Brighton Council

ATTACHMENTS

ORDINARY COUNCIL MEETING

15 OCTOBER 2024

Brighton
going places

ATTACHMENT
AGENDA ITEM **3.1**

Brighton Council

MINUTES OF THE ORDINARY COUNCIL MEETING

OF THE BRIGHTON COUNCIL, HELD IN THE COUNCIL CHAMBERS,

COUNCIL OFFICES, 1 TIVOLI ROAD, OLD BEACH

AT 5.30P.M. ON TUESDAY, 17 SEPTEMBER 2024

PRESENT: Cr Gray; Cr Curran; Cr Geard; Cr Irons; Cr McMaster; Cr Murtagh; Cr Owen and Cr Whelan

IN ATTENDANCE: Mr J Dryburgh (General Manager); Mr D Allingham (Director Development Services); Ms J Banks (Director, Governance & Regulatory Services); Ms G Browne (Director Corporate Services) and Mr L Wighton (Acting Director Asset Services).

1. Acknowledgement of Country

2. Apologies / Applications for leave of absence

Cr Owen moved, Cr Murtagh seconded that Cr De La Torre be granted leave of absence due to work commitments.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Geard	
Cr Gray	
Cr Irons	
Cr McMaster	
Cr Murtagh	
Cr Owen	
Cr Whelan	

3. Confirmation of Minutes

3.1 Ordinary Council Meeting

The Minutes of the previous Ordinary Council Meeting held on the 20th August 2024 are submitted for confirmation.

RECOMMENDATION:

That the Minutes of the previous Ordinary Council Meeting held on 20th August 2024, be confirmed.

DECISION:

Cr Irons moved, Cr McMaster seconded that the Minutes of the previous Ordinary Council Meeting held on 20th August 2024, be confirmed.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Geard	
Cr Gray	
Cr Irons	
Cr McMaster	
Cr Murtagh	
Cr Owen	
Cr Whelan	

3.2 Community Development Committee Meeting

The Minutes of the Community Development Committee Meeting held on the 3rd September 2024 were submitted for confirmation.

RECOMMENDATION:

That the Minutes of the Community Development Committee Meeting held on the 3rd September 2024, be confirmed.

DECISION:

Cr McMaster moved, Cr Curran seconded that the Minutes of the Community Development Committee Meeting held on 3rd September 2024, be confirmed.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Geard	
Cr Gray	
Cr Irons	
Cr McMaster	
Cr Murtagh	

Cr Owen
Cr Whelan

4. Declaration of Interest

In accordance with the requirements of Part 2 Regulation 8 of the L*ocal Government (Meeting Procedures) Regulations 2015*, the chairperson of a meeting is to request Councillors to indicate whether they have, or are likely to have, a pecuniary interest or conflict of interest in any item on the Agenda.

In accordance with Section 48(4) of the *Local Government Act 1993*, it is the responsibility of councillors to then notify the general manager, in writing, the details of any interest(s) that the councillor has declared within 7 days of the declaration.

There were no declarations of interest.

5. Public Question Time and Deputations

In accordance with the requirements of Part 2 Regulation 8 of the *Local Government (Meeting Procedures) Regulations 2015*, the agenda is to make provision for public question time.

- Mr Geoff Hull (President) of Brighton Community Food Hub provided an update to Councillors.

6. Reports from Council

6.1 Mayor's Communications

The Mayor's communications were as follows:

23/8 Media Event with Minister Ferguson re Back Tea Tree Road (Minister Ferguson cancelled)

26/8 Meeting with Tyronn Barwick (+GM in attendance)

27/8 Meeting with Kerry Vincent MLC for Prosser

27/8 Citizenship Ceremony

3/9 Meeting re STRLUS

3/9 Cultural Awareness Training

3/9 Community Development Committee Meeting

3/9 Council Workshop

10/9 General Managers Performance Review Meeting

13/9 Meeting with Minister Guy Barnett & Adviser (+ GM in attendance)

16/9 Meeting with Premier and Infrastructure Adviser (+GM in attendance)

16/9 Tour of the new Brighton High School with the Premier (+GM in attendance)

17/9 Council Meeting

RECOMMENDATION:

That the Mayor's communications be received.

DECISION:

Cr McMaster moved, Cr Geard seconded that the Mayors Communications be received.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Geard	
Cr Gray	
Cr Irons	
Cr McMaster	
Cr Murtagh	
Cr Owen	
Cr Whelan	

6.2 Reports from Council Representatives

- Cr B Curran recently attended a session of the Creative Connected Communities Committee.
- Cr Curran attended a Q & A at the Brighton Primary School on the role of Local government
- Cr Curran attended the School for Seniors meeting with Kylie Murphy and Joselle Griffin

RECOMMENDATION:

That the verbal reports from Council representatives be received.

DECISION:

Cr Irons moved, Cr Owen seconded that the verbal reports from Council representatives be received.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Geard	
Cr Gray	
Cr Irons	
Cr McMaster	
Cr Murtagh	
Cr Owen	
Cr Whelan	

7. Miscellaneous Correspondence

- Letter from the Minister for Local Government dated 5th September 2024 regarding the Local Government Code of Conduct framework.
- Letter from Tasmanian Aboriginal Legal Services (TALS) invitation to be a member of the Bridgewater Youth Hub Project Team.

