTING SERVICES ACCEPTS NO RESPONSIBILITY FOR ANY ERRORS ARISING FROM UNVERIFIED SITE INFORMATION.

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IMPORTANT NOTE – CONTRACTOR RESPONSIBILITIES
BEFORE COMMENCING ANY WORKS, THE CONTRACTOR MUST ENSURE THAT:

ALL RELEVANT PRE-CONSTRUCTION CHECKS HAVE BEEN COMPLETED.
SITE ADDRESS, BOUNDARIES, LEVELS, AND DIMENSIONS ARE VERIFIED AND CORRECT.
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PRODUCTS AND MATERIALS SPECIFIED ARE CONFIRMED WITH THE OWNER PRIOR TO INSTALLATION.
DO NOT SCALE FROM DRAWINGS.
THE DESIGNER ACCEPTS NO RESPONSIBILITY FOR ERRORS ARISING FROM FAILURE TO VERIFY OR CONFIRM THE ABOVE.

REVISION:

NORTH:

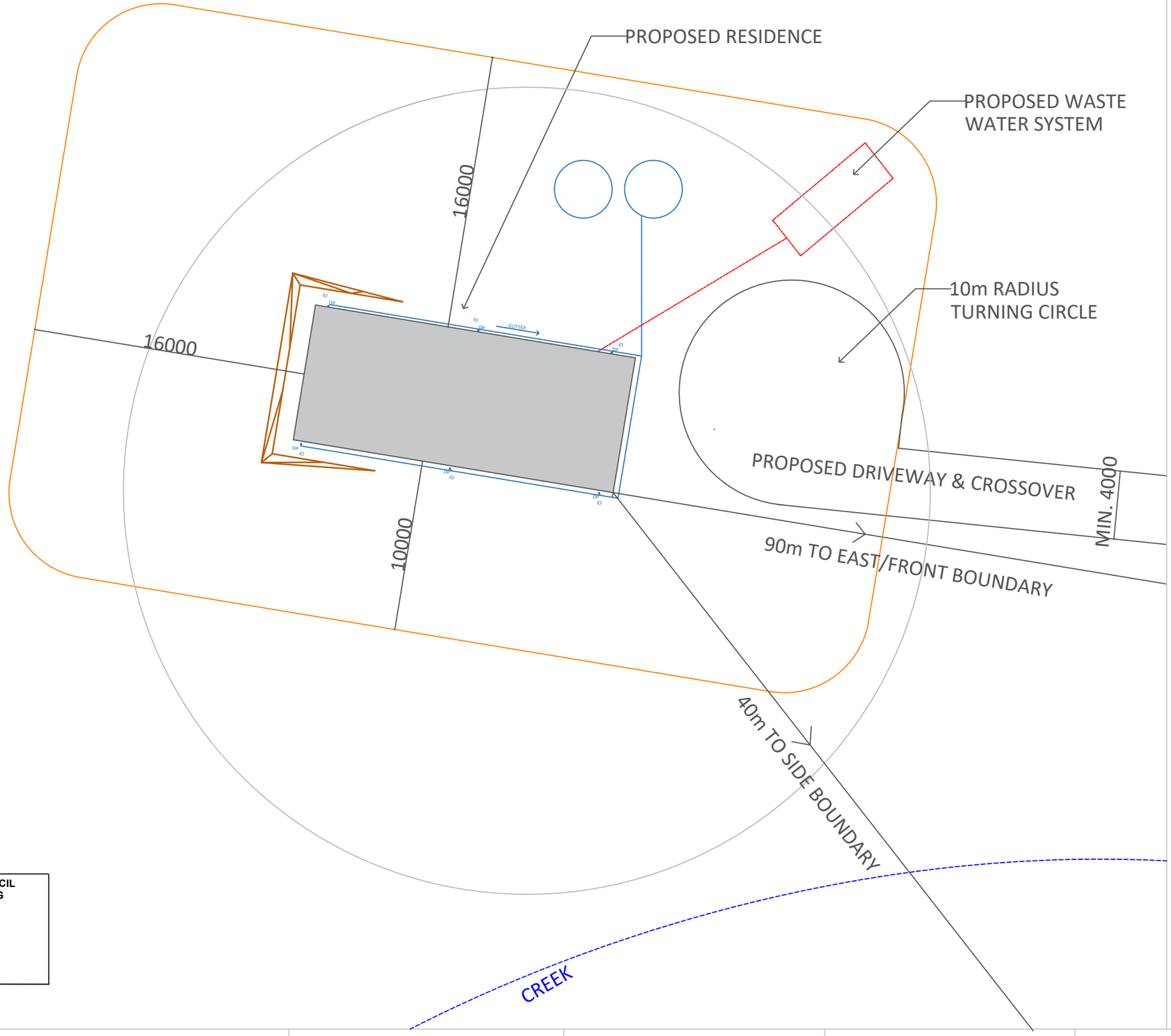
CHECKED AGAINST DIRECTOR'S DETERMINATION REQUIREMENTS

PROPOSED RESIDENCE
FOR: R NATOLI
AT: BROWNS LANE,
PENGUIN 7316

DATE PUBLISHED: 19/12/25
SCALE: 1:500
PAPER: A3
JOB No.: BROWNSLN

DRAWING:
SITE PLAN

02



LEGEND & NOTES

CREEK

PROPOSED WASTE WATER LOCATION

BOUNDARY

CONTOURS

BAL HAZARD MGMT AREA

BAL 29 ACCESS NOTES

A. ALL-WEATHER CONSTRUCTION
B. LOAD CAPACITY OF AT LEAST 20 TONNES, INCLUDING FOR BRIDGES AND CULVERTS
C. MINIMUM CARRIAGEWAY WIDTH OF 4M
D. MINIMUM VERTICAL CLEARANCE OF 4M
E. MINIMUM HORIZONTAL CLEARANCE OF 0.5M
F. CROSS FALLS OF <3°
G. DIPS <7°
H. CURVES WITH A MINIMUM INNER RADIUS OF 10M
I. MAXIMUM GRADIENT OF 15° FOR SEALED ROADS AND 10° FOR UNSEALED ROAD
J. TERMINATE WITH A TURNING AREA FOR FIRE APPLIANCES PROVIDED BY ONE OF THE FOLLOWING:
- A TURNING CIRCLE WITH A MINIMUM OUTER RADIUS OF 10M
- A PROPERTY ACCESS ENCIRCLING THE BUILDING
- - A HAMMERHEAD "T" OR "Y" TURNING 4M WIDE AND 8M LONG

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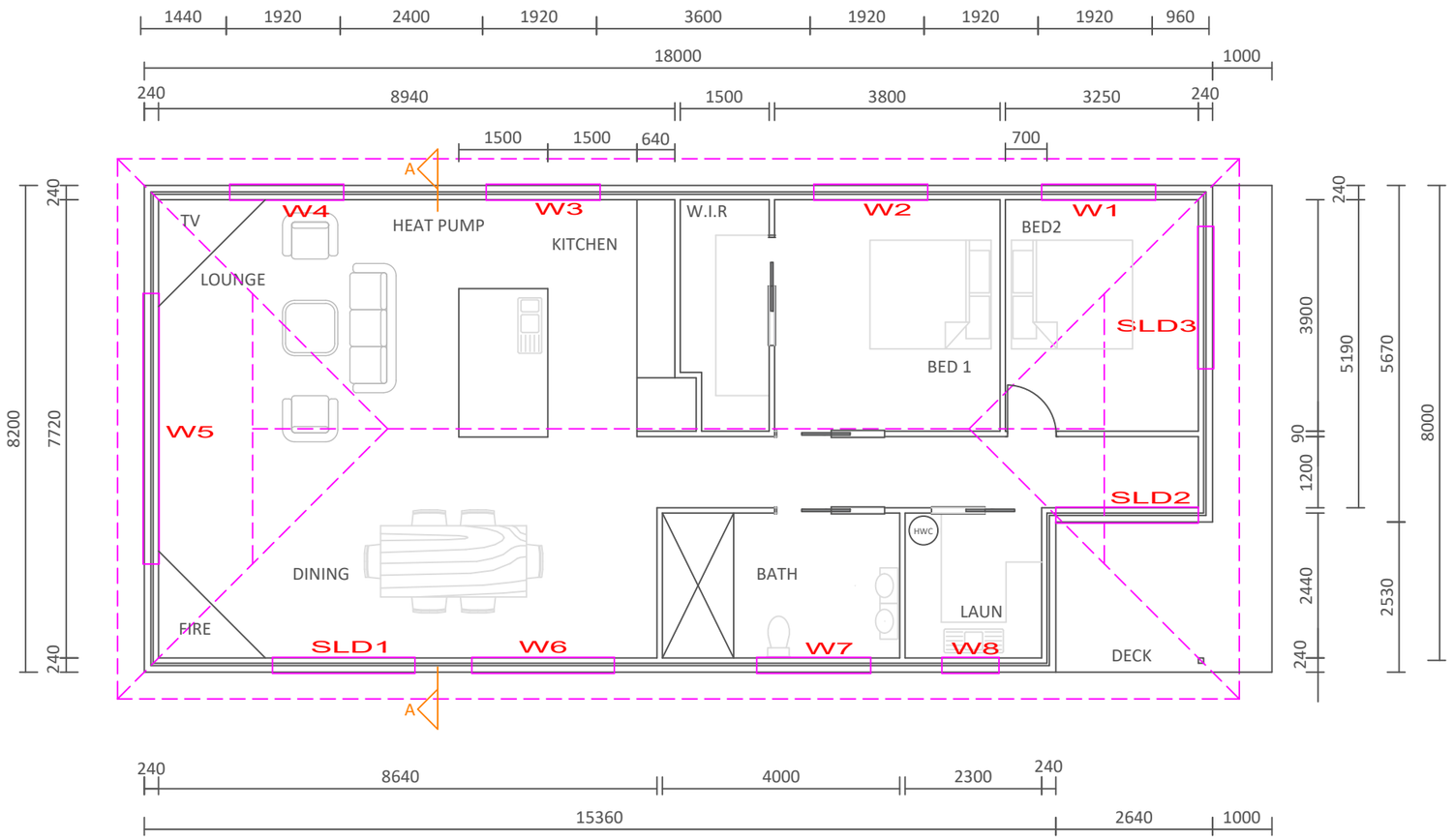
PROPOSED RESIDENCE
FOR: R NATOLI
AT: BROWNS LANE, PENGUIN 7316

DATE PUBLISHED: 19/12/25
SCALE: 1:250
PAPER: A3
JOB No.: BROWNSLN

DRAWING:
BAL 29 SITE PLAN

03



FLOOR PLAN

CENTRAL COAST COUNCIL
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FLOOR PLAN NOTES & KEY

BRICK VENEER WALL
(110B X 40C X 90W)

EXTERNAL CLADDED WALL WITH
20mm VENTILATION GAP
(90W X 20C X 20CL)

INTERNAL WALL (90mm)

WINDOWS

FLOOR PLAN NOTES

COMPLIANCE
ALL WORKS TO COMPLY WITH NCC, AUSTRALIAN STANDARDS, TAS DIRECTOR'S DETERMINATIONS & COUNCIL REQUIREMENTS. BAL-19 PER AS 3959.

VERIFICATION
BUILDER TO CHECK ALL DIMENSIONS, LEVELS & EXISTING CONDITIONS PRIOR TO WORKS. ANY DISCREPANCIES TO DESIGNER.

DIMENSIONS & SETOUT
FIGURED DIMENSIONS ONLY. ALL DIMENSIONS TO FRAMING UNLESS NOTED. SETOUT OF WALLS, OPENINGS & FIXTURES TO BE CONFIRMED ON SITE.

FLOOR LEVELS
FFL TO MATCH SITE PLAN & SURVEY DATUM. BUILDER TO VERIFY ON SITE.

STRUCTURE
STRUCTURAL MEMBERS, BRACING & TIE-DOWNS TO ENGINEER'S DESIGN & NCC/AS1684.

WET AREAS
WATERPROOFING TO NCC PART 10.2 & AS 3740.

SERVICES
PLUMBING TO PCA (NCC VOL 3).
ELECTRICAL TO AS/NZS 3000.
SMOKE ALARMS TO NCC 3.7.5 & AS 3786 (INTERCONNECTED & HARD-WIRED).

CONDENSATION / VENTILATION
COMPLY WITH TAS CONDENSATION DESIGNER'S GUIDE. WET-AREA EXHAUSTS TO DISCHARGE EXTERNALLY.

JOINERY & FIXTURES
LOCATIONS TO BE CONFIRMED ON SITE WITH OWNER/BUILDER.

WOOD HEATER
INSTALL TO AS/NZS 2918 & MANUFACTURER DETAILS. PROVIDE CERTIFICATION TO BS. MIN 400 MM CLEARANCE TO TRIPLE-SKIN FLUE. HEARTH PER MANUFACTURER OR 150 MM HIGH CFC/TILED HEARTH.

DISCLAIMER
READ WITH ENGINEER'S & OTHER CONSULTANT REPORTS. AJM DRAFTING SERVICES NOT RESPONSIBLE FOR UNVERIFIED SITE CONDITIONS OR UNAUTHORISED AMENDMENTS.

PLANS by:
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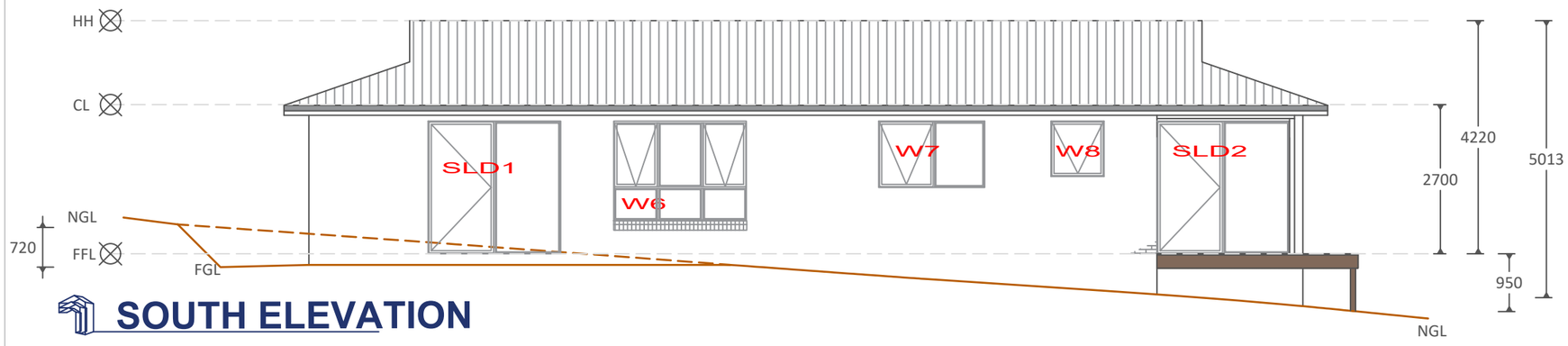
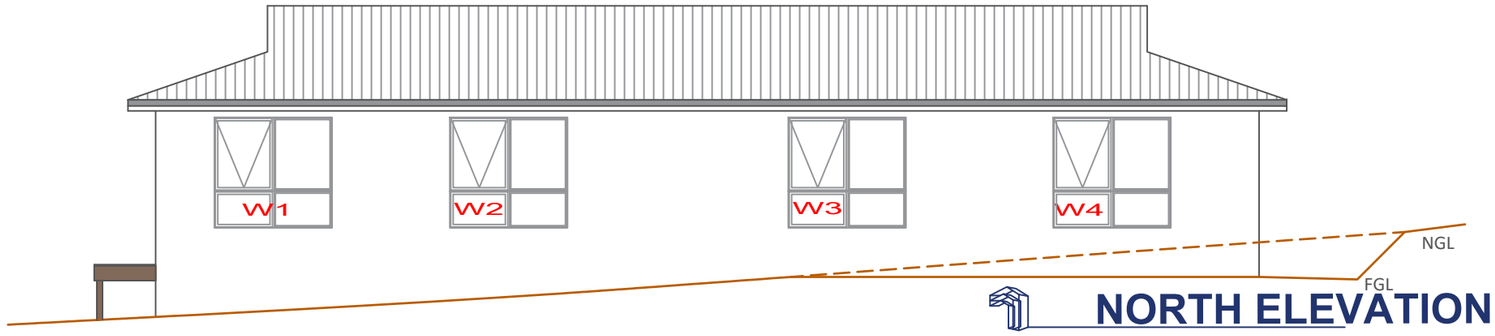
DRAWING:
FLOOR PLAN

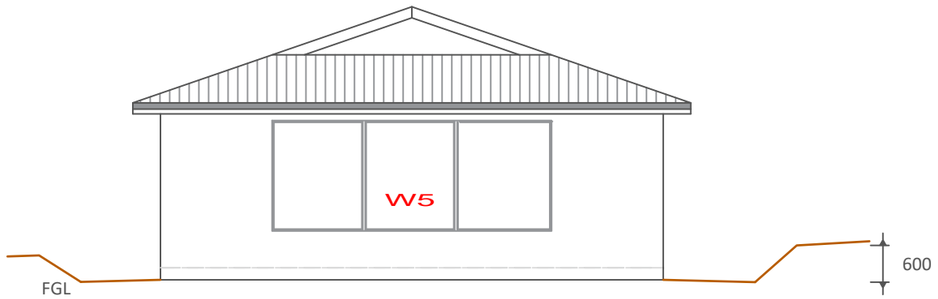
04



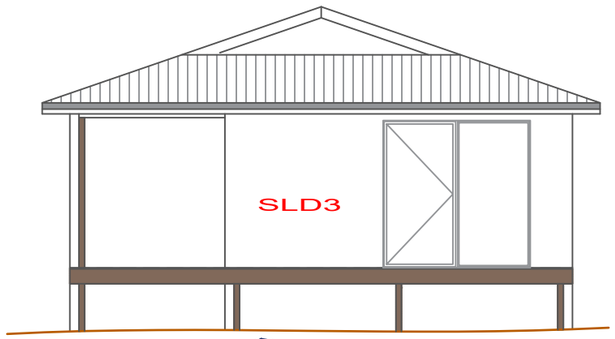
SOUTH ELEVATION



NORTH ELEVATION



WEST ELEVATION



EAST ELEVATION

FFL = FINISHED FLOOR LEVEL
FGL = FINISHED GROUND LEVEL
NGL = NATURAL GROUND LEVEL
CL = CEILING LEVEL
HP = HIGHEST POINT

ALL ELEVATIONS TO BE READ IN CONJUNCTION WITH FLOOR PLANS, SECTIONS AND WINDOW AND DOOR SCHEDULES. ALL WORK TO COMPLY WITH NCC 2022, AUSTRALIAN STANDARDS AND LOCAL AUTHORITY REQUIREMENTS.

LEVELS AND HEIGHTS SHOWN ARE RELATIVE TO SITE DATUM OR NOMINATED FINISHED FLOOR LEVEL AND MUST BE VERIFIED ON SITE PRIOR TO CONSTRUCTION. RIDGE HEIGHTS, EAVES HEIGHTS AND CEILING HEIGHTS TO ALIGN WITH APPROVED SETOUT.

EXTERNAL CLADDING, ROOFING AND FINISHES TO BE INSTALLED IN ACCORDANCE WITH MANUFACTURER REQUIREMENTS AND NCC PART 3.5. FLASHINGS TO BE PROVIDED TO ALL OPENINGS AND JUNCTIONS TO PREVENT WATER INGRESS.

WINDOW AND DOOR SIZES, TYPES AND HEAD/SILL HEIGHTS TO BE READ WITH THE WINDOW AND DOOR SCHEDULE. SAFETY GLAZING TO COMPLY WITH AS 1288. FALL PREVENTION REQUIREMENTS APPLY WHERE SILL HEIGHTS ARE LESS THAN NCC MINIMUMS.

INSULATION, VAPOUR CONTROL AND CONDENSATION MANAGEMENT TO COMPLY WITH NCC 2022 AND THE TASMANIAN "CONDENSATION IN BUILDINGS" DESIGNER GUIDE.

ANY DISCREPANCIES IN HEIGHTS, LEVELS OR FINISHES MUST BE REPORTED TO THE DESIGNER BEFORE PROCEEDING.

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REVISION:

CHECKED AGAINST DIRECTOR'S DETERMINATION REQUIREMENTS ☑

PROPOSED RESIDENCE
FOR: R NATOLI
AT: BROWNS LANE,
PENGUIN 7316

DATE PUBLISHED: 19/12/25
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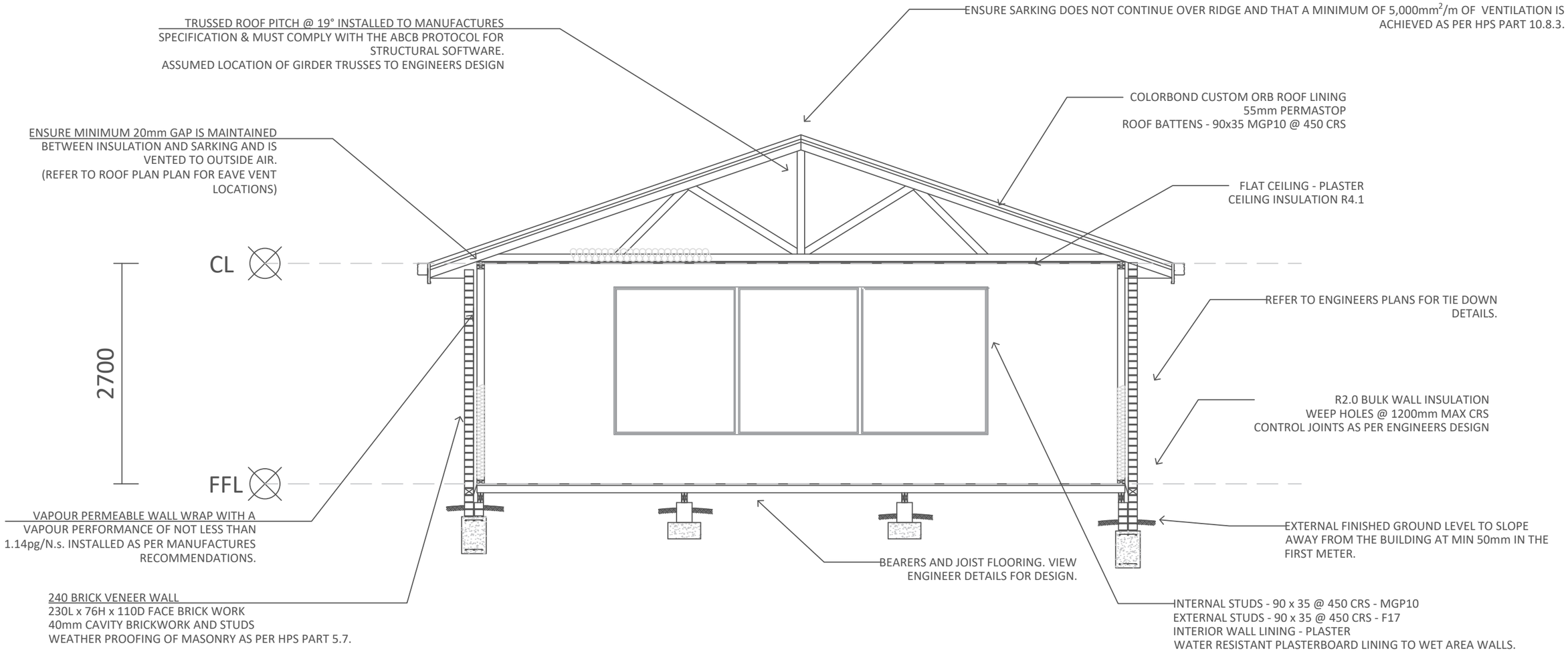
JOB No.: BROWNSLN

DRAWING:
ELEVATIONS

05



SECTION A - A

CENTRAL COAST COUNCIL
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PROPOSED RESIDENCE
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PAPER: A3
JOB No.: BROWNSLN

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Addendum to Natural Values Assessment, Natoli-Catney Property, Browns Lane, Penguin

Report for: Ray Natoli and Bernie Catney

Prepared by: Joanna Lyall
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Date: 23/01/2026

Location: Browns Lane Penguin, PID 6764378. GDA94 MGA55: 419867E, 5446746N

Mapsheet: Tasmap 1:25000 STOWPORT 4044

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Disclaimer

The information provided in this report is prepared by the author and intended for use by the Landholders Ray Natoli and Bernie Catney. Whilst all endeavours have been made to ensure that the information provided is accurate, this does not guarantee that the material is free of error. As such the author will not be liable for any error, omission or otherwise. However, should any error or omission be noted, the author will use her best endeavours to correct the material and update this report.

Acknowledgement

We acknowledge and pay respect to the traditional owners and custodians of this northern region, the Punnilerpanner people, the land on which they are located, and to their elders past, present and emerging.

Introduction

This is an addendum to the Natural Values Report for the Natoli-Catney property at Browns Lane Penguin, PID 6764378, dated 04/10/2024. The best location within the property for the proposed building and building envelope partially falls within a waterway and coastal protection area and the forest is classed as a priority vegetation area as defined under the Tasmanian Planning Scheme - State Planning Provisions. As such the development must comply with

C7.6 Development Standards for Buildings and Works:

- *C7.6.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area and;*
- *C7.6.2 Clearance within a priority vegetation area.*

The width of the waterway protection area on any waterway depends on the classification of the waterway. There are two waterways that converge downstream of the property but flow through the property. Penguin Creek falls within:

> Class 1: Watercourses named on the 1:100,000 topographical series maps, lakes, artificial water storages (other than farm dams), and the high water mark of tidal waters. 40 m buffer from bank-full. Total buffer width 80 m.

The unnamed tributary flowing into Penguin Creek from the north falls within:

> Class 3: Watercourses carrying running water for most of the year between the points where their catchment is from 50ha to 100ha: 20m buffer from bank-full. Total buffer width 40 m

Addressing Tasmanian Planning Scheme - State Planning Provisions

C7.6.1 *Buildings and works within a waterway and coastal protection area or a future coastal refugia area*

Objective: That buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets.

a) The building and works within the protection zone are on a sealed plan
b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width
c) the site is not within the spatial extent of tidal waters, or any marine facilities.

C7.6.2 *Clearance within a priority vegetation area*

Objective: That clearance of native vegetation within a priority vegetation area:

(a) does not result in unreasonable loss of priority vegetation;
(b) is appropriately managed to adequately protect identified priority vegetation; and
(c) minimises and appropriately manages impacts from construction and development activities.

Building site and access point description

The building envelope is within a cleared area north of Penguin Creek. The building envelope covers approximately 1740 m^2 from 5.1 ha, or 3% of the property area and encroaches into the Waterway and Coastal Protection zone (Figure 1) and priority vegetation area. The development site and proposed access were previously part of the water supply to Penguin with a reservoir pond with gate valve and a concrete overflow drain. There is an existing council-built crossing over the tributary. The 90 m access to the building site will be 4 m wide and will cross the remnant infrastructure and old reservoir pond (Figures 2-4A) and will be topped with 150 mm of compressed quarry rock. 600mm polypipes will be installed across the pond for water drainage and quarry rock used as fill. Between the creek and the building site is an old existing levee bank (Figure 6) with regrowth wattles, dogwood *Pomaderris apetala* and other colonising native plants. Most of the vegetation on the building site is regrowth over pasture grasses with a large percentage of the regrowth being mature to senescent wattles, mainly *Acacia dealbata,* (Figures 6 and 7) however there is one large structurally unsound eucalypt (*Eucalyptus obliqua*) that will require removal (Figure 5B). The block is also within the priority vegetation area. North of the development site is forest-covered with (mapping unit WOU) *Eucalyptus obliqua* wet forest (undifferentiated) in good condition however the vegetation at the building site cannot be classed as native forest as it has over time been substantially altered from the original vegetation.

Response to C7.6.1: P.1 a- n

P1.1 Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:	
Potential impacts	**Response**
(a) impacts caused by erosion, siltation, sedimentation and runoff;	There will be no works in or adjacent to Penguin Creek, a bridge exists over the tributary and the reservoir pond will be spanned. Sediment management will be used to protect downstream of the works site from any siltation occurring following rains
(b) impacts on riparian or littoral vegetation;	A small amount of mainly wattle regrowth within the protection zone will be removed for the access and the building site within the protection zone, no vegetation removal will occur along Penguin Creek.
(c) maintaining natural streambank and streambed condition, where it exists;	There will be no disturbance to the banks or streambed of Penguin Creek or the tributary
(d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;	NA
(e) the need to avoid significantly impeding natural flow and drainage;	NA

(f) the need to maintain fish passage, where known to exist;	NA
g) the need to avoid land filling of wetlands;	The existing old manmade reservoir pond will have filling to allow construction of the access track. Drainage pipes will be installed.
(h) the need to group new facilities with existing facilities, where reasonably practical;	NA
(i) minimising cut and fill;	There will be no cut and fill
(j) building design that responds to the particular size, shape, contours or slope of the land;	The building is to be situated to the north of the existing levee bank on an area that will require little preparation work to respond to the lie of the land.
(k) minimising impacts on coastal processes, including sand movement and wave action;	NA
(l) minimising the need for future works for the protection of natural assets, infrastructure and property;	The building site is already protected from flood by the existing levee banks and there should be no need for future works for protection within the protection zone
(m) the environmental best practice guidelines in the *Wetlands and Waterways Works Manual*; and	All works within the protection zone will follow the guidelines in https://nre.tas.gov.au/conservation/flora-of-tasmania/tasmanias-wetlands/wetlands-waterways-works-manual
(n) the guidelines in the *Tasmanian Coastal Works Manual*.	NA

Response to C7.6.2: P.1 a- n

Clearance within a priority vegetation area

Objective: That clearance of native vegetation within a priority vegetation area:

(a) does not result in unreasonable loss of priority vegetation;

(b) is appropriately managed to adequately protect identified priority vegetation; and

(c) minimises and appropriately manages impacts from construction and development activities.

Acceptable Solutions Performance Criteria

P1.1 Clearance of native vegetation within a priority vegetation area must be for:	
Potential impacts	**Response**
(a) an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmania Fire Service or an accredited person;	New building site, assessed and management plan for bushfire protection by an accredited person: Michael Tempest, RMCG, (03) 6334 1033 – rm@rmcg.com.au

(b) buildings and works associated with the construction of a single dwelling or an associated outbuilding;	A small amount of clearance of regrowth vegetation for construction of a single dwelling and outbuildings with management to comply with the Bushfire Management plan. The vegetation on the development site is distinctly altered from the surrounding native forest.
(c) subdivision in the General Residential Zone or bushfire protection, as recommended by the Low Density Residential Zone;	NA
(d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design;	This is the most suitable building site on the property and involves no disturbance to priority vegetation.
(e) clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or	NA
(f) the clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.	The area of clearance is for the dwelling is 80 m^2 while 1740 m^2 will require management for Bushfire risk.
P1.2 Clearance of native vegetation within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:	
(a) the design and location of buildings and works and any constraints such as topography or land hazards;	The location of the buildings is on a previously disturbed site and where it has the least impact on the largely intact remainder of priority vegetation. The access route is also through previously disturbed vegetation.
(b) any particular requirements for the buildings and works;	The works should minimise disturbance to the vegetation outside the bushfire management zone. Minor regrowth vegetation removal will be required within the envelope and for the access road.
(c) minimising impacts resulting from bushfire hazard management measures through siting and fire-resistant design of habitable buildings;	The siting of the building site on this previously disturbed area minimises fire risk as the exotic grass understorey can be kept short and retained trees pruned to separate the ground layer from the canopy.
(d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;	The remainder of the priority vegetation will remain untouched.
(e) any on-site biodiversity offsets; and	NA
(f) any existing cleared areas on the site.	The building site has previously been cleared but has mainly pasture grasses and wattle regrowth trees present.

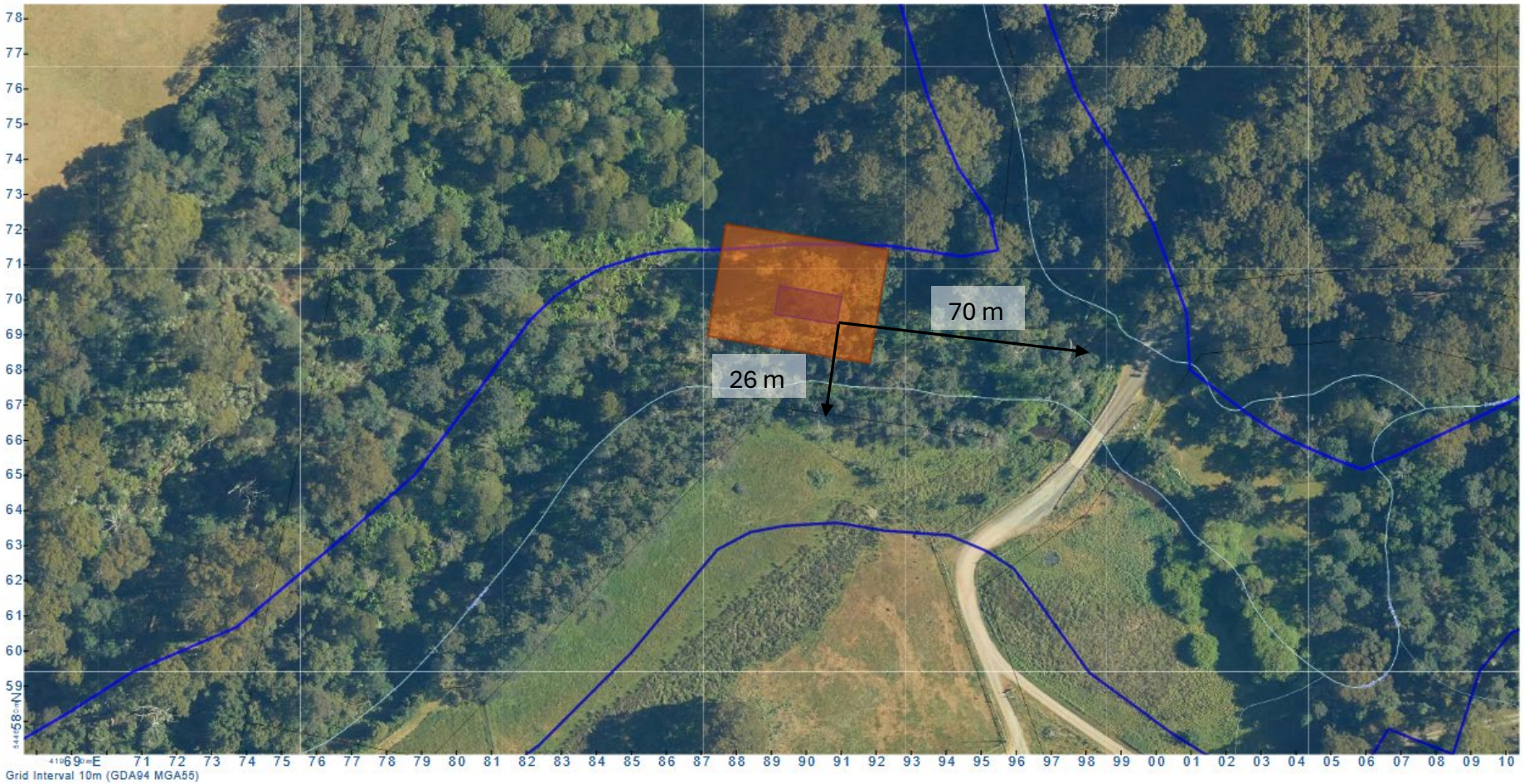

Figure 1. Position of the building envelope and dwelling within the Waterway and Coastal Protection Zone as per the Bushfire Hazard Management Report by Michael Tempest from RMCG.

Figure 2.Entrance gate where the access track will start

Figure 3. Weeds including willow and glyceria near the bridge looking upstream towards the access track

Figure 4. Water management relic near entrance track

Figure 5A. Concrete structure and drainage line where track will run; B. Old stringy bark that will be removed due to structural weakness

Figure 6. Building site view showing the levee bank between clearing and Penguin Creek

Figure 7. House site clearing showing regrowth wattles and exotic grassed understorey

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Natural Values Assessment Natoli-Catney Property, Browns Lane, Penguin

Report for: Ray Natoli and Bernie Catney

Prepared by: Joanna Lyall
Natural Environment Services Tas
33 McBains Rd,
Glengarry, TAS 7275

Date: 04/10/2024

Location: Browns Lane Penguin, PID 6764378.
GDA94 MGA55: 419867E, 5446746N

Mapsheet: Tasmap 1:25000 STOWPORT 4044

Client Contact & Position: Ray Natoli, Penguin Valley Farm
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Acknowledgement

We acknowledge and pay respect to the traditional owners and custodians of this northern region, the Punnilerpanner people, the land on which they are located, and to their elders past, present and emerging.

Contents

Executive Summary

The landholders are investigating the sale of this parcel of land on Browns Lane, Penguin and would like to know if there are any impediments to that sale and the potential establishment of a residence (Subject to Council Approval) on the property. This parcel of land (PID 6764378) covers 5.13 ha (12.7 acres) and is Zoned Rural under the Central Coast Local Provisions Schedule.

Natural Environment Services Tasmania (NEST) have been commissioned to conduct a Natural Values Assessment for this parcel of land.

The grassed area north of Penguin Creek is likely to be the only feasible site to allow for a Building envelope, Building Protection Zone (BPZ) and Fuel Modified Buffer Zone (FMBZ) without extensive clearing. Work that may have impact on threatened species would be the construction of an all-weather access track to access potential building sites on the northern side of Penguin Creek from Browns Lane across the old overflow drain. The giant freshwater crayfish is known to frequent Penguin Creek and is likely to be present. The creek has a stoney bed which would provide potential habitat and refuge for juvenile crayfish. The hydrobiid snail (Keddies creek) could also potentially be present, as there is leaf litter and woody debris in the stream channel, increasing the suitability of this stream as habitat for this species.

The bushland is in good condition with low weed presence although the understorey is impoverished due to high numbers of pademelon. Weeds are a threat to the integrity of the creek riparian zone but control works would help to prevent their spread.

Care must be taken when working alongside a waterway to ensure no new pests or pathogens are introduced. These could be spread in contaminated water, mud, gravel, soils, plant material or by infected fauna. Contamination is often transported on boots, equipment, tyres and during construction and maintenance (NRM South 2010). Of particular concern are the spread of *Phytophthora cinnamomi* (root rot), *Batrachochytrium dendrobatidis* (Chytrid frog disease), *Mucor amphibiorum* (platypus Mucor disease), all present in Tasmania.