8. Notification of Council Workshops

In accordance with the requirements of Section 8(2)(c) of the Local Government (Meeting Procedures) Regulations 2015.

One (1) Council workshop had been held since the previous Ordinary Council meeting.

A workshop was held on the 3rd September 2024 at 5.45 pm to discuss the Old Beach Foreshore track consultation.

Attendance: Cr Gray; Cr Curran; Cr De La Torre; Cr Irons, Cr McMaster, Cr Owen & Cr Whelan

Apologies: Cr Geard & Cr Murtagh

9. Notices of Motion

There were no Notices of Motion.

10. Consideration of Supplementary Items to the Agenda

In accordance with the requirements of Part 2 Regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015*, the Council, by absolute majority may approve the consideration of a matter not appearing on the agenda, where the General Manager has reported:

(a) the reason it was not possible to include the matter on the agenda, and
(b) that the matter is urgent, and
(c) that advice has been provided under Section 65 of the *Local Government Act 1993*.

RECOMMENDATION:

That the Council resolve by absolute majority to deal with any supplementary items not appearing on the agenda, as reported by the General Manager in accordance with the provisions of the *Local Government (Meeting Procedures) Regulations 2015.*

DECISION:

The General Manager reported that there were no supplementary agenda items.

11. Reports from Committees

11.1 Community Development Committee - 3 September 2024

The recommendations of the Community Development Committee held on 3rd September 2024 were submitted to Council for adoption.

RECOMMENDATION:

That the recommendations of the Community Development Committee held 3rd September 2024 be adopted.

DECISION:

Cr Curran moved, Cr Irons seconded that the recommendations of the Community Development Committee held on the 3rd September 2024 be adopted.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Geard	
Cr Gray	
Cr Irons	
Cr McMaster	
Cr Murtagh	
Cr Owen	
Cr Whelan	

12. Council Acting as a Planning Authority

Under the provisions of the *Land Use Planning and Approvals Act 1993* and in accordance with Regulation 25 of the *Local Government (Meeting Procedures) Regulations 2015*, the Council will act as a planning authority in respect to those matters appearing under Item 12 on this agenda, inclusive of any supplementary items.

12.1 Development Application SA 2023 / 00010 for Subdivision (109 lots & Associated Infrastructure Works) at 33 Elderslie Road, Brighton

Author: Senior Planner (J Blackwell)

Authorised: Director, Development Services (D Allingham)

Applicant:	Housing Tasmania
Subject Site:	33 Elderslie Road, Brighton
Proposal:	Subdivision (109 lots & Associated Infrastructure Works)
Planning Scheme:	*Tasmanian Planning Scheme – Brighton* (the planning scheme)
Zoning:	8.0 General Residential Zone
Codes:	C2.0 Parking and Sustainable Transport Code C3.0 Road and Railway Assets Code C13.0 Bushfire-Prone Areas Code C15.0 Landslip Hazard Code (Low) C12.0 Flood-Prone Areas Hazard Code

Local Provisions:	Nil
Use Class:	Residential
Discretions:	8.6.1 P2 – Lot Design – Frontages 8.6.1 P4 – Lot Design - Long Axis 8.6.2 P1 – Roads C3.5.1 P1 - Traffic generation at a vehicle crossing, level crossing or new junction C12.7.1 P1 – Subdivision within a flood-prone hazard area
Representations:	Two (2) representations were received. The representors raised the following issues: ▪ Lack of safe cycle paths and connectivity. ▪ Stormwater runoff impact on property/infrastructure.
Recommendation:	Approval with conditions

1. STATUTORY REQUIREMENTS

The purpose of this report is to enable the Planning Authority to determine application SA2023 / 00010.

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

Council's assessment of this proposal should also consider the issues raised in any representations received, the outcomes of the State Policies and the objectives of Schedule 1 of the *Land Use Planning and Approvals Act* 1993 (LUPAA).

This report details the reasons for the officer recommendation. The Planning Authority must consider this report but is not bound to adopt the recommendation. Broadly, the Planning Authority can either:

(1) adopt the recommendation, or

(2) vary the recommendation by adding, modifying, or removing recommended reasons and conditions or replacing an approval with a refusal (or vice versa).

Any alternative decision requires a full statement of reasons to comply with the *Judicial Review Act* 2000 and the *Local Government (Meeting Procedures) Regulations* 2015.

2. SITE ASSESSMENT

The subject site is: 33 Elderslie Road, Brighton and is contained within the land described in Certificate of Title Volume 178982 Folio 1.

The site is shaped trapezium (see Figure 1), comprising 10.73 hectares (ha), with one access from Elderslie Road. The site has been developed by an existing single dwelling and four outbuildings. The existing dwelling is to remain (lot 70).

The land has frontage to Elderslie Road which is a Council-maintained local collector road. Elderslie Road has recently been upgraded to the east of the proposed subdivision as part of the Brighton High School development.

The site is zoned General Residential (see Figure 2). The surrounding land is zoned Rural Living (Zone A), General Residential, Community Purpose, Rural, and Light Industrial. The east of the proposed site is being developed by the Brighton High School.

The site is fully affected by the Bushfire-prone areas and partially affected by the Flood-Prone Areas Hazard Code (see Figure 3). The site is exempted from the Landslip Hazard Code (Low) as it does not involve significant works.

The site is burdened by:

Easements on Schedule of Easements	▪ Pipeline Easement 3.05 Wide ▪ Pipeline Easement Variable Width ▪ Southern Regional Water Supply Pipeline Easement 10.06 Wide

The land is subject to the South Brighton Specific Area Plan (SBSAP) recently approved by the Tasmanian Planning Commission. The proposed road alignment, public open space and Lot 109 is consistent with the SBSAP.

Figure 1. Aerial Map (Site hatched by yellow: 33 Elderslie Road, Brighton)

Figure 2. Zoning (Red: General Residential, Blue: Local Business; Yellow: Community Purpose, Pink: Rural Living Zone A, Brown: Rural, and Purple: Light Industrial)

Figure 3. Flood mapping (area bounded by red circle)

3. PROPOSAL

The proposal is for a 109-lot subdivision, including the balance lot (lot 70) containing the existing dwelling (see Figure 4). All lots achieved the minimum lot size required of 450m2, with lot 109 having a land area of 5189m2.

The below table shows the sizes of all proposed lots.

Lot 1	624m2	Lot 24	637m2	Lot 60	1418m2	Lot 83	625m2
Lots 2-7	560m2	Lot 25	600m2	Lots 61-64	465m2	Lots 84-85	554m2
Lot 8	571m2	Lots 26-34	476m2	Lot 65	1278m2	Lot 86	582m2
Lot 9	615m2	Lot 35	469m2	Lot 66	956m2	Lot 87	775m2
Lot 10	678m2	Lot 36	622m2	Lot 67	562m2	Lot 88	592m2
Lot 11	711m2	Lot 37	878m2	Lot 68	533m2	Lots 89-96	510m2
Lot 12	927m2	Lots 38-43	560m2	Lot 69	551m2	Lot 97	803m2
Lot 13	915m2	Lot 44	545m2	Lot 70	1530m2	Lot 98	2373m2
Lot 14	672m2	Lot 45	489m2	Lot 71	488m2	Lot 99	509m2
Lot 15	614m2	Lot 46	558m2	Lots 72-73	450m2	Lots 100-102	450m2
Lot 16	554m2	Lot 47	779m2	Lot 74	451m2	Lot 103	559m2
Lot 17	499m2	Lots 48-56	560m2	Lot 75	485m2	Lot 104	538m2
Lot 18	478m2	Lot 57	1054m2	Lot 76	961m2	Lot 105	558m2
Lots 19-22	476m2	Lot 58	789m2	Lot 77	670m2	Lots 106-107	491m2
Lot 23	1140m2	Lot 59	749m2	Lots 78-82	450m2	Lot 108	2783m2
						Lot 109	5189m2

The proposal requires works in the road reservation along Elderslie Road as it provides for two new road junctions. The proposal also includes provision for a future road connection to land to the west via Lot 24 and to the south adjacent to Lot 1, which will need to connect to the southern boundary.

Stormwater from much of the proposed subdivision will drain to existing infrastructure in Brighton Road via a new extension to the public stormwater system through the High School at 1 Elderslie Road. This stormwater extension was subject to separate approval and is under construction.

Stormwater will also be extended west along Elderslie Road as part of the road upgrades. A stormwater property connection will be provided to each lot with the piped system within the subdivision designed to accommodate a 5% AEP rainfall event.

The downstream stormwater system has known capacity issues with both the minor (piped) system and the major system (overland flow). Therefore, underground detention is proposed within the subdivision to limit peak flows for the 5% AEP event prior to discharging to the new main extension through the High School.

A new sewer main has been approved and is under construction through Brighton High School at 1 Elderslie Road to provide a sewer connection at the boundary of the subject property.

A new sewer pump station is required to service the proposal. It is likely that the subdivision will be connected to a new sewerage scheme that TasWater are currently constructing to service the SBSAP area. There is also a contingency plan to connect to a new sewer pump station at 4 Dylan St approved under a separate permit (DA2023/00174) if required. There is flexibility for both options under the TasWater SPAN. A number of bulk water supply mains run through the site.

No development is proposed within the drainage and pipeline easement.

The application is supported by a Planning Report, Bushfire Hazard Management Plan Report, Traffic Impact Assessment, and Stormwater Management Report, all prepared by suitably qualified persons.