All machinery coming on site should be clean of mud and weed seeds. Disturbed areas should be monitored for establishment of new weeds or further spread of existing weed species.

Introduction

Ray Natoli and Bernie Catney have commissioned Natural Environment Services Tasmania (NEST) to conduct a Natural Values Assessment for this parcel of land at Browns Lane Penguin, Tasmania.

The landholders are investigating the sale of this parcel of land and would like to know if there are any impediments to that sale and the potential establishment of a residence (Subject to Council Approval) on the property. This parcel of land (PID 6764378) covers 5.13 ha (12.7 acres) and is Zoned Rural under the Central Coast Local Provisions Schedule. The geology of the site is listed as Basalt talus (Qptb). The property has a southerly aspect and has an elevation of 90 m above sea level in the northwest corner, dropping to 40 m along the Penguin Creek at the southern extent. The majority of the property is forested, however in the southeastern section there has been previous disturbance, and some regeneration has occurred, composed mainly of silver wattle regrowth.

Penguin has a climate described as a maritime temperate climate with mean maximum and minimum temperatures in summer of 20.6 and 11.0 °C respectively while winter mean maximum is 11.5 and minimum is 3.6ºC and an annual rainfall of approximately 985 mm.

Penguin Creek historically provided water to the township of Penguin and some of the old infrastructure can still be found here and includes a concrete weir, water storage pond and weir gate valves. An earthen levee bank runs along the northern side of Penguin Creek in this area.

The Natural Values Assessment will inform the development planning by identifying native plant and fauna species present that should, where possible, be protected and flag weed species that should be controlled. Sensitive development of the site will provide an opportunity to enhance habitat for native fauna and flora and protect those native vegetation communities present.

Species recorded in the local area and are present or potentially present include the grey goshawk, *Accipiter novaehollandiae;* giant freshwater crayfish *Astacopsis gouldi;* Tasmanian masked owl, *Tyto novaehollandiae* subsp. *castanop*s; spotted-tailed quoll, *Dasyurus maculatus* subsp*. maculatus* and Tasmanian devil, *Sarcophilus harrisii,* Marrawah skipper *Oreisplanus munionga* subsp*. larana,* while the *Beddomeia phasianella* hydrobiid snail (keddies creek) may be present along the stream. The recorded threatened species of the area are listed in Table 1 (fauna) and Table 2 (flora).

Methods

This Natural Values Report is based on an on-site survey commenced at 2:30 pm on 03/10/2024 on a fine and mild spring afternoon. For background information on the property prior to the site visit, a Natural Values Atlas Report (NVAR) had been generated on 01/10/2024 and there was personal communication with Ray Natoli, Landholder. Joanna Lyall environmental consultant with Natural Environment Services Tasmania compiled the report (contact details on header).

A Garmin ETrex GPS unit was used to track the survey route (Figure 1). and mark points of interest

Figure 1. Property boundary and survey route

Fauna and flora species flagged in the NVAR and known to occur in the area were noted for their potential to be present. Marine fauna were removed from consideration as was the hooded plover *Thinornis rubricollis* which is found along the coast.

Taxonomic nomenclature and vegetation classifications used are consistent with *A Census of the Vascular Plants of Tasmania, including Macquarie Island, 2018.* Fauna nomenclature follows common usage for birds as per the website of Birdlife Australia and for mammals, Strahan, & Van Dyck (2002). Zone 55 grid reference coordinates with 6 digits (eastings) and 7 digits (northings) were used to reference points of interest. Table 1 shows the threatened fauna species either recorded within 5 km or with the potential to be present. Table 2 shows the threatened flora species that may be found close to the Project areas.

Results

Points of interest were noted during the survey to inform where natural values were and threats to these values (Figure 4). These points will assist in determining how a residential development can be accommodated with a minimum of disturbance to the fauna and flora present.

The vegetation alongside Penguin Creek is highly modified composed largely of regrowth silver wattle *Acacia dealbata* but other native ground cover species including reeds, rushes and ferns are becoming established, particularly along the creek. West of the former water supply site with its remnant infrastructure, there is a grassed flat covering approximately 90 m and between 30 and 16 m in width (Figure 2). There are a small number of eucalypts here and regrowth silver wattle but it is predominantly exotic grass species. A levee bank (Figure 3) runs between the Creek and the grassy clearing. Where there has been disturbance along the Creek there are areas of foxglove establishing. Some willows are present and also Glyceria (*Glyceria maxima)*. A list of weed species found will be included in the flora section of this report.

Figure 2. Grassy area, possible suitable building site.

Figure 3. Levee bank running alongside Penguin Creek

Figure 4. Points of interest on the Natoli-Catney property, including potential house sites (grassed clearing, hut on hill and flattened area), weed sites and some flora and fauna

Threatened fauna

The NVA report lists threatened fauna recorded and potentially found within 500 metres and 5000m (based on Range Boundaries) of the Browns Lane property. Those species are shown in Table 1 and a brief summation of those to be aware of that are present or likely to be present at the site is given below.

The grey goshawk was observed as present and may use this property for hunting but less likely for nesting due to poor quality nesting trees on-site and local disturbance.

The giant freshwater crayfish is known to frequent Penguin Creek and is likely to be present. The creek has a stoney bed which would provide potential habitat and refuge for juvenile crayfish.

The hydrobiid snail (Keddies creek) could also potentially be present, as there is leaf litter and woody debris in the stream channel increasing the suitability of this stream as habitat for this species.

Tasmanian devils and spotted tailed quolls are likely to use the property, particularly the riparian zone for hunting and traversing through the landscape. No denning sites were found but breeding sites could potentially be present within the native forest in the northern part of the property. The eastern quoll has been reported within 500 m of this property and may be present on the edges of this property where there are open grassed areas adjacent to refuge.

The presence of the Glyceria in the storage reservoir would make this unsuitable for the eastern dwarf galaxias. Graylings may be present.

Marrawah skipper is recorded from within 5kms and is dependent on tall sedge *Carex appressa* which is present on the site. A cursory search of several tall sedge patches did not discover any evidence of their presence. The main threats to the species are clearing of habitat, fragmentation of sites, cattle grazing, weed invasion and inappropriate fire and slashing regimes. If there is to be disturbance in the low-lying areas where tall sedge is present a survey for presence should be undertaken before any works begin.

The eastern barred bandicoot is more likely to prefer the edges of this property where there is a mix of open foraging grassed areas as well as native tussock grasses, sedges and saggs, which provide nesting sites and refuge. Some diggings were noted which could be from either the eastern barred or southern brown (or both) bandicoots.

The masked owl (Tasmanian) is also recorded within 5 km. This species depends on old eucalypts with large hollows to provide nesting/roosting sites. The survey found there are few if any older mature trees that would be suitable nesting sites and no active nesting sites were located during this survey however this species may forage through this property.

Table 1. Threatened fauna recorded and potentially found within 500 metres and 5000m (based on Range Boundaries) of the Browns Lane site. Marine and coastal fauna have been removed from consideration as has the *Thinornis rubricollis* hooded plover which is also found along the coast and coastal wetlands. Data sources: Natural Values Atlas Report (07-07-2024), FPA Threatened fauna species range boundaries and habitat descriptions, Birdlife Australia Bird Profiles. Key to status on State schedule: e=endangered, v=vulnerable, r=rare, pe=pending endangered. National schedule: EN=Endangered, VU= Vulnerable, CR= Critically endangered, PVU= Pending vulnerable

Common name	Scientific Name	State Sched	Nat. Sched	Record within 500m	Record within 5 km	Habitat Description	Range class	Potential presence within Project area
grey goshawk	*Accipiter novaehollandiae*	e		Yes	Yes	Potential habitat for the grey goshawk is native forest with mature elements below 600 m altitude, particularly along watercourses. FPA's Fauna Technical Note 12 can be used as a guide in the identification of grey goshawk habitat. Significant habitat for the grey goshawk may be summarised as areas of wet forest, rainforest and damp forest patches in dry forest, with a relatively closed mature canopy, low stem density, and open understorey in close proximity to foraging habitat and a freshwater body (i.e. stream, river, lake, swamp, etc.). FPA's Fauna Technical Note 12 can be used as a guide in the identification of grey goshawk habitat.	Core range	Yes, seen during survey but unlikely to nest here as the riparian vegetation is sparse and close to disturbance. No nest was found during the survey but a grey goshawk was seen flying 200 m to the east of this site. Potential to nest in native vegetation downstream from this site along Penguin Creek.
azure kingfisher (Tasmanian)	*Ceyx azureus subsp. diemenensis*	e	EN	No	Yes	The core range of the azure kingfisher species is major river systems in western coastal areas between Latrobe and Geeveston, but also known from Northwest Rivers such as the Inglis and Leven Rivers that have permanent deep flowing water and intact riparian vegetation. Potential habitat for the azure kingfisher comprises potential foraging habitat and potential breeding habitat. Potential foraging habitat is primarily freshwater (occasionally estuarine) waterbodies such as large rivers and streams with well-developed overhanging vegetation suitable for perching and water deep enough for dive-feeding. Potential breeding habitat is usually steep banks of large rivers (a breeding site is a hole (burrow) drilled in the bank).	Core range	Unlikely but potential presence. Usually found in areas of riparian vegetation on major rivers.

Tasmanian wedge-tailed eagle	*Aquila audax subsp. fleayi*	e	EN	No	Yes	Potential foraging habitat is a wide variety of forest (including areas subject to native forest silviculture) and non-forest habitats. Potential nesting habitat is tall eucalypt trees in large tracts (usually more than 10 ha) of eucalypt or mixed forest. Nest trees are usually amongst the largest in a locality. They are generally in sheltered positions on leeward slopes, between the lower and mid sections of a slope and with the top of the tree usually lower than the ground level of the top of the ridge. Significant habitat for the wedge-tailed eagle is all native forest and native non-forest vegetation within 500 m or 1 km line-of-sight of known nest sites (where the nest tree is still present). Nests are usually not constructed close to sources of disturbance and nests close to disturbance are less productive. More than one nest may occur within a territory but only one is used for breeding in any one year. Breeding failure often promotes a change of nest in the next year.	Potential range	Unlikely although there are some tall eucalypts present but too close to disturbance. The eagles would not nest here but the site may be included in foraging habitat
giant freshwater crayfish	*Astacopsis gouldi*	v	VU	No	Yes	Potential habitat for the giant freshwater crayfish is freshwater streams of all sizes. Characteristics of potential habitat include a combination of well-shaded flowing and still waters, deep pools, decaying logs and undercut banks. Riparian vegetation needs to be native and predominantly intact to provide shade, nutrient, energy and structural inputs into streams. Smaller juveniles inhabit shallow fast-flowing streams favouring habitats with rocks or logs that are large enough to be stable but not embedded in finer substrates, but overlie coarser substrates and/or have a distinct cavity underneath. Perennial headwater streams have substantially higher juvenile densities than non-perennial headwater streams. See FPA's Fauna Technical Note 16 for guidance on how to identify categories of potential habitat suitability (high suitability habitat, moderate suitability habitat and low suitability habitat) of class 4 streams.	Potential range	Yes, known to be present to landholders. Creek runs through the property. Poaching of crayfish is common (Pers. Com R. Natoli)

hydrobiid snail (keddies creek)	*Beddomeia phasianella*	v		No	Yes	Potential habitat for threatened freshwater snails is all waterbodies, including soakages and headwater streams within the potential range. Significant habitat for these species is all native vegetation within the known range. The potential range for B. capensis extends inland approximately 18 km and includes much of the Big Creek catchment. Habitat for *B. capensis* includes the following elements: leaf litter and woody debris in the stream channels and rocks, where they may be found located on the underside of this submerged material.	Potential range	Potential, as the water is in good condition and there is woody debris in-stream
spotted-tailed quoll	*Dasyurus maculatus subsp. maculatus*	r	VU	Yes	Yes	Potential habitat for the spotted-tailed quoll is coastal scrub, riparian areas, rainforest, wet forest, damp forest, dry forest and blackwood swamp forest (mature and regrowth), particularly where structurally complex areas are present, and includes remnant patches in cleared agricultural land or plantation areas. Significant habitat for the spotted-tailed quoll is all potential denning habitat within the core range of the species. Potential denning habitat for the spotted-tailed quoll includes 1) any forest remnant (>0.5ha) in a cleared or plantation landscape that is structurally complex (high canopy, with dense understorey and ground vegetation cover), free from the risk of inundation, or 2) a rock outcrop, rock crevice, rock pile, burrow with a small entrance, hollow logs, large piles of coarse woody debris and caves.	Potential range	Yes. Logs present that could provide suitable denning sites and they are likely to use this area for hunting and travelling.
eastern quoll	*Dasyurus viverrinus*		EN	Yes	Yes	Potential habitat for the Eastern Quoll includes rainforest, heathland, alpine areas and scrub. However, it seems to prefer dry forest and native grassland mosaics which are bounded by agricultural land.	Core range	Yes. Has been seen close by. Would use the interface between the open grasslands and forest cover.
eastern dwarf galaxias	*Galaxiella pusilla*	v	VU	No	No	Potential habitat for the dwarf galaxias is slow-flowing and still waters such as swamps, shallow pools, lagoons, drains or backwaters of streams, often (but not always) with aquatic vegetation. It may also be found in temporary waters that dry up in summer for as long as 6-7 months, especially if burrowing	Potential range	Potentially could inhabit the water reservoir alongside Penguin Creek, however it is choked with Glyceria

						crayfish burrows are present. Habitat may include forested swampy areas but does not include blackwood swamp forest. Juveniles congregate in groups at the water surface in pools free of vegetation. Significant habitat for the dwarf galaxias is all potential habitat and a 30m streamside reserve within the core range.		
white bellied sea eagle	*Haliaeetus leucogaster*	v		No	Yes	Potential habitat for the white-bellied sea-eagle species comprises potential nesting habitat and potential foraging habitat. Potential foraging habitat is any large waterbody (including sea coasts, estuaries, wide rivers, lakes, impoundments and even large farm dams) supporting prey items (fish). Potential nesting habitat is tall eucalypt trees in large tracts (usually more than 10 ha) of eucalypt or mixed forest within 5 km of the coast (nearest coast	Potential range	Unlikely. May forage in the more open areas in the valley.
swift parrot	*Lathamus discolor*	e	CR	No	Yes	Potential breeding habitat for the Swift Parrot comprises potential foraging habitat and potential nesting habitat, and is based on definitions of foraging and nesting trees. Potential foraging habitat comprises E. globulus or E. ovata trees that are old enough to flower. For management purposes potential nesting habitat is considered to comprise eucalypt forests that contain hollow-bearing trees. Significant habitat is all potential breeding habitat within the SE potential breeding range and the NW breeding areas.	Potential range	No. May forage nomadically through the area but preferred tree species for nesting and forage are absent
striped marsh frog	*Limnodynastes peroni*	e		No	No	Potential habitat for the striped marsh frog is natural and artificial coastal and near-coastal wetlands, lagoons, marshes, swamps and ponds (including dams), with permanent freshwater and abundant marginal, emergent and submerged aquatic vegetation. Significant habitat for the striped marsh frog is still or very slow flowing water bodies, with at least some vegetation, and a lack of obvious pollutants (oils, chemicals, etc). See FPA Fauna Technical Note 18	Potential range	Potential within the storage pond however it is choked with Glyceria.

green and gold frog	*Litoria raniformis*	v	VU	No	Yes	Potential habitat for the green and gold frog is permanent and temporary waterbodies, usually with vegetation in or around them. Potential habitat includes features such as natural lagoons, permanently or seasonally inundated swamps and wetlands, farm dams, irrigation channels, artificial water-holding sites such as old quarries, slow-flowing stretches of streams and rivers and drainage features.	Potential range	Unlikely. Suitable waterbodies on the property are absent
Marrawah skipper	*Oreisplanus munionga subsp. larana*	e	VU	No	Yes	Potential habitat for the Marrawah skipper is any vegetation type, including forest (native and plantation) and non-forest native and non-native types, with an understorey either dominated by *Carex appressa* or supporting *Carex appressa* in patches (as small as 20 square metres). The core range of the Marrawah skipper is a 2 km (radius) buffer centred on the known sites.	Core range	Possible. Known from within 5 km. *Carex appressa* present in gully and along Penguin Creek.
eastern barred bandicoot	*Perameles gunnii*		VU	No	Yes	Potential habitat for the eastern barred bandicoot is open vegetation types including woodlands and open forests with a grassy understorey, native and exotic grasslands, particularly in landscapes with a mosaic of agricultural land and remnant bushland. Significant habitat for the eastern barred bandicoot is dense tussock grass-sagg-sedge swards, piles of coarse woody debris and denser patches of low shrubs (especially those that are densely branched close to the ground providing shelter) within the core range of the species	Potential range	Yes. Likely to forage in short grassy areas particularly where there are native tussocks and dense shrubbery in proximity.
australian grayling	*Prototroctes maraena*	v	VU	No	Yes	Potential habitat for the Australian grayling is all streams and rivers in their lower to middle reaches. Areas above permanent barriers (e.g. Prosser River dam, weirs) that prevent fish migration are not potential habitat.	Potential range	Possible. Penguin Creek runs through the property other than running through one farm dam, flows appear to be unimpeded to Bass Strait.
tussock skink	*Pseudemoia pagenstecheri*	v		No	No	Potential habitat for the tussock skink is grassland and grassy woodland (including rough pasture with paddock trees),	Potential range	No. Poa grassland habitat is not present on this property.

						generally with a greater than 20% cover of native grass species, especially where medium to tall tussocks are present.		
Tasmanian devil	*Sarcophilus harrisii*	e	EN	Yes	Yes	Potential habitat for the Tasmanian devil is all terrestrial native habitats, forestry plantations and pasture. Devils require shelter (e.g. dense vegetation, hollow logs, burrows or caves) and hunting habitat (open understorey mixed with patches of dense vegetation) within their home range (4-27 km^2). Significant habitat for the Tasmanian devil is a patch of potential denning habitat where three or more entrances (large enough for a devil to pass through) may be found within 100 m of one another, and where no other potential denning habitat with three or more entrances may be found within a 1 km radius, being the approximate area of the smallest recorded devil home range (Pemberton 1990). Potential denning habitat for the Tasmanian devil is areas of burrowable, well-drained soil, log piles or sheltered overhangs such as cliffs, rocky outcrops, knolls, caves and earth banks, free from risk of inundation and with at least one entrance through which a devil could pass.	Potential range	Yes. Suitable denning sites were not found but they are likely to use this area for hunting and travelling.
chequered blue	*Theclinesthes serpentatus*	pr		No	Yes	Potential habitat for the chequered blue is where there are suitable host plants from the saltbush family (Chenopodiaceae) such as Old Man Saltbush (Atriplex nummularia), Fat Hen (Chenopodium album), Berry Saltbush (Einadia hastata) and Spiny Saltbush (Rhagodia spinescens).	Potential range	Unlikely, none of the saltbush family were observed on-site.
masked owl (Tasmanian)	*Tyto novaehollandiae subsp. castanops*	pe	PVU	Yes	Yes	All areas with trees with hollows >15cm entrance diameter. Dry or wet forests, remnants and paddock trees can provide potential and significant habitat. See FPA Fauna Technical Note 17	Core range	Yes. Some trees with hollows for nesting are present where there are mature eucalypts.