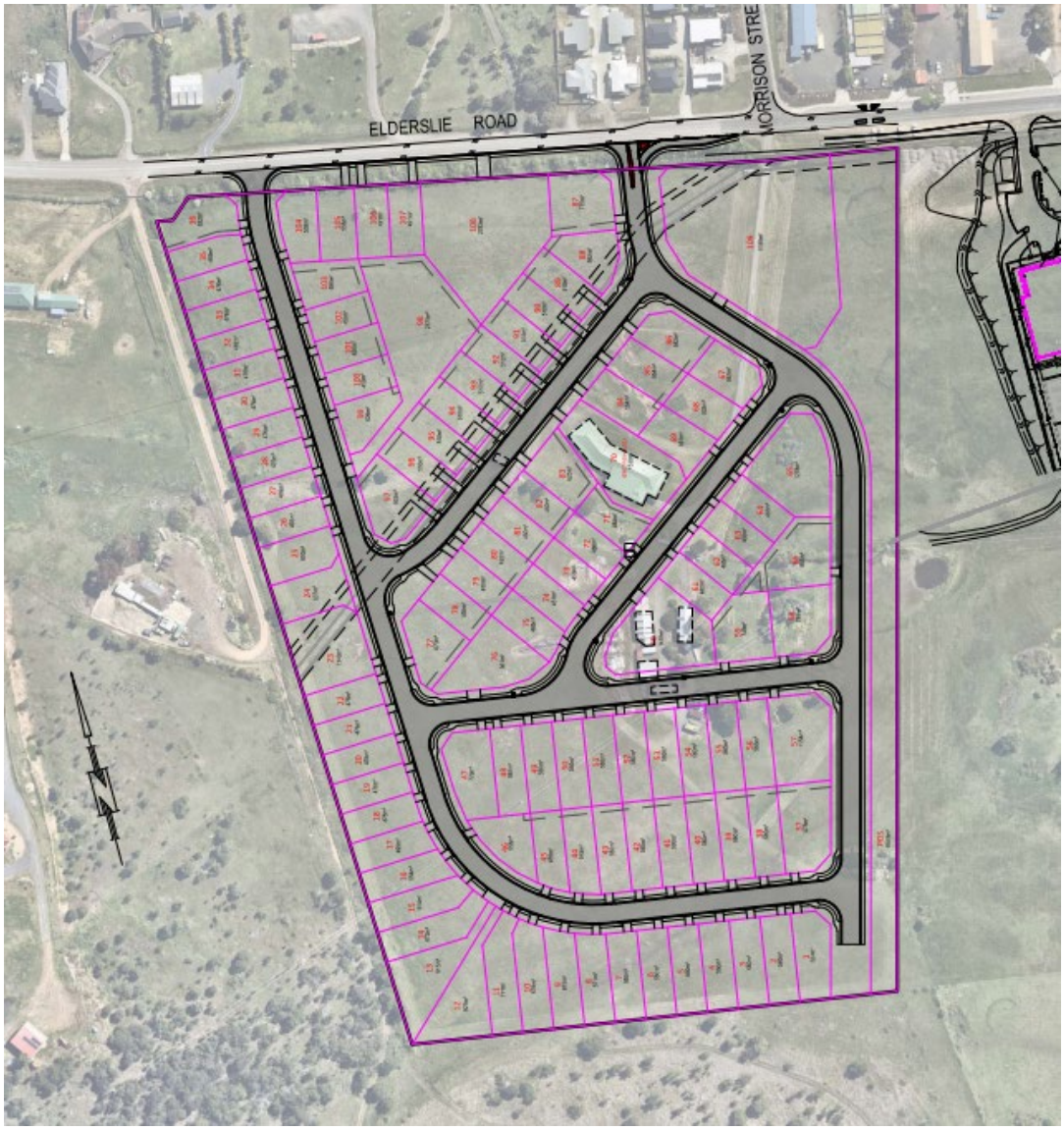


Figure 4. Proposed Plan of Subdivision

After public exhibition, the applicant sought to amend the layout of the subdivision lots facing Elderslie Road due to the cost of infrastructure requirements and the need for fill on the sites to create vehicle accesses along the steep embankment from the road to the land. It also removes the left-hand turn lane as this was deemed excessive for the proposed traffic volumes. An alternative proposal (attachment 3) has been submitted to council officers for consideration, which provides access to lots 104-108 by right of way, but still allowing frontage to Elderslie Road (See Table 1.).

Planning staff determined that the amendments to the layout were minor and were generally in accordance with the advertised plans.

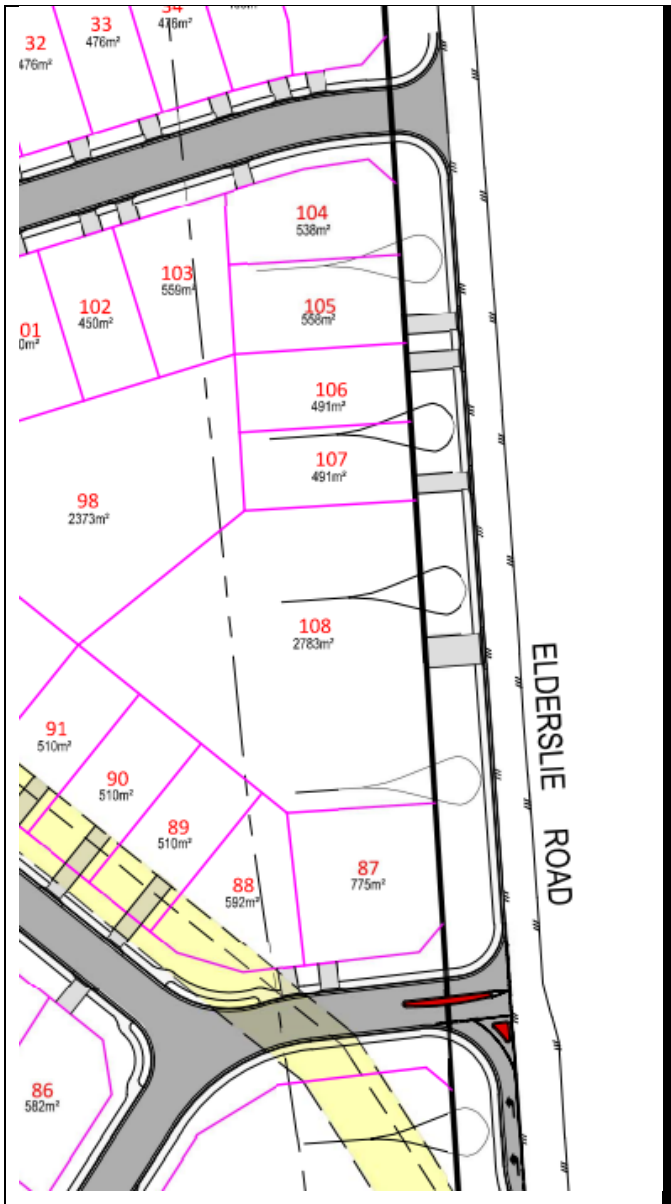
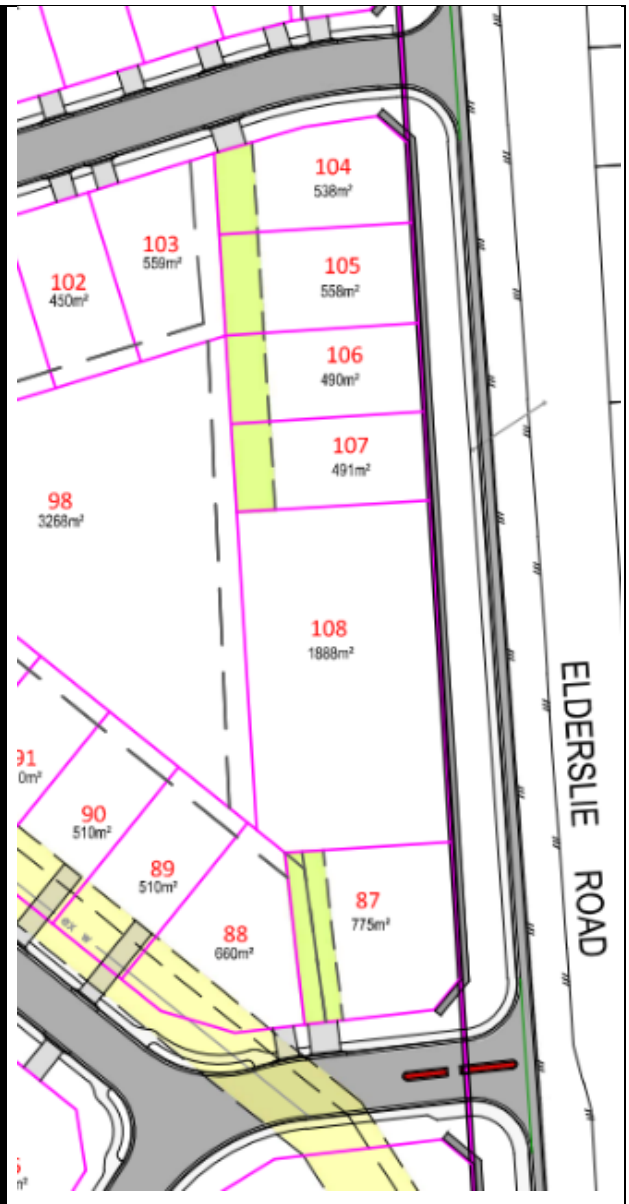
	
Subdivision layout that was publicly exhibited showing access to Elderslie Road	Amended proposal submitted to Council after public exhibition showing access via Rights of Way from internal roads.

Table 1: Proposed change to lots 87 and 104-108 and southern junction

4. PLANNING SCHEME ASSESSMENT

Compliance with Applicable Standards:

5.6.1 A use or development must comply with each applicable standard in the State Planning Provisions and the Local Provisions Schedules.

5.6.2 A standard is an applicable standard if:

(a) the proposed use or development will be on a site within:

(i) a zone;

(ii) an area to which a specific area plan relates; or

(iii) an area to which a site-specific qualification applies; or

(b) the proposed use or development is a use or development to which a relevant applies; and

(c) the standard deals with a matter that could affect, or could be affected by, the proposed use or development.

5.6.3 Compliance for the purposes of subclause 5.6.1 of this planning scheme consists of complying with the Acceptable Solution or satisfying the Performance Criterion for that standard.

5.6.4 The planning authority may consider the relevant objective in an applicable standard to determine whether a use or development satisfies the Performance Criterion for that standard.

Determining applications (clause 6.10.1):

6.10.1 In determining an application for any permit for use or development the planning authority must, in addition to the matters required by section 51(2) of the Act, take into consideration:

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

(b) any representations received pursuant to and in conformity with section 57(5) of the Act,

but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.

Use Class

The existing Use Class is categorised as Residential under the Scheme, with a single dwelling and outbuildings on the site. In the General Residential Zone, the Residential use is “No Permit Required” for a single dwelling. However, the application involves subdivision of land, which is deemed discretionary as the proposal cannot satisfy the provisions of Clause 7.3 of the Scheme.