Threatened flora

No threatened flora were recorded during the survey. Gristle fern has the potential to grow along the creek but was not found during this survey. Slender waterpepper could also potentially grow along the creek but was not recorded. The creek may flow too fast and be too shaded for it to grow here. The threatened flora recorded in the area are included in Table 2 below:

Table 2. Threatened flora recorded and potentially found within 500 metres and 5000m (based on Range Boundaries) of the Browns Lane property.

Common name	Species name	State Sched	Habitat	Potential presence
gristle fern	*Blechnum cartilagineum*	TSPA vulnerable	*Blechnum cartilagineum* favours sheltered sites along creeklines in northern and eastern Tasmania. Sites are within dry sclerophyll or wet sclerophyll forest, sometimes associated strongly with the floodplain of a creek (e.g. Little Beach) but also on slopes away from riparian areas (e.g. Dial Range, Lone Star).	Yes, but not known from this property and not found.
large bird-orchid	*Chiloglottis valida*	TSPA endangered	In Tasmania, *Chiloglottis valida* has been recorded in dense coast paperbark, shrubby wet sclerophyll forest, and tea tree tall scrub.	No. The forest type is wet *E. obliqua* on a south facing slope.
slender waterpepper	*Persicaria decipiens*	TSPA vulnerable	*Persicaria decipiens* occurs on the banks of rivers and streams, mostly in the north of the State, including King Island. The species may colonise farm dams.	Possible, but unlikely due to shading along stream.
snug greenhood	*Pterostylis atriola*	TSPA rare	*Pterostylis atriola* occurs in the north and east of Tasmania on generally stony soil in dry to damp sclerophyll forest, typically with an open understorey. The species occurs at a range of elevations but is most strongly associated with winter cold sites (e.g. Snug Tiers) or areas receiving a moderately consistent rainfall (e.g. Wielangta, Railton).	No, preferred habitat conditions not present.

Vegetation communities and flora

The native vegetation on this block is shown on Tasmap as wet *E. obliqua* forest, undifferentiated (WOU). There is some evidence of previous tree harvesting and the oldest trees although around 50m in height, have not as yet developed the hollows required for many of the hollow dependent fauna. There appears to be a high population of pademelons as the understorey in the forest is impoverished, however the maroonhood orchid *Pterostylis pedunculata* was found flowering along the northern track (Figure 5). Along the creek as mentioned the predominant vegetation species are silver wattle, blackwood *Acacia melanoxylon* and dogwood *Pomaderris apetala* regrowth. The understorey in this area is denser and more diverse with different ferns, carex and rushes, grading into dense areas of large treeferns at the base of the slopes (Figure 6). A list of native plant species recorded is shown in Table 3 below. A complete vegetation survey was not undertaken at this time.

Figure 5. Maroonhood orchid, *Pterostylis pedunculata* flowering in the bushland

Figure 6. Large treeferns growing at base of slope at bushland interface

Table 3. Native plants recorded on-site. A full survey was not undertaken at this time.

Common names	Native species	Life-form
stringybark	*Eucalyptus obliqua*	Tree
musk daisy-bush	*Olearia argophylla*	Shrub/Tree
satinwood	*Nematolepis squamea*	Tree
stinkwood	*Zieria arborescens*	Tree
silver wattle	*Acacia dealbata subsp. dealbata*	Tree
blackwood	*Acacia melanoxylon*	Tree
caterpillar wattle	*Acacia mucronata*	Shrub/tree
goldey wood	*Monotoca glauca*	Shrub/tree
common dogwood	*Pomaderris apetala*	Tree
currant bush	*Coprosma quadrifida*	Shrub
dusty daisy bush	*Olearia lirata*	Shrub
Tasmanian fireweed	*Senecio tasmanicus*	Shrub
prickly beauty	*Pultanaea juniperina*	Shrub
tall sedge	*Carex appressa tall sedge*	Large sedge/rush
forest flaxlily	*Dianella tasmanica*	Large sedge/rush
raspwort	*Gonocarpus teucrioides*	herb
tall sword-sedge	*Lepidosperma esculatum*	Large sedge/rush
pale rush	*Juncus pallidus*	Large sedge/rush
turquoise berry	*Drymophila cyanocarpa*	herb

native stinging nettle	*Urtica incisa*	shrub
maroon greenhood	*Pterostylis pedunculata*	orchid
Saw sedge	*Gahnia grandis*	Large sedge/rush
old man's beard	*Clematis aristata*	Scrambler/climber
swamp starwort	*Stellaria angustifolia*	Scrambling herb
fishbone waterfern	*Blechnum nudum*	Ground fern
soft tree fern	*Dicksonia antarctica*	Treefern
batswing fern	*Histiopteris incisa*	Groundfern
ruddy ground fern	*Hypolepis rugosula*	Groundfern
leathery shield fern	*Rumobra adiantiformis*	Epiphytic fern
tall sword sedge	*Lepidosperma elatius*	Large sedge/rush
kangaroo fern	*Phymatosorus pustulatus*	Epiphytic fern
mother shield fern	*Polystichum* proliferum	Groundfern
bracken	*Pteridium esculentum*	Groundfern

Other native fauna

Other native mammal and bird species likely to be present or sign found of presence are listed in Table 1. More bird species would likely be recorded given a longer survey period.

Burrowing crayfish are present with burrows and chimneys seen in many low-lying and damp areas (Figure 7). The species are likely to be *Engaeus fossor* and/or *Engaeus cisternarius* but identification to confirm species has not been carried out.

Figure 7. Active burrowing crayfish burrow typical of the low-lying and seepage areas on the property, showing mud balls carried to surface and used to form chimneys

Table 4. Non-threatened mammal and bird species present or likely on-site

Mammals		**Birds**	
Southern brown bandicoot	*Isoodon obesulus*	little wattlebird	*Anthochaera chrysoptera*
Pademelon	*Thylogale billardierii*	yellow wattlebird	*Anthochaera paradoxa*
Brushtail possum	*Trichosurus vulpecula*	Tasmanian thornbill	*Acanthiza ewingii*
Ringtail possum	*Pseudocheirus peregrinus*	grey shrike-thrush	*Colluricincla harmonica*
Long-nosed potoroo	*Potorous tridactylus*	grey fantail	*Rhipidura albiscapa*
Rakali	*Hydromys chrysogaster*	yellow-tailed black cockatoo	*Zanda funerea*
Swamp rat	*Rattus lutreolus*	brown thornbill	*Acanthiza pusilla*
Platypus	*Ornithorhynchus anatinus*	forest raven	*Corvus tasmanicus tasmanicus*
		masked lapwing	*Vanellus miles*
		golden whistler	*Pachycephala pectoralis*
		Tasmanian scrubwren	*Sericornis humilis*
		superb fairy-wren	*Malurus cyaneus*
		scarlet robin	*Petroica boodang*
		shining bronze cuckoo	*Chalcites lucidus*
		pallid cuckoo	*Heteroscenes pallidus*
		green rosella	*Platycercus caledonicus*

Weeds/Threats

The southern section of the property has been subject to disturbance since the development of the Penguin town water infrastructure approximately 40 years ago. This has allowed a variety of weeds to become established although woody weeds are not in large numbers at this stage. Introduced and weed species found on site are listed in the Table 5 below. Of particular concern are the crack-willows, glyceria as well as arum lilies and foxgloves (Figure 8 & Figure 9) which are spreading along the creek banks and any disturbed areas. The growth of willows along the creek can cause partial stream blockage resulting in bank erosion. The foxgloves produce large quantities of dust-like seeds and can spread quickly along the edges of bushland and streams. All parts of this plant are toxic. Thick infestations of *Digitalis* infestations exclude native ground-layer species, potentially altering species composition and lowering ground-layer biodiversity (Table 5).

Glyceria grows along streams and within waterbodies choking out riparian vegetation and restricting or even blocking water flow. It causes sedimentation, and anaerobic water conditions making the water uninhabitable for invertebrates and fishes that require clean flowing water. Destruction of the weed can also result in a large amount of decaying vegetation polluting the water so control of this weed preferably requires removal of the plant matter.

Figure 8. Arum lilies growing on the creek flats in the regrowth wattle area

Figure 9. Foxgloves on the creek banks

Table 5. Declared and environmental weeds within the site

Weeds	Status
Holly *Ilex aquifolium*	Declared in Tas, Zone B Containment: Isolated occurrences. Spread by birds, will establish in bushland.
Willow *Salix fragilis*	Declared in Tas, Weed of Nat. Sig., Zone B Containment within municipal boundaries, protection of specified areas within municipal boundaries, prevention of spread to Zone A municipalities. Spreads along waterways by fragments of stems or twigs breaking off and growing new roots in water.
Hawthorn *Crataegus monogyna*	Undeclared environmental weed. Woody weed, spread by birds.
Montpellier/Canary broom *Genista monspessulana* (shrub)	Declared in Tas, Weed of Nat. Sig., Zone B Containment within municipal boundaries, protection of specified areas within municipal boundaries, prevention of spread to Zone A municipalities. Spread by seed, often carried by machinery, and with a persistent seed bank, it necessitates intensive follow-up to control
Arum lily *Zantedeschia aethiopica*	Undeclared environmental weed. Spread by seed and of rhizomes, particularly via waterways
Foxglove *Digitalis purpurea* (herb)	Under consideration for declaring as Listed. Invades disturbed areas and spreads quickly
Blackberry *Rubus fruticosus* aggregate	Declared in Tas, Weed of Nat. Sig., Zone B Containment: Widespread. Spread by birds into bush edges and along creeks
Reed sweet-grass *Poa aquatica /Glyceria maxima*	Undeclared environmental weed of waterbodies & creeks
Water Hawthorn *Aponogeton distachyos*	Introduced. Undeclared environmental weed of waterbodies & creeks
Pasture grasses (barley grass, tall fescue, sweet vernal, cocksfoot)	

Discussion and Recommendations

The existing mature eucalypts provide invaluable habitat for a wide range of species. Although the understorey of the bushland upslope from the creek is impoverished due largely to the high population of pademelons, the bushland is relatively diverse and the canopy of stringybark *E. obliqua* is vigorous and healthy, with some of these trees up to 50 m tall. Of the three sites indicated as possible building sites on this property, the grassed area, adjacent to Penguin Creek is the one which will require the least disturbance to the bushland. The grassed area would require removal of a couple of stringybark trees to open up a building site and may allow room for the required Building envelope, Building Protection Zone (BPZ) and Fuel Modified Buffer Zone (FMBZ) (Bushfire Planning Group) while minimising impact on the wider bushland. The other two sites; the levelled area up the track travelling north; and around the existing hut would require extensive clearing of bushland to allow for any building and the requisite fire protection zones. Widening and development of an access road up the hill would also open the bushland to increased weed invasion and fragmentation. Developing a building site on the property will require construction of an all-weather access track from Browns Lane across a narrow section of the old overflow drain. Work that may impact threatened species is construction of this all-weather access track to any potential building site on the northern side of Penguin Creek across this old overflow drain. As the giant freshwater crayfish is known to be present in Penguin Creek, if works are required to be undertaken near or within the Creek where disturbance or sedimentation could occur, a qualified person with the appropriate permit, should capture and hold, or relocate any crayfish found within 50 m both upstream and downstream of that disturbance.

Weed control is a priority, particularly along the creek for the willow, glyceria and foxglove but also for isolated woody weed occurrences in the bushland, such as holly and Montpellier broom. Maintaining control of these weeds will ensure that native plant species can regenerate and minimise the opportunity for further weed spread or incursion.

Replanting along the creek should not be necessary as there is enough native vegetation to provide a seed bank for natural regeneration. Outside of the building and fire protection zones, maintaining intact riparian vegetation will help to stabilise the stream banks which currently show some isolated incidences of erosion.

Herbicides used in proximity to the river and drainage areas should be registered for aquatic use (e.g. Roundup Biactive® or Weedmaster Duo® with no added surfactants) (DPIPWE 2012).

Care must be taken when working alongside a waterway to ensure no pests or pathogens are introduced. These could be spread in contaminated water, mud, gravel, soils, plant material or infected fauna. Contamination is often transported on boots, equipment, tyres and during construction and maintenance (NRM South 2010). Of particular concern are the spread of *Phytophthora cinnamomi* (root rot), *Batrachochytrium dendrobatidis* (Chytrid frog disease), *Mucor amphibiorum* (platypus Mucor disease), all present in Tasmania.

Machinery should be clean prior to arrival on site of any contamination that could carry these diseases or weed seeds. Following completion of the work, the work areas should be monitored regularly to control weed regrowth and ensure no new weed species have inadvertently been brought on to the site. Following completion of the works and weed control, any areas of disturbance should be replanted with suitable local natives to reduce the opportunity for weed incursion. Planting more dense understorey species, including tussock grasses along the edges,

will help to reduce the reinvasion of weeds, while providing valuable habitat for a range of native birds, invertebrates and small mammal species, including the eastern barred bandicoot.

References

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- LISTmap (2024), by Information and Land Services, a division of the Department Natural Resources and Environment
- NRE (2024), *Natural values atlas repor*t generated on 01/10/2024 (For more information about threatened species, please contact Threatened Species Enquiries. Telephone: 1300 368 550. Email: **ThreatenedSpecies.Enquiries@nre.tas.gov.au** Address: GPO Box 44, Hobart, Tasmania, Australia, 7000)
- Personal communication, Ray Natoli and Bernie Catney, Landholders.
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- Department of Infrastructure Energy and Resources, Mineral Resources Tasmania*, Digital Geological Atlas 1:25 000 Scale Series, ULVERSTONE, SHEET 4244*
- Catchments and creeks (2022) Creek Erosion Field Guide, Part 3 Bank Stabilisation
- Department of Primary Industries, Parks, Water and Environment(NRE) (2012) Guidelines for Safe and Effective Herbicide Use Near Waterways
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RMCG

13 JANUARY 2026

Agricultural Report: Browns Lane

Report for: Raymond Natoli

Property Location: Browns Lane, Penguin 7316 (CT 211744/1)

Prepared by: Michael Tempest

RMCG
Level 2, 102-104 Cameron Street
Launceston TAS 7250

SUMMARY	
Client:	Raymond Natoli
Property identification:	CT 211744/1 (5.1ha), Browns Lane, Penguin Rural Zone (*Tasmanian Planning Scheme – Central Coast*)
Proposal:	Proposed construction of a dwelling
Purpose:	To assess the agricultural/primary industry aspects of the proposal
Land Capability:	Published Land Capability at 1:100 000 Class 4+5
Assessment comments:	An initial desktop feasibility assessment was undertaken followed by a field inspection on the 2nd of December 2025 to confirm or otherwise the desktop study findings of the agricultural assessment. This report summarises the findings of the desktop and field assessment.
Conclusion:	The title is 5.1ha and is predominately covered in native vegetation. Due to the existing limitations of size, land capability limitations, slope, lack of potential to develop an irrigation water resource and existing vegetation, the agricultural/primary industry potential of the subject title is considered to be negligible and the title is not considered to be 'agricultural land'. Due to the aforementioned factors, there is also limited scope for this title to be farmed in conjunction with adjacent titles. The proposed location of the building area will provide sufficient setbacks from adjoining Rural and Agricultural zone titles to minimise the risk of impacting on the uses on adjoining properties or conflicting or interfering with an agricultural use within the Agriculture zone. The proposal is considered to be compatible with surrounding agricultural use.
Assessment by:	 _____ Michael Tempest Senior Consultant Consultant

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ACKNOWLEDGEMENT OF COUNTRY

Tasmania is Aboriginal land. We acknowledge the palawa and pakana, the Tasmanian Aboriginal peoples, as the Traditional Owners and continuing custodians of the lands, seas, and waterways of lutruwita, Tasmania, on which this project will be conducted. We recognise their ongoing connection to the land, waters, and culture, and pay our respects to their Elders, both past and present, acknowledging emerging leaders. Additionally, we express our gratitude for the knowledge and insights that Traditional Owners and other Aboriginal and Torres Strait Islander peoples contribute to our shared work in Australia.

We pay our respects to all Aboriginal and Torres Strait Islander communities. We acknowledge that Australia was founded on the genocide and dispossession of First Nations peoples and affirm that sovereignty was never ceded in this country. We embrace the spirit of reconciliation, striving toward self-determination, equitable outcomes, and an equal voice for Australia's First Peoples.

1 Introduction

The subject title (CT 211744/1) is located at Browns Lane, Penguin. This title and surrounding land to the north, east, south and south west is zoned as 'Rural' under the *Tasmanian Planning Scheme – Central Coast* (the Planning Scheme). Land to the north west is zoned as 'Agriculture'.

The proponent seeks to gain discretionary approval to construct a dwelling on the title. The relevant sections of the Planning Scheme in relation to this assessment are as follows:

20.0 Rural Zone

20.3.1 Discretionary use

Performance Criteria

P2 A use listed as Discretionary must not confine or restrain existing use on adjoining properties, having regard to:

a. The location of the proposed use;
b. The nature, scale and intensity of the use;
c. The likelihood and nature of any adverse impacts on adjoining uses;
d. Whether the proposed use is required to support a use for security or operational reasons; and
e. Any offsite impacts from adjoining uses.

P3 A use listed as Discretionary, located on agricultural land, must minimise conversion of agricultural land to non-agricultural use and be compatible with agricultural use, having regard to:

a. The nature, scale and intensity of the use;
b. The local or regional significance of the agricultural land; and
c. Whether agricultural use on adjoining properties will be confined or restrained.

20.4.2 Setbacks

Acceptable Solutions

A1 Buildings must have a setback from all boundaries of:

a. Not less than 5m; or
b. If the setback of an existing building is within 5m, not less than the existing building

A2 Buildings for a sensitive use must be separated from an Agriculture Zone a distance of:

a. Not less than 200m; or
b. If an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.

If the above Acceptable Solution setbacks cannot be met, there is scope to achieve reduced setbacks through addressing the Performance Criteria.

Performance Criteria

P1 Buildings must be sited to provide adequate vehicle access and not cause an unreasonable impact on existing use on adjoining properties, having regard to:

a. The bulk and form of the building;
b. The nature of existing use on the adjoining properties;
c. Separation from existing use on the adjoining properties; and
d. Any buffers created by natural or other features

P2 Buildings for sensitive use must be sited so as not to conflict or interfere with an agricultural use within the Agricultural Zone, having regard to:

a. The size, shape and topography of the site;
b. The prevailing setbacks of any existing buildings on the site;
c. The location of existing buildings on the site;
d. The existing and potential use of adjoining properties;
e. Any proposed attenuation measures; and
f. Any buffers created by natural or other features.

A site assessment was conducted on 2 December 2025 to confirm or otherwise the desktop study findings.

2 Description

The title is 5.1ha in area and is situated on a moderately to steeply sloped parcel of land with an easterly to south easterly aspect. The north west of the title sits at approximately 100m above sea level (ASL) while the south eastern boundary is approximately 35m ASL. Penguin Creek flows west to east along the south eastern boundary of the title. Directly adjacent to the north of the creek is a flat area of the title which is the proposed location for a future dwelling.