Compliance with Performance Criteria

The proposal meets the Scheme's relevant Acceptable Solutions with the exception of the following:

Clause 8.6.1 P2 – Lot Design – Frontages

Objective:	
That each lot: (a) has an area and dimensions appropriate for use and development in the zone; (b) is provided with appropriate access to a road; (c) contains areas which are suitable for development appropriate to the zone purpose, located to avoid natural hazards; and(d)is orientated to provide solar access for future dwellings.	
Acceptable Solution	Performance Criteria
A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 12m.	P2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to: (a) the width of frontage proposed, if any; (b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access; (c) the topography of the site; (d) the functionality and useability of the frontage; (e) the ability to manoeuvre vehicles on the site; and (f) the pattern of development existing on established properties in the area, and is not less than 3.6m wide.

The proposal plan shows that of the 109 lots proposed, lots 1, 10-15, 35 and 98, have a frontage less than 12m. Accordingly, the proposal is not able to satisfy the acceptable solution. Therefore, assessment against the performance criteria is relied upon.

The proposal provides for new internal roads which will be transferred to Council to maintain. It will be constructed to a sealed residential standard and will have a posted speed limit of 50km/h. All the above-mentioned lots will have direct access to the new internal roads. Further, lots 104-108, while maintaining frontage to Elderslie Road, will be accessed via ROW from the new roads to be constructed, caused by the topographical constraints in constructing vehicular access from Elderslie Road directly to each lot.

According to the Traffic Impact Assessment prepared by Hubble Traffic, the internal roads are estimated to have less than 350 two-way daily trips and allow vehicles to enter, circulate, and leave the site in a forward driving direction.

The slight reduction in frontage is not considered to significantly reduce the opportunity for safe vehicular use, with frontages being mostly for single dwellings, nor will it significantly reduce opportunities for passive surveillance. Moreover, the minimum 3.6m is met for all lots. Therefore, it is considered that the proposed vehicle access and frontages are sufficient for the intended use, meeting bushfire and engineering standards.

Accordingly, the PC is satisfied with conditions.

Clause 8.6.1 P4 – Lot Design - Long Axis

<table>
<tr><td colspan="2">Objective:</td></tr>
<tr><td colspan="2">That each lot:

(a) has an area and dimensions appropriate for use and development in the zone;

(b) is provided with appropriate access to a road;

(c) contains areas which are suitable for development appropriate to the zone purpose, located to avoid natural hazards; and(d)is orientated to provide solar access for future dwellings.</td></tr>
<tr><td>Acceptable Solution</td><td>Performance Criteria</td></tr>
<tr><td>A4

Any lot in a subdivision with a new road, must have the long axis of the lot between 30 degrees west of true north and 30 degrees east of true north.</td><td>P4

Subdivision must provide for solar orientation of lots adequate to provide solar access for future dwellings, having regard to:

(a) the size, shape and orientation of the lots;

(b) the topography of the site;

(c) the extent of overshadowing from adjoining properties;

(d) any development on the site;

(e) the location of roads and access to lots; and

(f) the existing pattern of subdivision in the area.</td></tr>
</table>

As demonstrated in the site plans, the proposal provides for differing lot orientations, meaning that not all lots are able to provide the long axis facing between 30 degrees west and east of true north. Accordingly, the proposal is not able to satisfy the acceptable solution. Therefore, assessment against the performance criteria is relied upon.

As can be seen from the Lot Layout Plan (sheet 1847-P10), the proposal demonstrates that the site can accommodate the required building areas 10 x 15m, providing sufficient separation between dwellings to allow for direct access to sunlight, whilst meeting or exceeding the minimum lot size required under the subdivision standards.

The site has a east-facing slope; thus, it is considered to provide a reasonable amount of sunlight to the affected lots throughout the morning and middle of the day. Moreover, the Scheme enables the planning authority to assess future development applications against the development standards for residential development including maximum site coverage and building envelope requirements to ensure appropriate measures are in place to manage the overshadowing impacts.

Accordingly, the PC is satisfied.

Clause 8.6.2 P1 – Roads

<table>
<tr><td colspan="2">Objective:</td></tr>
<tr><td colspan="2">That the arrangement of new roads within a subdivision provides for:

(a) safe, convenient and efficient connections to assist accessibility and mobility of the community;

(b) the adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and

(c) the efficient ultimate subdivision of the entirety of the land and of surrounding land.</td></tr>
<tr><td>Acceptable Solution</td><td>Performance Criteria</td></tr>
<tr><td>A1

The subdivision includes no new roads.</td><td>P1

The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety and convenience for vehicles, pedestrians and cyclists, having regard to:

(a) any road network plan adopted by the council;

(b) the existing and proposed road hierarchy;

(c) the need for connecting roads and pedestrian and cycling paths, to common boundaries with adjoining land, to facilitate future subdivision potential;</td></tr>
</table>

	(d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks; (e) minimising the travel distance between key destinations such as shops and services and public transport routes; (f) access to public transport; (g) the efficient and safe movement of pedestrians, cyclists and public transport; (h) the need to provide bicycle infrastructure on new arterial and collector roads in accordance with the Guide to Road Design Part 6A: Paths for Walking and Cycling 2016; (i) the topography of the site; and (j) the future subdivision potential of any balance lots on adjoining or adjacent land.

The proposal includes new roads. Accordingly, the proposal is not able to satisfy the acceptable solution. Therefore, assessment against the performance criteria is relied upon.

The proposal includes a Traffic Impact Assessment (TIA) report prepared by Hubble Traffic. The TIA concludes that the proposed 109 lot subdivision will have negligible impact on the operation of the internal roads connecting to the two new junctions at Elderslie Road and that the overall proposal will allow for continued safe and efficient traffic operations, accommodating future traffic growth.