Published land capability mapping at 1:100 000 scale shows the land to be Class 4+5. Class 4+5 land is described as land containing between 40% and 60% of each of class in a complex. Class 4 land is well suited to grazing, but which is limited to occasional cropping or a very restricted range of crops and Class 5 land is unsuited to cropping and with slight to moderate limitations to pastoral use. See Appendix 2 for full land capability descriptions. The land is not considered prime agricultural land as defined in the Tasmanian Government's *Protection of Agriculture Policy 2009.*

The site is generally covered in native vegetation, which TasVeg 5.0 maps as *Eucalyptus obliqua* wet forest (WOU). The flat area in the south east of the title where a future dwelling is proposed, while mapped as WOU, is mostly grassed with remnant trees scattered throughout it (see Figure A2-1). WOU is not listed as threatened under the *Nature Conservation Act 2002*, however, the entire title is mapped as 'priority vegetation' under the Natural Assets Code of the Planning Scheme.

The sloped sections of the title are mapped as a 'low' and 'medium' risk landslip hazard under the Landslip Hazard Code of the Planning Scheme. The entire title is within a 'bushfire-prone area' under the Bushfire-prone Areas Code.

The title is situated within the Penguin Creek Sub-Catchment and the Blythe Catchment. Penguin Creek flows along the south eastern boundary. There is also an unnamed tributary of Penguin Creek that flows north to south along the north eastern title boundary. The site and all surrounding land is mapped within the Dial-Blythe Irrigation District. Given the existing vegetation on the site, the steeply sloped areas and the size of the title, it is considered unlikely that this site would be utilised for irrigated agriculture.

There is no current mining lease associated with the title. There are also no existing mining leases nearby.

Surrounding titles vary in size and zoning. Adjacent to the north is CT 227258/1 which is 15.7ha in area and has an existing dwelling in the northern corner. This title is zoned Rural and appears to be utilised for grazing at a hobby scale[1]. There is a deep ravine running north to south through the middle of this adjacent title.

To the east is CT 177196/1, which is known as Penguin Valley Farm. This title is 17.3ha in area, is zoned Rural and has an existing dwelling in its southern section. Two thirds of the title is covered in native vegetation, with the remaining third utilised for pasture and for the dwelling and its associated yard. The northern section is steeply sloped with a southerly aspect, the southern section is also steeply sloped with a northerly aspect. The land in the middle which is the valley associated with Penguin Creek is relatively flat. This title also displays hobby scale characteristics.

To the south is CT 88561/1, this title is 10.7ha in area, zoned Rural and has an existing dwelling in the northern section of the title. The title is mostly managed as pasture with patches of vegetation. The southern section of the title is steeply sloped. This title displays lifestyle to hobby scale characteristics.

[1] See Appendix 5 for RMCG's enterprise scale definitions.

To the West is CT 174206/3, this title is 49ha in area, has an existing dwelling in the northern section of the title and is split zoned Agriculture and Rural. All pastured areas on this title are zoned Agriculture, whereas the vegetated areas are zoned Rural. The vegetated areas are also covered by a private timber reserve. The pastured areas appear to be predominately utilised for grazing. There does not appear to be any water rights for irrigation associated with this property (based on water licence information available on LISTmap and Tasmania Irrigation's water entitlement register. However, historical google earth imagery indicates that some limited cropping may have occurred in the northern section of this title in the past.

3 Discussion

The subject title is not currently utilised for agriculture/primary industry. There are no existing irrigation water resources, it is highly unlikely that the development of the land for agriculture would be economical. The title is also almost entirely covered in native vegetation. The native vegetation does have some potential for native forest harvesting, however, limitations derived from the title size, location of the existing stream, the slope and landslip hazard of the land, and proximity of residential dwellings would likely limit forestry potential. These factors suggest that to develop this site for an agricultural/primary industry activity would require significant investment and it is questionable as to whether a return on investment could be achieved. The site is best described as a bush block rather than agricultural land.

If a single dwelling is constructed on this title, the title would be described as having lifestyle scale characteristics (RMCG 2022). Surrounding land is described as lifestyle or hobby scale (RMCG 2022).

While the title has limited capacity to contribute to agriculture/primary industry, the potential for any future non-agricultural use to confine or restrain existing use on adjoining properties also needs to be considered. There are a range of activities associated with forestry and grazing and Learmonth et al. (2007) detail the common range of issues associated with sensitive uses such as residential use in rural areas which can constrain agricultural/primary industry activities (see Appendix 4). Common conflict issues associated with residential use in rural areas include spray drift from chemicals which would include fungicide, herbicide, and insecticide, noise from equipment (including shooting for game control), irrigation spray drift, odours, and dust.

The Western Australia Department of Health (DOH, 2012) has published guidelines relating specifically to minimising conflict between agricultural/primary industry activities and residential areas through management of buffer areas. This study particularly focuses on spray drift and dust generation and recommends a minimum separation distance of 300m to reduce the impact of spray drift, dust, smoke, and ash. Through the establishment of an adequately designed, implemented and maintained vegetative buffer, this minimum separation distance can be reduced to 40m. The *Tasmanian Planning Scheme – Central Coast* recommends a distance of 200m from the Agriculture zone a 5m setback from adjacent Rural titles as a buffer.

The proposed dwelling is approximately 190m from the Agriculture zone to the north west. A minimum 40m from adjacent land in the Rural zone with a maximum setback of 207m (see Figure A1-5). The setback to the Agriculture zone is further offset by the sharp contrast in topography and the existing native vegetation on the subject title. Setbacks to the adjacent land in the Rural zone are also offset by existing vegetation that will be retained. The closest boundary is 25m to the south, this setback will be offset by riparian vegetation that will be retained along Penguin Creek, which will provide a sufficient buffer to the hobby scale grazing that occurs directly to the south.

The setbacks are considered sufficient to minimise the low risk of confining or restraining any adjacent agricultural/primary industry use the surrounding titles and ensures the proposed dwelling is compatible with surrounding uses.

4 Conclusions

The title is 5.1ha and is predominately covered in native vegetation. Due to the existing limitations of size, land capability limitations, slope, lack of potential to develop an irrigation water resource and existing vegetation, the agricultural/primary industry potential of the subject title is considered to be negligible and the title is not considered to be ‘agricultural land’. Due to the aforementioned factors, there is also limited scope for this title to be farmed in conjunction with adjacent titles.

The proposed location of the building area will provide sufficient setbacks from adjoining Rural and Agricultural zone titles to minimise the risk of impacting on the uses on adjoining properties or conflicting or interfering with an agricultural use within the Agriculture zone. The proposal is considered to be compatible with surrounding agricultural use.