Access and connectivity to the bus stops will be provided in front of Brighton High School, which is in reasonable proximity for vehicles, pedestrians, and cyclists.

The amended proposal (attachment 3) shows extension of the cycle lane and footpaths along the entirety of the northern frontage to the western most edge of the site and includes a shared path in the open space along the eastern boundary.

A condition requiring the connection of the new road adjacent to the eastern boundary to the southern boundary is included.

Accordingly, the PC is satisfied with conditions.

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

Objective:	
To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.	
Acceptable Solution	Performance Criteria
A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing. A1.2 For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority. A1.3 For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority. A1.4 Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than: (a) the amounts in Table C3.1; or (b) allowed by a licence issued under Part IVA of the Roads and Jetties Act 1935 in respect to a limited access road. A1.5 Vehicular traffic must be able to enter and leave a major road in a forward direction.	P1 Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to: (a) any increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature of the road; (d) the speed limit and traffic flow of the road; (e) any alternative access to a road; (f) the need for the use; (g) any traffic impact assessment; and (h) any advice received from the rail or road authority.

The proposal provides for 2 new junctions onto Elderslie Road, which have not received prior approval from the road authority (A1.2). Further it is expected that the proposed subdivision will create a total of 974 trips daily during the weekday (A1.4). Accordingly, the proposal is not able to satisfy the acceptable solution and assessment against the performance criteria is relied upon.

The Hubble TIA considers the anticipated increase in traffic generated by the subdivision and concludes that the increase in traffic can be accommodated within the surrounding local road network.

Council's Senior Officer – Development Engineering has advised that provided planning permit conditions are met road authority consent to construct the accesses will be provided. Further, that officer considers that the Traffic Impact Assessment prepared by Hubble Traffic satisfactorily addresses the Performance Criteria in relation to any increase in vehicle movements.

Accordingly, the PC is satisfied with conditions.

Clause C12.7.1 - Subdivision within a flood-prone hazard area

Objective:	
That subdivision within a flood-prone hazard area does not create an opportunity for use or development that cannot achieve a tolerable risk from flood.	
Acceptable Solution	Performance Criteria
A1 Each lot, or a lot proposed in a plan of subdivision, within a flood-prone hazard area, must: (a) be able to contain a building area, vehicle access, and services, that are wholly located outside a flood-prone hazard area; (b) be for the creation of separate lots for existing buildings; (c) be required for public use by the Crown, a council or a State authority; or (d) be required for the provision of Utilities.	P1 Each lot, or a lot proposed in a plan of subdivision, within a flood-prone hazard area, must not create an opportunity for use or development that cannot achieve a tolerable risk from flood, having regard to: (a) any increase in risk from flood for adjacent land; (b) the level of risk to use or development arising from an increased reliance on public infrastructure; (c) the need to minimise future remediation works; (d) any loss or substantial compromise by flood of access to the lot, on or off site; (e) the need to locate building areas outside the flood-prone hazard area; (f) any advice from a State authority, regulated entity or a council; and (g) the advice contained in a flood hazard report.

The proposal consists of an overland flow path running west to east, adjacent to Elderslie Road, and it is shown on Council's flood mapping (see Figure 3). Accordingly, the proposal is not able to satisfy the acceptable solution. Therefore, assessment against the performance criteria is relied upon.

The applicant provided a memo from Burbury Consulting confirming that the overland flow was a result of runoff from Elderslie Road and the adjacent property to the west and would be controlled and redirected to the piped system and roadside drainage as part of the subdivision essentially removing the risk from flooding.

Accordingly, the PC is satisfied with conditions.

Referrals

Senior Officer – Development Engineering

The application was referred to Council's Senior Officer – Development Engineering, who has considered traffic and stormwater as well as responded to technical issues raised in the representations. That officer's comments are incorporated in this report.

In relation to stormwater, the officer advises that overland flow paths through the Brighton High School site were designed to accommodate 1.8029 cumecs along the northern flow path adjacent to Elderslie Rd and 2.8456 cumecs through the school site (adjacent to the oval) for a 1% AEP event. The Stormwater Management Report prepared by Burbury Consulting estimates the overflow from the detention cells for a 1% AEP to be in the order of 750l/s.

Detention prior to discharging from the site to limit flows for up to a 1% AEP event to predevelopment or a maximum of what has been considered by the High School design, whichever is lesser, is recommended. Some additional detention may be required at the time of future development of the larger lots that have been set aside for multiple dwellings or future commercial development.

Recommended permit conditions include that the new stormwater system provided as part of the subdivision must be able to accommodate stormwater flows from the adjacent land to the west. Overall, the provision of stormwater detention to the subdivision should ensure that there is no worsening effect, and downstream properties should not be adversely affected.

TasWater

The application was referred to TasWater for comment. TasWater has issued a Submission to Planning Authority Notice (SPAN) with standard water provision conditions. A copy of this SPAN will be attached to any planning permit issued.

TasNetworks

The application was referred to TasNetworks for comment. TasNetworks requested Council to recommend the applicant to contact TasNetworks' Early Engagement Team. TasNetworks is pending a formal application once Council approval is received.