5 References

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Appendix 1: Maps

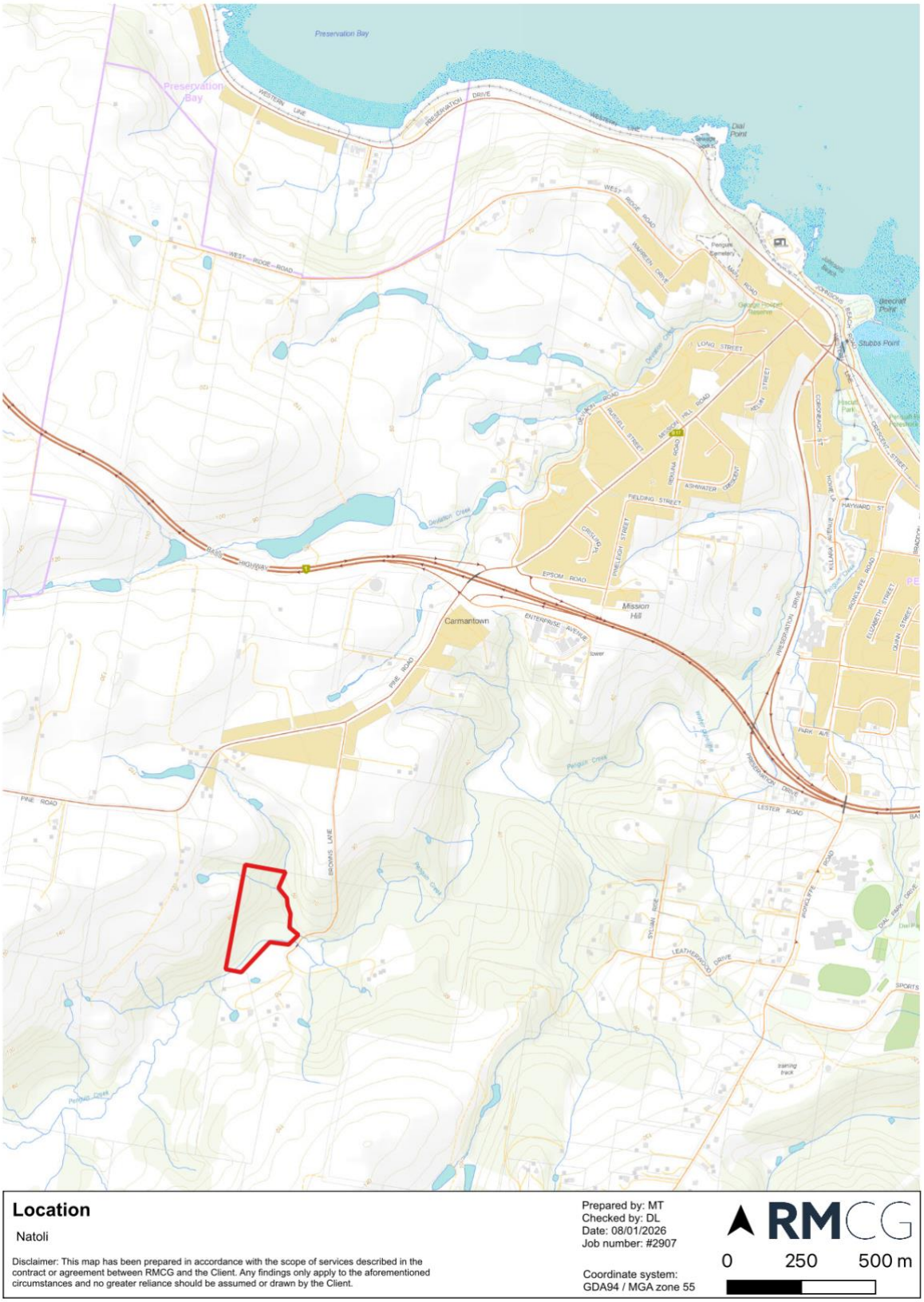

Figure A1-1: Location

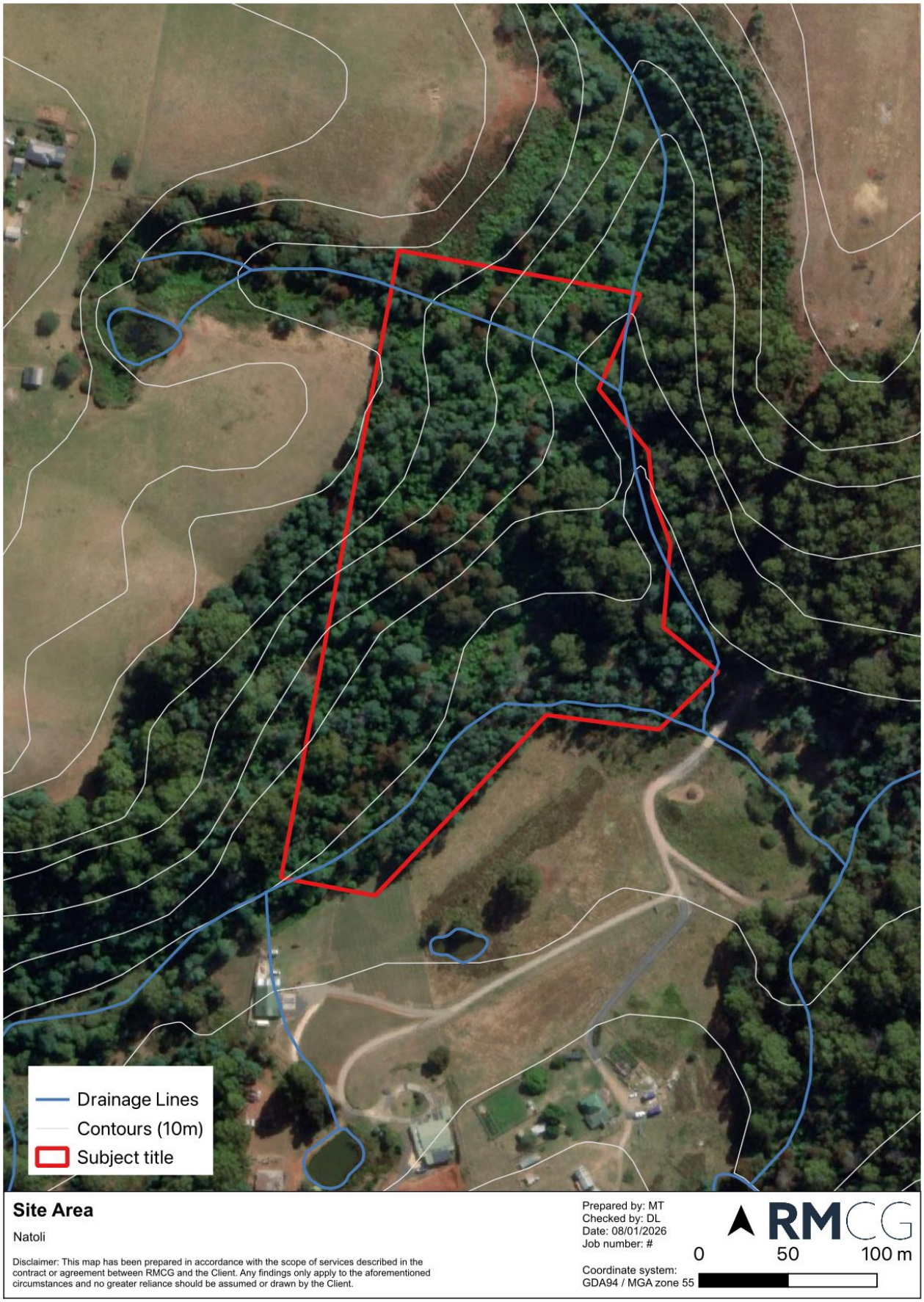

Figure A1-2: Aerial image

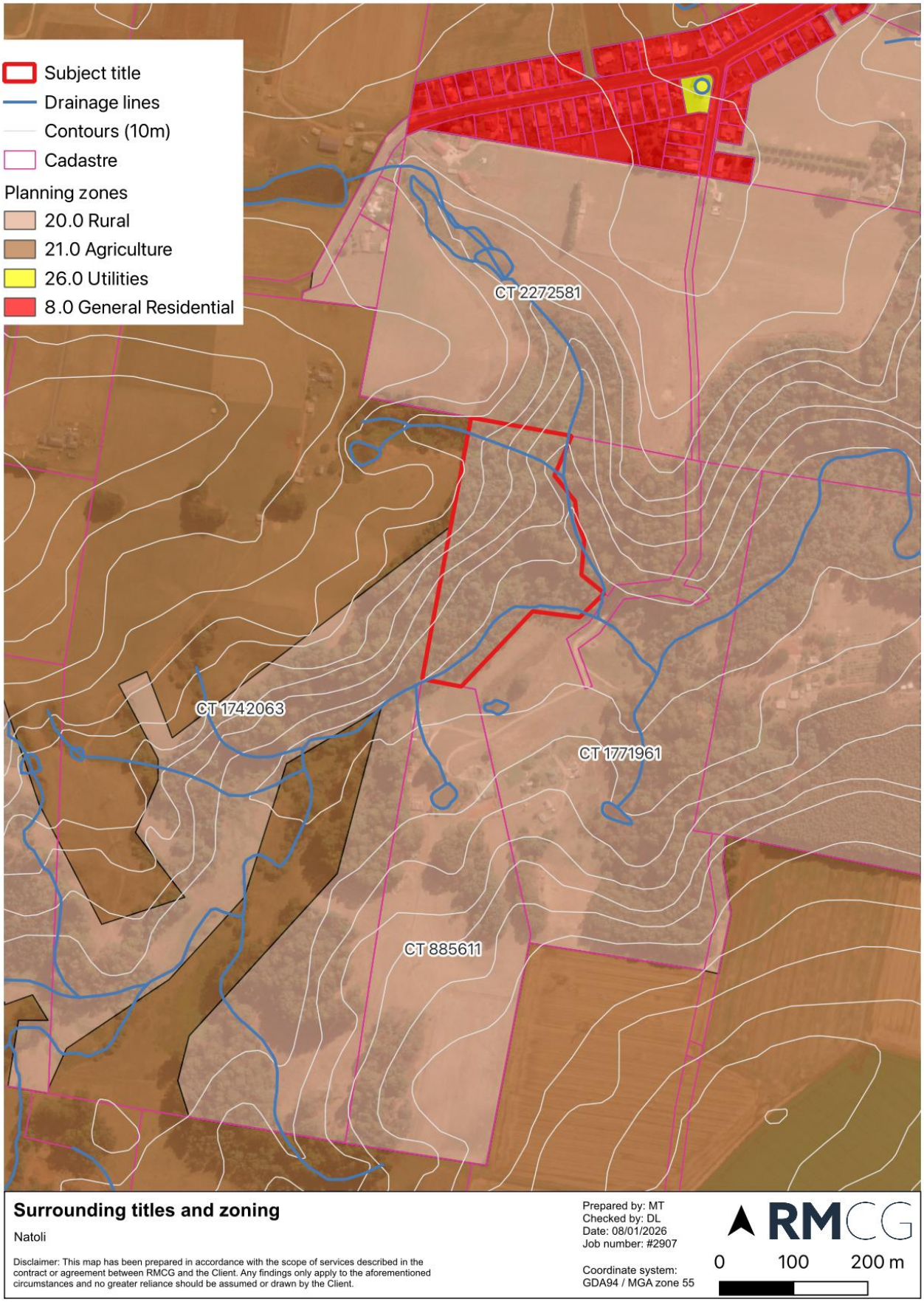

Figure A1-3: Surrounding titles

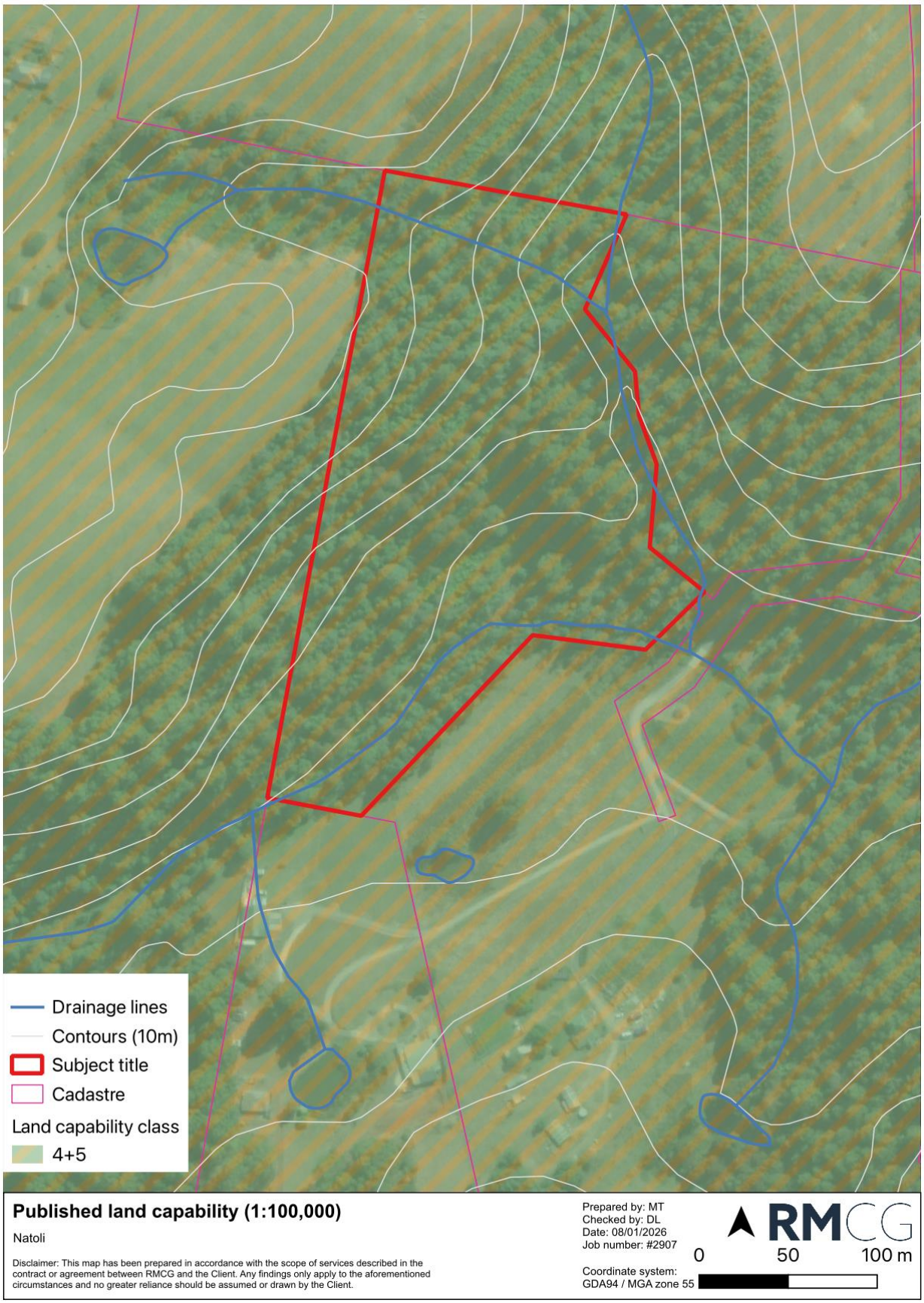

Figure A1-4: Published land capability

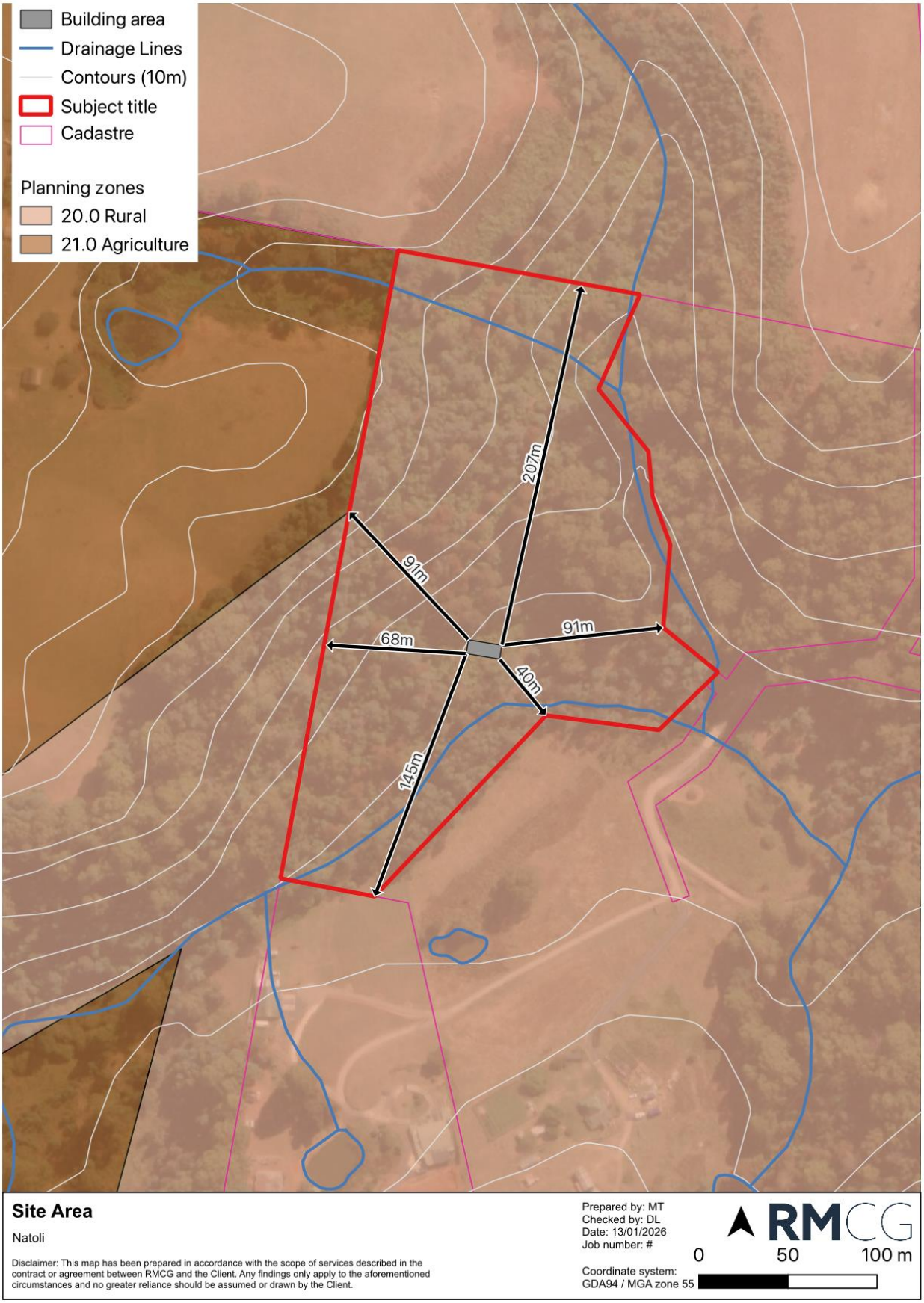

Figure A1-5: Proposed dwelling location and setbacks

Appendix 3: Site photos

Photos taken by Michael Tempest on the 2nd of December 2026

Figure A2-1: Grassy area where the dwelling is proposed to be located

Figure A2-2: Grassy area with forest vegetation in the background which dominates the site

Appendix 3: Land capability definitions from Grose (1999)

Prime agricultural land as described in the State Policy on the Protection of Agricultural Land 2009:

CLASS 1: Land well suited to a wide range of intensive cropping and grazing activities. It occurs on flat land with deep, well drained soils, and in a climate that favours a wide variety of crops. While there are virtually no limitations to agricultural usage, reasonable management inputs need to be maintained to prevent degradation of the resource. Such inputs might include very minor soil conservation treatments, fertiliser inputs or occasional pasture phases. Class 1 land is highly productive and capable of being cropped eight to nine years out of ten in a rotation with pasture or equivalent without risk of damage to the soil resource or loss of production, during periods of average climatic conditions.

CLASS 2: Land suitable for a wide range of intensive cropping and grazing activities. Limitations to use are slight, and these can be readily overcome by management and minor conservation practices. However, the level of inputs is greater, and the variety and/or number of crops that can be grown is marginally more restricted, than for Class 1 land. This land is highly productive but there is an increased risk of damage to the soil resource or of yield loss. The land can be cropped five to eight years out of ten in a rotation with pasture or equivalent during 'normal' years, if reasonable management inputs are maintained.

CLASS 3: Land suitable for cropping and intensive grazing. Moderate levels of limitation restrict the choice of crops or reduce productivity in relation to Class 1 or Class 2 land. Soil conservation practices and sound management are needed to overcome the moderate limitations to cropping use. Land is moderately productive, requiring a higher level of inputs than Classes I and 2. Limitations either restrict the range of crops that can be grown or the risk of damage to the soil resource is such that cropping should be confined to three to five yens out of ten in a rotation with pasture or equivalent during normal years.

Non-prime agricultural land as described in the State Policy on the Protection of Agricultural Land 2009:

CLASS 4: 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 resource. In some areas longer cropping phases may be possible but the versatility of the land is very limited. (NB some parts of Tasmania are currently able to crop more frequently on Class 4 land than suggested above. This is due to the climate being drier than 'normal'. However, there is a high risk of crop or soil damage if 'normal' conditions return.).

CLASS 5: This land is unsuitable for cropping, although some areas on easier slopes may be cultivated for pasture establishment or renewal and occasional fodder crops may be possible. The land may have slight to moderate limitations for pastoral use. The effects of limitations on the grazing potential may be reduced by applying appropriate soil conservation measures and land management practices.

CLASS 6: Land marginally suitable for grazing because of severe limitations. This land has low productivity, high risk of erosion, low natural fertility or other limitations that severely restrict agricultural use. This land should be retained under its natural vegetation cover.

CLASS 7: Land with very severe to extreme limitations which make it unsuitable for agricultural use.

Appendix 4: Potential conflict issues

Tables A4-1 to A4-3 describe the frequency and intensity of adjacent activities and the associated issues likely to constrain this use. These are a broad guide only and site specific, cultivar specific and seasonal variations occur. Aside from these specific issues associated with these activities Learmonth et. al. (2007) also provides a comprehensive list of potential land use conflict issues (see Figure A4-1). Tables A4-1 to A4-3 provide the rationale behind the recommended minimum buffers contained in Table A7-1 (Appendix 7).

Table A4-1: Farming activity – Grazing

MANAGEMENT ACTIVITY	ISSUES LIKELY TO CONSTRAIN THE ACTIVITY	COMMENT
Pasture sowing Herbicide spraying Cultivation Drilling	Spray drift, noise, dust	Ground based or aerial – often very early in the morning
Grazing	Livestock trespass, noise at certain time e.g., weaning calves	
Forage conservation, including mowing, raking, baling, carting bales	Noise, dust	
Fertiliser spreading	Noise, odour	
Insecticide spraying	Spray drift, noise	Ground based or aerial – often very early in the morning

Table A4-2: Farming activity – Irrigated grazing

MANAGEMENT ACTIVITY	ISSUES LIKELY TO CONSTRAIN THE ACTIVITY	COMMENT
Pasture sowing Herbicide spraying Cultivation Drilling	Spray drift, noise, dust	Ground based or aerial – often very early in the morning
Grazing	Livestock trespass, noise at certain time e.g., weaning calves	
Forage conservation including mowing, raking, baling, carting bales	Noise, dust	
Fertiliser spreading	Noise	
Insecticide spraying	Spray drift, noise	Ground based or aerial
Irrigation	Spray drift, noise (pump)	Potentially turbid and not potable

Table A4-3: Farming activity – Plantation forestry

MANAGEMENT ACTIVITY	ISSUES LIKELY TO CONSTRAIN THE ACTIVITY	COMMENT
Planting	Dust, noise	Ground based, likely all day
Herbicide spraying	Spray drift, noise	Ground and aerial, likely to be very early in the morning
Pruning/thinning	Dust, noise, vehicle movement	Use of loud machinery and regular heavy vehicle movement
Harvesting	Dust, noise	Use of loud machinery and regular heavy vehicle movement

Issue	Explanation
Absentee landholders	Neighbours may be relied upon to manage issues such as bush fires, straying stock, trespassers etc. while the absentee landholder is at work or away.
Access	Traditional or informal 'agreements' for access between farms and to parts of farms may break down with the arrival of new people.
Catchment management	Design, funding and implementation of land, water and vegetatin management plans are complicated with larger numbers of rural land-holders with differing perspectives and values.
Clearing	Neighbours may object to the clearing of trees, especially when it is done apparently without approvals or impacts on habitat areas or local amenity.
Cooperation	Lack of mutual co-operation through the inability or unwillingness on behalf individuals to contribute may curtail or limit traditional work sharing practices on-farm or in the rural community.
Dogs	Stray domestic dogs and wild dogs attacking livestock and wildlife and causing a nuisance.
Drainage	Blocking or changing drainage systems through a lack of maintenance or failure to cooperate and not respect the rights of others.
Dust	Generated by farm and extractive industry operations including cultivating, fallow (bare) ground, farm vehicles, livestock yards, feed milling, fertiliser spreading etc.
Dwellings	Urban or residential dwellings located too close to or affecting an existing rural pursuit or routine land use practice.
Electric fences	Electric shocks to children, horses and dogs. Public safety issues.
Fencing	Disagreement about maintenance, replacement, design and cost.
Fire	Risk of fire escaping and entering neighbouring property. Lack of knowledge of fire issues and the role of the Rural Fire Service.
Firearms	Disturbance, maiming and killing of livestock and pest animals, illegal use and risk to personal safety.
Flies	Spread from animal enclosures or manure and breeding areas.
Heritage management	Destruction and poor management of indigenous and non indigenous cultural artefacts, structures and sites.
Lights	Bright lights associated with night loading, security etc.
Litter	Injury and poisoning of livestock via wind blown and dumped waste. Damage to equipment and machinery. Amenity impacts.
Noise	From farm machinery, scare guns, low flying agricultural aircraft, livestock weaning and feeding, and irrigation pumps.
Odours	Odours arising from piggeries, feedlots, dairies, poultry, sprays, fertiliser, manure spreading, silage, burning carcases/crop residues.
Pesticides	Perceived and real health and environmental concerns over the use, storage and disposal of pesticides as well as spray drift.
Poisoning	Deliberate poisoning and destruction of trees/plants. Spray drift onto non-target plants. Pesticide or poison uptake by livestock and human health risks.
Pollution	Water resources contaminated by effluent, chemicals, pesticides, nutrients and air borne particulates.
Roads	Cost and standards of maintenance, slow/wide farm machinery, livestock droving and manure.
Smoke	From the burning of crop residues, scrub, pasture and windrows.
Soil erosion	Loss of soil and pollution of water ways from unsustainable practices or exposed soils. Lack of adequate groundcover or soil protection.
Straying livestock	Fence damage, spread of disease, damage to crops, gardens and bush/rainforest regeneration.
Theft/vandalism	Interference with crops, livestock, fodder, machinery and equipment.
Tree removal	Removal of native vegetation without appropriate approvals. Removal of icon trees and vegetation.
Trespass	Entering properties unlawfully and without agreement.
Visual/amenity	Loss of amenity as a result of reflective structures (igloos, hail netting), windbreaks plantings (loss of
Water	Competition for limited water supplies, compliance with water regulations, building of dams, changes to flows. Stock access to waterways. Riparian zone management.
Weeds	Lack of weed control particularly noxious weeds, by landholders.
	Based on: Smith, RJ (2003) Rural Land Use Conflict: Review of Management Techniques – Final Report to Lismore Living Centres (PlanningNSW).

Figure A4-1: Typical rural land use conflict issues (Learmonth et al. 2007)

Appendix 5: Farm business scale characteristics

Table A5-1 summarises a number of key characteristics associated with each scale. The characteristics described should be read in conjunction. No single characteristics is considered definitive and there will be overlap and anomalies. Table A5-1 can be used to determine the scale of the existing farm business and/or the potential scale based on the characteristics.

Table A5-1: Farm business scale characteristics

INDICATIVE CHARACTERISTICS	COMMERCIAL SCALE	SMALL SCALE PRODUCER	HOBBY SCALE	LIFESTYLE SCALE
Relevance for primary production	Dominant activity associated with the farm business is primary production. Likely to be viable. Capacity to produce sufficient profit for a family and full-time employment of one person.	Dominant activity associated with the farm business is primary production. Likely to be viable in time, potentially through cooperative arrangements, higher value products, downstream processing, complementary food, recreation, hospitality, tourism or value adding. If running livestock, then current carrying capacity is at least average DSE/ha for their area.	Land used for some primary production. Occupant/family needs to be supported by non-primary production income and/or off-farm income.	Little or no relevance for primary production.
Producer aspirations	Shows commercial intent in primary production. Have a marketing strategy. Business focused with production decisions made on economic principles.	Shows commercial intent in primary production. Have a marketing strategy. Business focused with production decisions made on economic principles. Work with other small scale producers to share marketing and resources.	Profitability is not a high priority in primary production decisions and viability cannot be demonstrated.	Profitability has very low relevance. Lifestyle is the dominant motivation for any primary production activity.
Labour (FTE) for the primary production	At least 1 FTE	Likely to be at least 0.5 FTE	Likely to be less than 0.5 FTE	
Indicative Gross Income from Primary Production	Greater than $300 000 from the farm business with additional income derived from value adding or off-farm generally comprising less than 50% of total household income.	Generally, between $40 000 and $300 000 from the farm business. Total household income is generally derived from several income streams of which primary production is one. Primary production income often comprises less than 50% of total household income.	Generally, between $10 000 - $40 000 from the farm business with additional household income comprising more than 50% of total household income.	<$10 000 from the farm business.

INDICATIVE CHARACTERISTICS	COMMERCIAL SCALE	SMALL SCALE PRODUCER	HOBBY SCALE	LIFESTYLE SCALE
Land and Water resources (general characteristics)	Total land area for mixed farming is likely to be 200ha-500ha or more, depending on Land Capability, water resources and farm business activity mix. Land area for vineyards, orchards or berries is likely to be at least 10ha-20ha and likely more. Land area generally comprising of a number of titles farmed together. Irrigation is generally necessary for smaller land areas to be viable and/or for higher value products.	For livestock producers generally 40-80ha in one or two titles. Generally, 8-40 ha in area and a single title for other ventures. Water for irrigation likely, but it depends on the farm business activity. The land and/or water resources associated with the farm business may have the capacity to contribute to a 'commercial' scale farm business depending on the degree of constraint.	Generally, 8-40 ha in area and a single title. Water for irrigation less likely, but possible, depending on location and cost of supply. The land and/or water resources associated with the title may have the capacity to contribute to a 'commercial' scale farm business depending on the degree of constraint.	Generally, 1-8 ha in area. Land Capability variable. Water for irrigation highly unlikely. No capacity to contribute to a 'commercial' scale farm business due to constraining factors.
Connectivity	Few constraints likely. Likely to be well connected to other unconstrained titles, Expansion and/or intensification feasible.	Some constraints likely. Residences on majority of adjacent titles. Low connectivity to unconstrained titles.	Some constraints likely. Residences on majority of adjacent titles. Low connectivity to unconstrained titles.	Moderate to significant constraints likely. Residences on majority of adjacent titles. Little or no connectivity to unconstrained titles.
Registrations	Are recognised by ATO as Primary Producer. Livestock producers will have a PIC and be registered for NLIS and LPA. All producers are likely to be registered for GST. Would be part of QA schemes, depending on products and markets.	Are recognised by ATO as a Primary Producer. Livestock producers will have a PIC and be registered for NLIS and LPA. All producers are likely to be registered for GST. Would be part of QA schemes, depending on products and markets.	May or may not be recognised by ATO as primary producer. Livestock producers will have a PIC and be registered for NLIS and LPA; may be registered for GST and may be part of any QA schemes.	Are not recognised by ATO as primary producer. May not have a PIC or be registered for NLIS; are not registered for GST and unlikely to be part of any QA schemes.
Role of a dwelling	Dwelling is subservient to the primary production.	Dwelling is convenient/preferred to facilitate improved productivity. Dwelling assists with security.	Dwelling is convenient/preferred for lifestyle reasons.	Dwelling is the dominant activity on the title.

Appendix 6: Characteristics of a 'Commercial' scale farm business activity

It is very difficult to provide an assessment of the commercial viability of a single farm business activity as generally more than one farm business activity contributes to a farming business. Table A6-1 is designed to describe the general characteristics of a 'commercial' scale farm business activity in Tasmania. Table A6-1 can be used to characterise land and water resources to determine whether they have the capacity to contribute to a 'commercial' scale farm business activity. For example, a farming business with less than 4ha of cherries is likely to need additional farming activities to be viable.

Table A6-1: Resource requirements for various land uses

RESOURCE	LIVESTOCK			BROAD ACRE CROPS		VEGETABLES		BERRIES	ORCHARD FRUITS & VINES	NURSERIES & CUT FLOWERS	FORESTRY PLANTATIONS
	Sheep	Cattle	Dairy	Cereals	Others	Processed	Fresh Market				
Land Capability	LC generally 3–6	LC generally 3–5/6	LC generally 3–5	LC 1–4	LC 1–4	LC 1–4	LC 1–4	LC 1–4/5	LC 1–4/5	LC 1–4 or N/A	LC 4–6
Minimum paddock sizes	No minimum	No minimum	To suit grazing system	10–15ha min	5–10ha min	10ha min	10ha min	2–4ha	2–5ha	2–4ha min	10–20ha min
Size for a 'viable' business if conducted as single farm business activity (1)	Generally 3,000–10,000 dse -area depends on rainfall). (2)		Capacity for at least 350 milkers.(3)	Broadacre cropping will be a mix of crops in rotation with pasture and livestock. The area required for viability is highly variable.				4–10ha	10–30ha	5–10ha	TBC
Irrigation water	Not essential	Not essential	Preferable 4–6ML/ha	Not necessary	Mostly necessary, 2–3 ML/ha	Necessary, 2–6ML/ha	Necessary, 2–6ML/ha	Necessary, 1–3ML/ha	Necessary, 2–3ML/ha	Necessary, small quantity	Not required
Climate specifications	Lower rainfall preferred for wool	No preferences	High rainfall (or irrigation)	Susceptible to spring frosts. Difficult to harvest in humid coastal conditions.	Susceptible to spring frosts	Susceptible to spring frosts	Susceptible to spring frosts	High rainfall (or irrigation)	Susceptible to spring frosts for vines. Susceptible to summer rains for cherries. Susceptible to disease in high humidity in March for vines.	Preferably low frost risk area	Rainfall above 700–800 mm

RESOURCE	LIVESTOCK			BROAD ACRE CROPS		VEGETABLES		BERRIES	ORCHARD FRUITS & VINES	NURSERIES & CUT FLOWERS	FORESTRY PLANTATIONS
Infrastructure	Yards & shearing shed	Yards, crush, loading ramp	Dairy shed, yards, crush, loading ramp.	Minimal	Irrig facilities	Irrig facilities	Irrig facilities. Possibly a packing shed unless using a contract packer or growing on contract.	Irrig facilities. Packing shed	Irrig facilities. Packing shed	Plastic/glass houses	Firefighting dams Access roads
Plant & equipment	Minimal	Minimal; hay feeding plant	General purpose tractor, hay/silage feeding.	Tractors & implements	Tractors & implements	Tractors & implements	Tractors & implements	Tractors & implements	Tractors & implements	Small plant	Contract services
Market contracts	Not required	Not required	Necessary	Not required	Generally required	Necessary	Highly preferred	Desired	Desired	Contracts preferable	Varies
Labour	Medium	Low	High	Low	Low	Low	Variable/medium	High at times	High at times	High at times	Low
Local services	Shearers	Vet	Vet, dairy shed technician	Agronomist, contractors	Agronomist, contractors	Agronomist, contractors	Agronomist, contractors	Pickers	Pickers	Pickers	Contractors
Regional suitability	Dryer areas good for wool. All areas suitable; larger farm sizes needed for viability.	All areas suitable	Economics dictate large area necessary. Needs high rainfall or large water resource for irrigation.	Generally large areas, so need larger paddocks and larger farms.	Generally large areas, so need larger paddocks and larger farms.	Medium sized paddocks & farms; area for crop rotations and irrigation.	Medium sized paddocks & farms; area for crop rotations and irrigation.	Specific site requirements; proximity to markets and transport/carriers.	Specific site requirements; potentially available in most municipalities.	Proximity to markets is important.	Low rainfall areas less preferred

Table notes:

1. The Agricultural Land Mapping Project (ALMP) (Dept of Justice, 2017) defined minimum threshold titles sizes that could potentially sustain a standalone agricultural farm business activity. The ALMP have 333ha for a livestock farm business activity, 40ha for dairy, 133ha for cereals and other broadacre crops, 25ha for processed and fresh market vegetable, 10ha for berries, other fruits & vines and nurseries and cut flowers and no specified minimum area for plantation forestry.
2. Kynetec (March 2021) Farm Intel Information brochure uses 100ha as the minimum farm area for livestock
3. Kynetec (March 2021) Farm Intel Information brochure uses 75ha as the minimum farm area for dairy.

Appendix 7: Separation distances and buffers

Farm business activity scale (RMCG 2022 and included as Appendix 5) in combination with Table A7-1 can be used to provide guidance on appropriate separation distances when there are no additional mitigating factors. Appendix 4 provides guidance on constraints and potential conflict issues in relation to the relevant current and potential farming activities in proximity to a sensitive use.

Table A6-1: Separation distances

RESOURCE	LIVESTOCK			BROAD ACRE CROPS		VEGETABLES		BERRIES	ORCHARD FRUITS & VINES	NURSERIES & CUT FLOWERS	FORESTRY PLANTATIONS
	Sheep	Cattle	Dairy	Cereals	Others	Processed	Fresh Market				
Recommended min. buffer for individual dwellings (1)	50m to dryland and 100m to irrigated grazing area (3)	50m to dryland and 100m to irrigated grazing area.(3)	50m to dryland and, 100m to irrigated grazing, 300m to dairy shed and 250m to effluent storage or continuous application areas (2).	200m to crop	200m to crop	200m to crop	200m to crop	200m to crop	200m to crop	200m to crop	100m from crop for aerial spraying
Recommended min. buffer for residential areas (1)	50m to dryland and 100m to irrigated grazing area.(3)	50m to dryland and 100m to irrigated grazing area.(3)	50m to dryland and, 100m to irrigated grazing, 300m to dairy shed and 250m to effluent storage or continuous application areas (2).	300m to crop	300m to crop	300m to crop	300m to crop	300m to crop	300m to crop	300m to crop	Site specific (1).

Table notes:

1. From (Learmonth, Whitehead, Boyd & Fletcher, 2007). These are industry specific recommended setbacks which do not necessarily align with Planning Scheme Setback requirements. Council should ensure they are aware of attenuation setback requirements for specific activities.
2. The State Dairy Effluent Working Group, 1997 uses 50m to grazing area, 250m to dairy shed and 300m to effluent storage or continuous application areas. The State Planning Scheme uses 300m to diary shed and 250m to effluent lagoon
3. Learmonth, Whitehead, Boyd & Fletcher, 2007 uses 50m from grazing areas.

This report has been prepared by:

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Document review and authorisation

Project Number: #2907

Doc Version	Final/Draft	Date	Author	Project Director review	BST QA review	Release approved by	Issued to
1.0	Final	13/01/2026	M. Tempest	D. Lucas	B. Gravenor	D. Lucas	R. Natoli
2.0	Final	13/01/2026	M. Tempest				R. Natoli

RMCG

13 JANUARY 2026

Bushfire Hazard Management Report: Browns Lane, Penguin

Report for:	Raymond Natoli
Property Location:	Browns Lane, Penguin (CT 211744/1
Prepared by:	Michael Tempest RMCG Level 2, 102-104 Cameron Street Launceston, TAS 7250
Version:	2.0

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Victoria — Tasmania — NSW

SUMMARY	
Client:	Raymond Natoli
Property identification:	Browns Lane, Penguin Current zoning: Rural CT 211744/1, PID 6764378.
Proposal:	A new Class 1a building (dwelling) is proposed on the title.
Assessment comments:	A field inspection of the site was conducted (02/12/2025) to determine the Bushfire Risk and Attack Level.
Conclusion:	The area is considered to be bushfire-prone area under the Bushfire-prone Areas Code of the *Tasmanian Planning Scheme – Central Coast*. There is sufficient space to provide for a hazard management area for BAL 29 standards for all façades of the future dwelling and any associated buildings that are within 6m of the dwelling. Access to the property is greater than 30m and must therefore be compliant with elements B in Table 2 of the *Director's Determination - Bushfire Hazard Areas*. A static water supply must be installed to the standards outlined in Table 3B of the *Director's Determination - Bushfire Hazard Areas*.
Assessment by:	 _____ Michael Tempest Accredited Person under Part 4A of the Fire Service Act 1979, Accreditation # BFP-153.

ACKNOWLEDGEMENT OF COUNTRY

Tasmania is Aboriginal land. We acknowledge the palawa and pakana, the Tasmanian Aboriginal people, as the Traditional Owners and continuing custodians of the lands, seas and waterways of lutruwita, Tasmania on which this project has been conducted. We recognise their continuing connection to land, waters and culture and pay our respects to their Elders past and present, and we acknowledge emerging leaders. Moreover, we express gratitude for the knowledge and insight that Traditional Owners and other Aboriginal and Torres Strait Islander people contribute to our shared work in Australia.

We pay respects to all Aboriginal and Torres Strait Islander communities. We recognise that Australia was founded on the genocide and dispossession of First Nations people and acknowledge that sovereignty was not ceded in this country. We embrace the spirit of reconciliation, working towards self-determination, equity of outcomes, and an equal voice for Australia's First People.

Table of Contents

1 Introduction

It is a requirement under the *Building Act 2016* that a proposed dwelling that occurs either wholly or partially within a bushfire-prone area is assessed by an accredited person who will provide a Bushfire Hazard Management Report and a Bushfire Hazard Management Plan.

1.1 PROPOSAL

RMCG was engaged to undertake a bushfire assessment of CT 211744/1, Browns Lane, Penguin. The assessment was requested in relation to the approval of a dwelling. The land is within the Rural zone and is mapped as bushfire-prone under the *Tasmanian Planning Scheme – Central Coast* (the Planning Scheme).

1.2 SCOPE

This Bushfire Hazard Management Report and Bushfire Hazard Management Plan has been commissioned to meet the requirements for approval of a Class 1a building at CT 211744/1, Browns Lane, Penguin.

This report provides a Bushfire Attack Level (BAL) and a Bushfire Hazard Management Plan (BHMP) for the proposed dwelling. All advice is compliant with the *Director's Determination - Bushfire Hazard Areas* and the *Australian Standard, AS3959-2018, Construction of buildings in bushfire-prone areas.*

1.3 LIMITATIONS

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

2 Site description

The title is 5.1ha in area and is situated on a moderately to steeply sloped parcel of land with an easterly to south easterly aspect. The north west of the title sits at approximately 100m above sea level (ASL) while the south eastern boundary is approximately 35m ASL. Penguin Creek flows west to east along the south eastern boundary of the title. Directly adjacent to the north of the creek is a flat area of the title which is where the proposed future dwelling will be located.

The site is generally covered in native vegetation, which TasVeg 5.0 maps as *Eucalyptus obliqua* wet forest (WOU). The flat area in the south east of the title where a future dwelling is proposed, while mapped as WOU, is mostly grassed with remnant trees scattered throughout it. For the purposes of this bushfire assessment most vegetation on the site has been classed as forest vegetation, except for the flat area where there is grass and remanent trees. This area, of approximately 0.4 ha, has been classed as woodland from a bushfire perspective.

2.1 SURROUNDING AREA

Surrounding land is a mosaic of forest vegetation and grassland vegetation.

Prevailing wind is from the north west and the main bushfire threat is from the east.

Site maps are in Appendix 1 and site photos are in Appendix 2.

3 Bushfire site assessment

The land is within a mapped Bushfire-Prone Area under the Planning Scheme. A Bushfire Attack Level assessment has been conducted using Method 1 of AS 3959-2018.

Step 1: The Fire Danger Index (FDI) is a measure of the probability of a bushfire starting, its rate of speed, intensity, and the difficulty of suppression. The FDI is influenced by combinations of air temperature, relative humidity, wind speed, and both the long and short-term effects of drought. The FDI for Tasmania is **50** (Clause 2.2.2).

Step 2: Assessment of vegetation within 100m of proposed development.

Table 3-1: Assessment of vegetation

VEGETATION – CLASSIFICATION	NORTH	EAST	SOUTH EAST	SOUTH WEST	WEST
Group A – Forest	0-100m	0-100m		30-100m	0-100m
Group B – Woodland			0-40m	0-30m	
Group C – Shrubland					
Group D – Scrub					
Group E – Mallee/Mulga					
Group F – Rainforest					
Group G – Grassland			40-100m		
Low Threat (Cl 2.2.3.2)					

Step 3: Distance from classified vegetation (Clause 2.2.4)

Table 3-2: Distance from classified vegetation

	NORTH	EAST	SOUTH	WEST
Existing distance	0m	0m	0m	0m
Existing BAL	FZ	FZ	FZ	FZ

Step 4: Effective slope under classified vegetation (Clause 2.2.5)

Table 3-3: Effective slope under classified vegetation

NORTH		EAST		SOUTH		WEST	
Upslope	X	Upslope	X	Flat	X	Upslope	X
0-5°		0-5°		0-5°		0-5°	
5-10°		5-10°		5-10°		5-10°	
10-15°		10-15°		10-15°		10-15°	
15-20°		15-20°		15-20°		15-20°	

Step 5: Determination of Bushfire Attack Level (BAL).

As BAL FZ does not meet the deemed-to-satisfy provisions of the *Director's Determination - Bushfire Hazard Areas*, a proposed BAL is required. Based on the site characteristics, a BAL 29 rating is proposed.

Table 3-4: Determination of BAL

	NORTH	EAST	SOUTH	WEST
BAL value for each quadrant	29	29	29	29

The applicable Bushfire Attack Level for the proposed dwelling is: **BAL 29.**

4 Bushfire protection measures

4.1 BAL REQUIREMENTS FOR CONSTRUCTION

The BAL ratings applied are in accordance with the Australian Standard AS3959-2018, *Construction of Buildings in Bushfire Prone Areas*. It is a minimum requirement that any habitable building or building within 6m of a habitable building be constructed to the BAL ratings specified in this document. If an alternate solution is sought in future, an additional BAL assessment will be required.

Table 4-1: BAL Levels

BUSHFIRE ATTACK LEVEL (BAL)	PREDICTED BUSHFIRE ATTACK & EXPOSURE LEVEL
BAL-Low	Insufficient risk to warrant specific construction requirements.
BAL-12.5	Ember attack, radiant heat below 12.5kW/m².
BAL-19	Increasing ember attack and burning debris ignited by windborne embers together with increasing heat flux between 12.5-19kW/m².
BAL-29	Increasing ember attack and burning debris ignited by windborne embers together with increasing heat flux between 19-29kW/m².
BAL-40	Increasing ember attack and burning debris ignited by windborne embers together with increasing heat flux between 29-40kW/m².
BAL-FZ	Direct exposure to flames radiant heat and embers from the fire front.

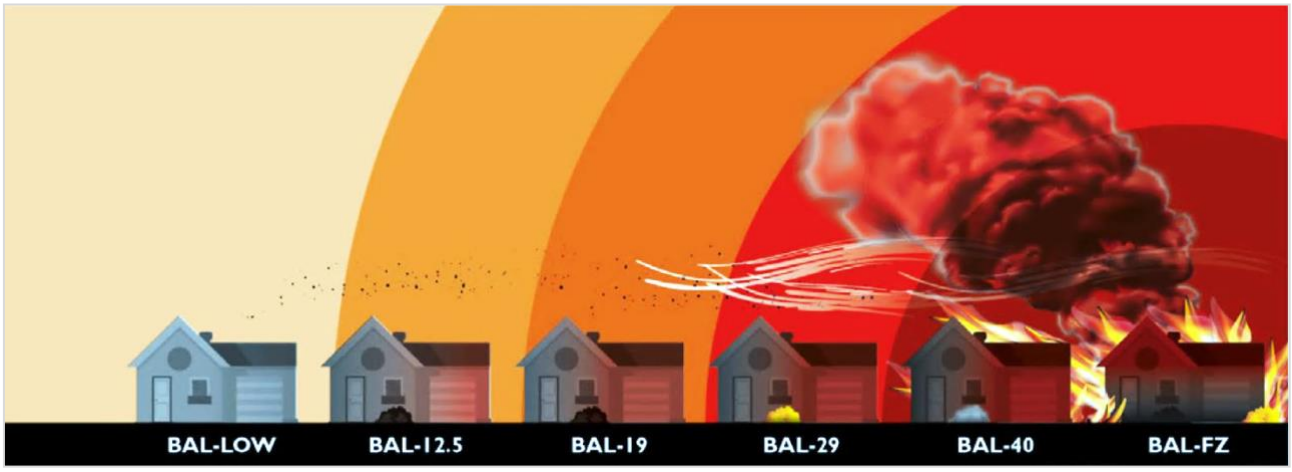


Figure 4-1: BAL diagram

The applicable BAL rating, and therefore the minimum construction requirement, for the proposed dwelling and any buildings within 6m of the dwelling is **BAL 29.**

A Class 10a structure (such as a shed or carport) can be constructed outside of the defined BAL building areas, and without a BAL rating, provided it is greater than 6m from any habitable buildings and associated buildings (within 6m) on the lot.

4.2 PROPOSED MATERIALS

Proposed materials of the dwelling have not been reviewed. However, all façades must utilise materials and construction methods that meet BAL 29 standards as a minimum. Please refer to AS 3959-2018 for applicable methods and materials for each BAL rating.

4.3 HAZARD MANAGEMENT AREA

As per the Deemed-to-Satisfy Provisions of the Director's Determination – *Bushfire Hazard Areas*, a new habitable building must be provided with a hazard management area of sufficient dimensions and which provides an area around the building which separates the building from the bushfire hazard.

Hazard management areas (HMA) are the areas between a habitable building, associated buildings (within 6m), and bushfire-prone vegetation which provides access to a fire front for firefighting and reduces the building's exposure to radiant heat flux and flame. The HMA must be maintained in a low fuel state at all times.

HMA setback distances for the specified BAL Rating (BAL 29) have been calculated based on the vegetation that will exist after development and management of land within the subject title and have considered slope gradients under vegetation. Distances are in accordance with AS 3959-2018 Table 2.6.

BAL Rating: **BAL 29.**

Table 4-2: BAL 29 Setbacks from AS3959-2018

	WOODLAND	FOREST
Flat/Upslope	10m	16m

4.4 PROPOSED DWELLING BAL RATING

The building area is located toward the southern end of the title. The area is surrounded by bushfire-prone vegetation (woodland & forest). Because of the size and orientation of building area, there is sufficient space to provide for setback requirements for a **BAL 29** area. Table 4-3 identifies the required minimum setbacks from each façade. These setbacks must be implemented by the developer and verified by the building surveyor prior to occupancy.

Table 4-3: Hazard management setbacks for proposed dwelling

FAÇADE	BAL	SETBACKS
North	29	16m
East	29	16m
South	29	10m
West	29	16m

Strategies for maintaining the HMA in a low fuel condition include:

- Removing fallen limbs, sticks, leaf and bark litter
- Maintaining grass at less than a 100mm height
- Removing pine bark and other flammable mulch (especially from against buildings)
- Thinning out understory vegetation to provide horizontal separation between fuels

- Pruning low-hanging tree branches (<2m from the ground) to provide vertical separation between fuel layers
- Pruning larger trees to maintain horizontal separation between canopies
- Minimising the storage of flammable materials such as firewood
- Maintaining vegetation clearance around vehicular access and water supply points
- Use of low-flammability species for landscaping purposes where appropriate
- Clearing out any accumulated leaf and other debris from roof gutters.

4.5 ACCESS

As per the Deemed-to-Satisfy Provisions of the Director's Determination – *Bushfire Hazard Areas*, access to the property is greater than 30m so must be built to the following deemed to satisfy (DTS) standards:

a) All-weather construction
b) Load capacity of at least 20 tonnes, including for bridges and culverts
c) Minimum carriageway width of 4m
d) Minimum vertical clearance of 4m
e) Minimum horizontal clearance of 0.5m
f) Cross falls of <3°
g) Dips <7°
h) Curves with a minimum inner radius of 10m
i) Maximum gradient of 15° for sealed roads and 10° for unsealed road
j) Terminate with a turning area for fire appliances provided by one of the following:
    i. A turning circle with a minimum outer radius of 10m
    ii. A property access encircling the building
    iii. A hammerhead "T" or "Y" turning 4m wide and 8m long
k) Passing bays of 2m additional carriageway width and 20m length provided every 200m.

The proposed access is approximately 80m and provides sufficient area for a turning circle to the east of the dwelling.

4.6 WATER SUPPLY FOR FIRE FIGHTING

As per the Deemed-to-Satisfy Provisions of the Director's Determination – *Bushfire Hazard Areas*, a static water supply must be installed that has a firefighting access point that is within 90m as the hose lays from the furthest part of the Class 1a building. A hardstand area for fire appliances must be located no more than 3m from the water supply, have a minimum width of 3m, be connected to the property access, and be of equivalent standard. The hardstand must not be any closer than 6m from the building area.

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 10,000L per building including associated Class 10 Building or deck 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 Australian Standard AS 3959, the tank may be constructed of any material provided that the lowest 400mm of the tank exterior is protected by:
    i. Metal
    ii. Non-combustible material
    iii. Fibre-cement a minimum of 6mm thickness.

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) If buried, have a minimum depth of 300mm
e) Provide a DIN or NEN standard forged Storz 65mm 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 220mm length)
h) Ensure underground tanks have either an opening at the top of not less than 250mm diameter or a coupling compliant with the above
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
    iv. Protected from possible damage, including damage by vehicles.

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 *Australian Standard AS 2304* or
b) Comply with the Tasmania Fire Service Water Supply Signage Guideline published by TFS.

5 Additional Bushfire Protection Measures

All measures noted here are **optional** only and are provided as an opportunity for further risk mitigation against bushfire.

Given the proposal is for a dwelling within a bushfire-prone area, it is recommended that a Bushfire Plan is prepared by the occupants of the dwelling. The TFS website (https://bushfire.tas.gov.au/my-bushfire-plan) provides a template that can be used to create a bushfire plan.

With the dwelling surrounding by forest vegetation, which has a high fuel load, it would be worth considering additional static water supply for firefighting purposes above the minimum 10,000ltr.

6 Statutory compliance

The applicable bushfire deemed to satisfy (DTS) requirements, as specified in the *Director's Determination - Bushfire Hazard Areas*, detailed in this report are summarised below in Table 6-1. See Appendix 4 for the Bushfire Hazard Management Plan.

Table 6-1: Compliance Schedule

DEEMED-TO-SATISFY REQUIREMENT	COMPLIANCE
2.3.1 Design & Construction	▪ BAL 29 Standard (AS 3959-2018) for all façades and outbuildings within 6m of the dwelling
2.3.2 Property Access	▪ Compliant with Element B and C of Table 2. Property Access is approximately 80m
2.3.3 Water supply for firefighting	▪ A static water supply must be compliant with all Elements of Table 3B. See Hazard Management Plan for a suitable location
2.3.4 Hazard Management Areas	▪ Hazard Management Area to be compliant with Element B of Table 4
2.3.5 Bushfire Emergency Plan	Not Applicable.

The measures identified in Table 6-1 must be implemented by the developer and verified by the building surveyor prior to occupancy.

7 Conclusions

The area is considered to be bushfire-prone area under the Bushfire-prone Areas Code of the *Tasmanian Planning Scheme – Central Coast*. There is sufficient space to provide for a hazard management area for BAL 29 standards for all façades of the future dwelling and any associated buildings that are within 6m of the dwelling.

Access to the property is greater than 30m and must therefore be compliant with elements B in Table 2 of the *Director's Determination - Bushfire Hazard Areas*.

A static water supply must be installed to the standards outlined in Table 3B of the *Director's Determination - Bushfire Hazard Areas*.

8 References

Central Coast Council (2021). *Tasmanian Planning Scheme – Central Coast.*

Standards Australia (2018). *AS 3959-2018 Construction of Buildings in Bushfire Prone Areas.*

Director of Building Control (2024). *Director's Determination - Bushfire Hazard Areas,* V1.2.

Appendix 1: Maps

Figure A1-1: Location of subject title

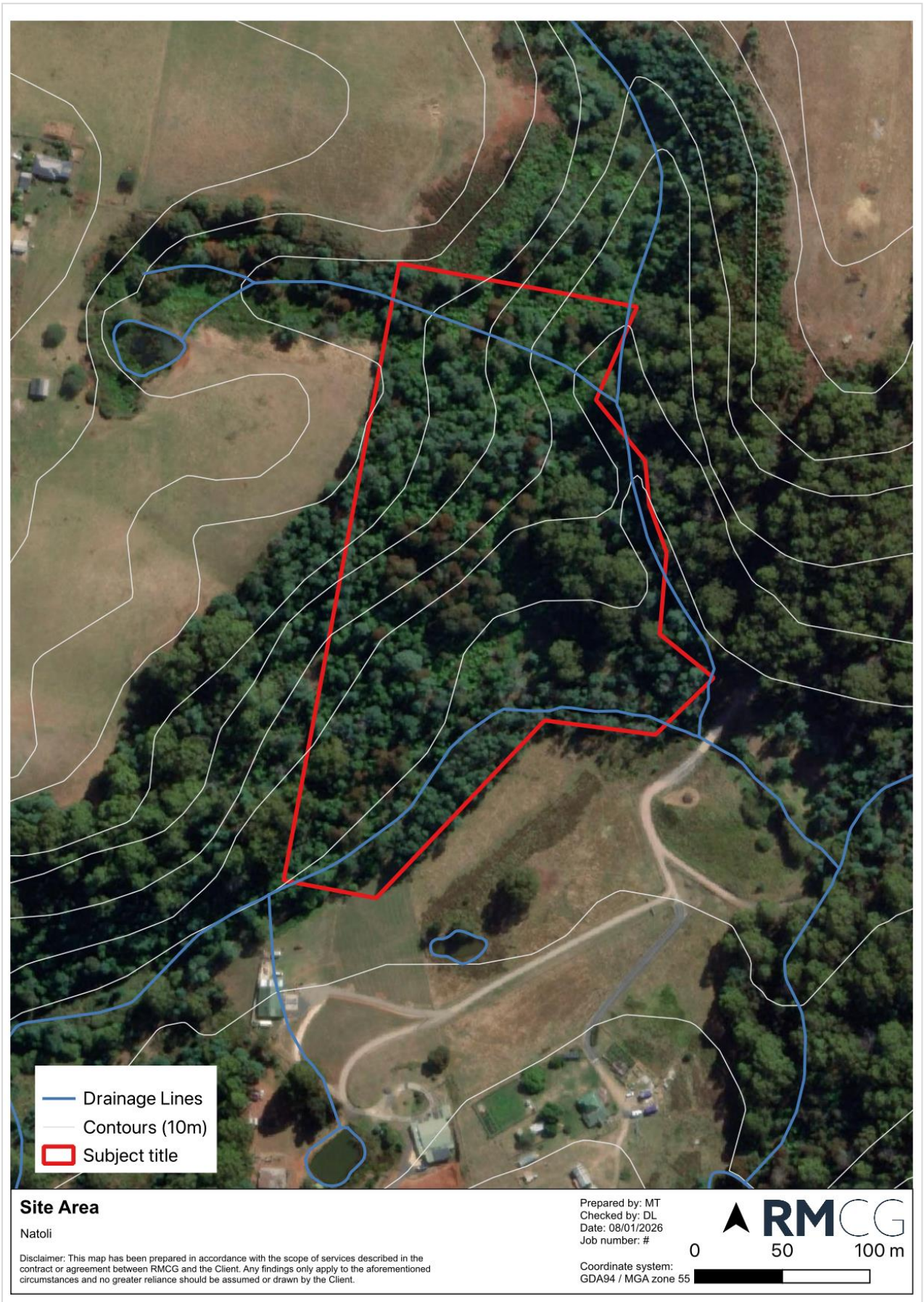


Figure A1-2: Aerial image of the subject title

Appendix 2: Photos

Taken by Michael Tempest on the 2nd of December 2025

Figure A2-1: Example of woodland vegetation at proposed building area and to the south of the building area

Figure A2-2: Example of forest vegetation to the west and north of the building site

Figure A2-3: Forest vegetation to the east of the proposed building area. The proposed access will be located through this section of the property.

Appendix 3: Site plan

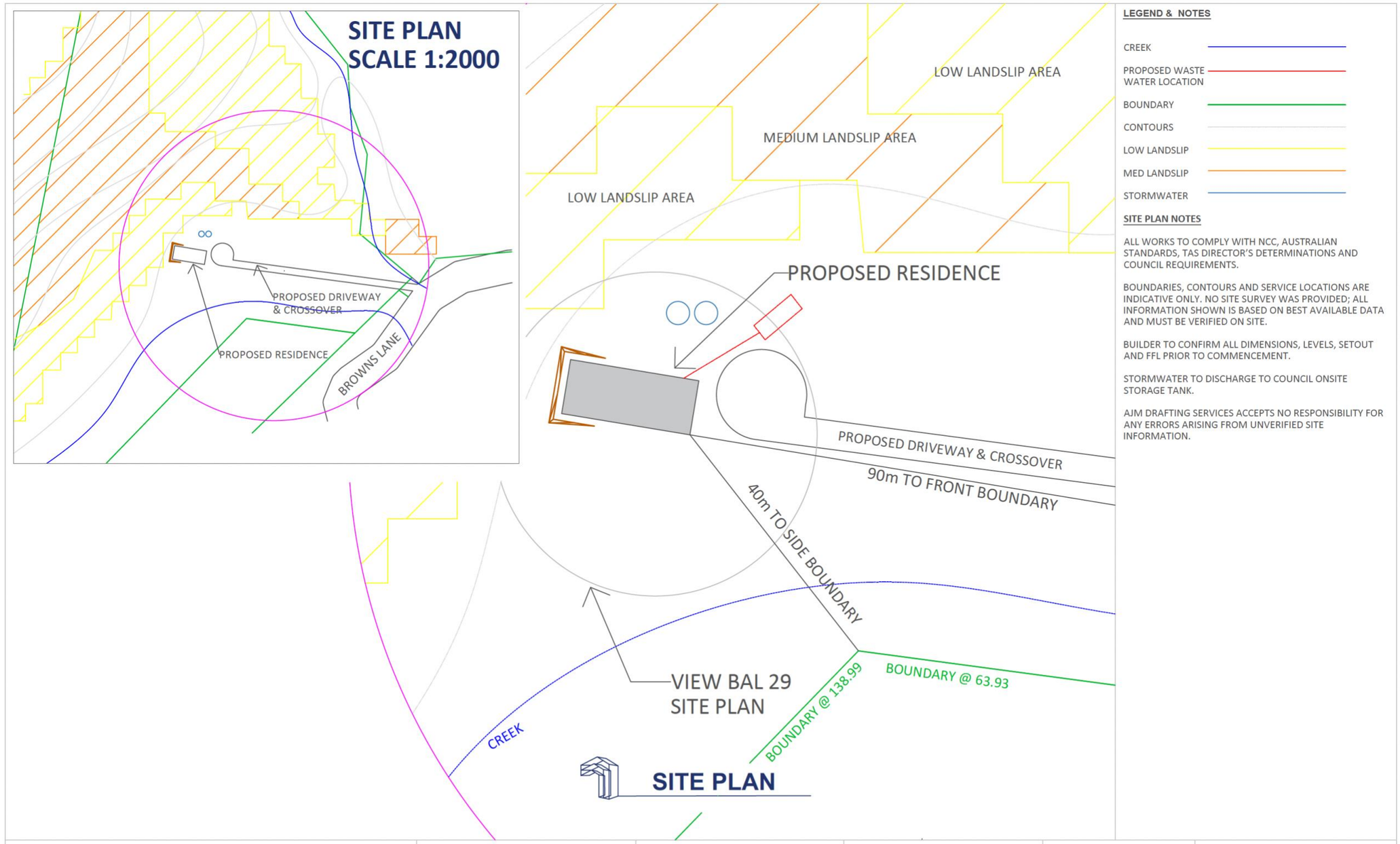


Figure A3-1: Site plan

Appendix 4: Bushfire Hazard Management Plan

Bushfire Hazard Management Plan: Browns Lane (CT 211744/1, PID 676378)

1.0 HAZARD MANAGEMENT AREA

Hazard management areas include the areas to protect the buildings as well as the access and water supplies. Vegetation in the hazard management area (as dimensioned and shown as a minimum) is to be managed and maintained in a minimum fuel condition. Refer to the Bushfire Hazard Management Area section of the Bushfire Hazard Management Report for Hazard Management Area minimum fuel requirements. Refer to Table 5-1 of the Bushfire Hazard Management Report for HMA requirements.

Maintenance Schedule for the Hazard Management Area:

- Remove fallen limbs and leaf and bark litter, including from roofs, gutters, and around buildings
- Cut lawns to less than 100mm and maintain
- Prune larger trees to establish and maintain horizontal and vertical canopy separation
- Do not store flammables in the open
- Maintain road access to the dwelling and water connection point.

2.0 ACCESS

Refer to Table 5.1 element 2.3.2 of the Bushfire Hazard Management Report for construction specifications.

3.0 WATER SUPPLY

Refer to Table 5.1 element 2.3.3 of the Bushfire Hazard Management Report for static water supply specifications.

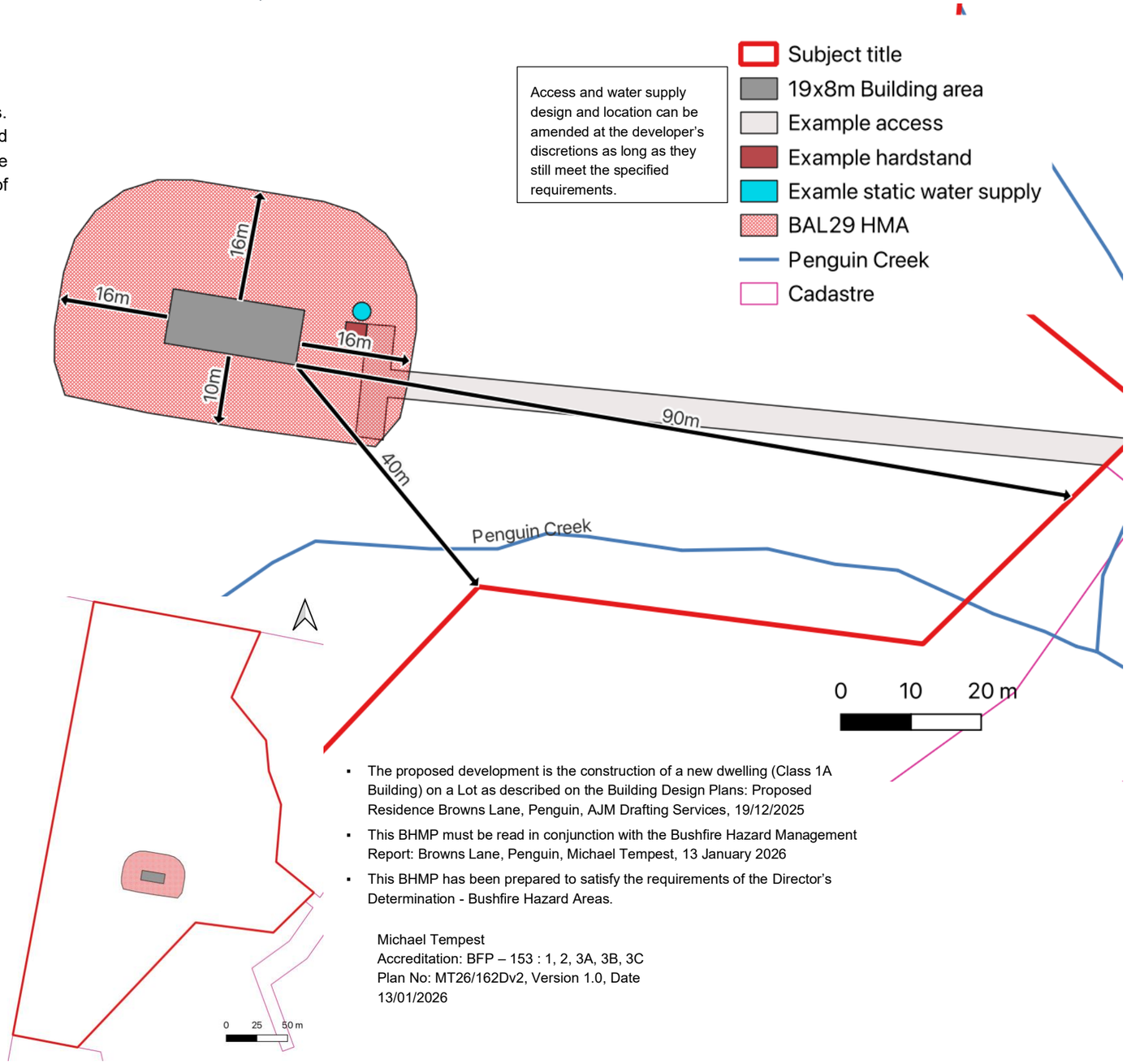
4.0 CONSTRUCTION: BAL 29

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

FAÇADE	BAL	SETBACK
North	29	16m
East	29	16m
South	29	10m
West	29	16m

NOTE: It should be borne in mind that the measures contained in this Bushfire Management Plan 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

It is important to prepare your Bushfire Survival Plan, read your Community Protection Plan and know your Nearby Safer Place. These can be obtained from your Council or the Tasmanian Fire Service. For more information, visit www.fire.tas.gov.au



- The proposed development is the construction of a new dwelling (Class 1A Building) on a Lot as described on the Building Design Plans: Proposed Residence Browns Lane, Penguin, AJM Drafting Services, 19/12/2025
- This BHMP must be read in conjunction with the Bushfire Hazard Management Report: Browns Lane, Penguin, Michael Tempest, 13 January 2026
- This BHMP has been prepared to satisfy the requirements of the Director's Determination - Bushfire Hazard Areas.

Michael Tempest
Accreditation: BFP – 153 : 1, 2, 3A, 3B, 3C
Plan No: MT26/162Dv2, Version 1.0, Date 13/01/2026

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Document review and authorisation

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1.0	Final	13/01/2026	M. Tempest	D. Lucas	B. Gravenor	M. Tempest	R. Natoli
2.0	Final	13/01/2026	M. Tempest			M. Tempest	R. Natoli