5. Representations

Two (2) representations were received during the statutory public exhibition period between 23 March 2024 and 12 April 2024.

The representors' concerns are summarised below and a planning response to these concerns is provided:

Representor's concerns	Planning Response
Lack of safe cycle paths and connectivity.	A cycle lane has been provided along the newly constructed section of Elderslie Road fronting Brighton High School. A condition requiring the cycle lane to be extended across the frontage of the proposed subdivision is recommended. A condition requiring a 3m wide shared path in the open space along the eastern boundary of the subdivision is also recommended.
Stormwater Management TasRail is concerned that the proposal will increase the amount of stormwater runoff, potentially damaging its property or infrastructure in proximity.	The proposal included a stormwater management report by Burbury Consulting. The development includes detention to mitigate the impact on the adjacent Brighton High School property and other downstream properties. Conditions are recommended for inclusion in the permit to limit peak flows from the site for up to the 1% AEP event to predevelopment such that there is no worsening effect. Providing the planning conditions are complied with there will be no measurable impact from the proposed subdivision on the TasRail property or infrastructure.

6. Conclusion

The proposal for Subdivision (109 lots & Associated Infrastructure Works) at 33 Elderslie Road, Brighton, satisfies the relevant provisions of the Tasmanian Planning Scheme - Brighton, and as such is recommended for approval.

RECOMMENDATION:

That pursuant to the *Tasmanian Planning Scheme - Brighton*, Council approve application SA 2023 / 00010 for Subdivision (109 lots & Associated Infrastructure Works) at 33 Elderslie Road, Brighton, for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

General

(1) The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, amended plans received 6th September 2024 and with the conditions of this permit and must not be altered or extended without the further written approval of Council.

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

(3) Prior to Council sealing the final plan of survey for any stage the developer must provide certification from a suitably qualified person that all works required by the approved Bushfire Hazard Management Plan has been complied with.

Staging

(4) The subdivision must only be carried out in stages in accordance with the endorsed documents or a staged development plan submitted to and approved by Council's Director Development Services.

Transfer of reserves

(5) Public open space, as indicated on the endorsed plan, must be shown on the final plan of survey and must be transferred to the Brighton Council by Memorandum of Transfer submitted with the final plan of survey.

(6) All roads or footways must be shown as "Road" or "Footway" on the Final Plan of Survey and transferred to the Council by Memorandum of Transfer submitted with the Final Plan of Survey.

Easements

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

Covenants

(8) Covenants or other similar restrictive controls that conflict with any provisions or seek to prohibit any use provided within the planning scheme must not be included or otherwise imposed on the titles to the lots created by this permit, either by transfer, inclusion of such covenants in a Schedule of Easements or registration of any instrument creating such covenants with the Recorder of Titles, unless such covenants or controls are expressly authorised by the terms of this permit or the consent in writing of the Council's Director Development Services.

Final plan

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

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

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

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

Landscaping

(13) A detailed landscape plan prepared by a suitably qualified landscape architect or other person approved by Council must be submitted to Council for approval with the engineering drawings. The detailed landscape plan must be generally in accordance with the Landscape Concept Plan and Landscape Surfaces Plan approved as part of this permit and must include landscaping in the road reserves and public open space, clear of underground infrastructure.

The landscaping plan must show the areas to be landscaped, the form of landscaping, and the species of plants and estimates of the cost of the works.

Advice: The landscaping plan submitted with the application is considered to be a concept plan and may require alterations prior to consideration for approval.

(14) Unless approved otherwise by Council's Director Development Services, street trees must be a minimum of 1.5 metres in height at the time of planting.

Engineering

(15) The subdivision must be carried out and constructed in accordance with the:
(a) Tasmanian Subdivision Guidelines
(b) Tasmanian Municipal Standard – Specifications
(c) Tasmanian Municipal Standard – Drawings
as published by the Local Government Association of Tasmania and to the satisfaction of Council's Municipal Engineer.

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

Advice: The engineering drawings submitted with the application are considered to be concept plans and may require alterations prior to consideration for approval.

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

a) all existing and proposed services required by this permit;
b) all existing and proposed roadwork required by this permit;
c) measures to be taken to provide sight distance in accordance with the relevant standards of the planning scheme;
d) measures to be taken to limit or control erosion and sedimentation;
e) any other work required by this permit.

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

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

Services

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

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

(22) Unless approved otherwise by Council's Municipal Engineer all services must be extended to the lot proper.

Existing Dwelling

(23) The existing dwelling on Lot 70 must be reconnected to new services provided as part of the subdivision including power, sewer, water, and stormwater to the satisfaction of Council's Municipal Engineer and the relevant authority.

Advice: Separate approvals may be required under the Building Act 2016.

(24) The existing dwelling on Lot 70 must be provided with 2 sealed car parking spaces on the site in accordance with AS2890 and to the satisfaction of Council's Municipal Engineer.

Roadworks

(25) Roadworks and drainage must be constructed in accordance with the standard drawings and specifications prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's Municipal Engineer or as otherwise required by this permit.

(26) Elderslie Road must be upgraded/reconstructed across the entire frontage of the subdivision. The design and construction is to be consistent with the newly constructed section of Elderslie Road to the east of the subdivision. Unless approved otherwise by Council's Municipal Engineer upgrade works must include:

a. new kerb and channel on the southern side

b. 3.5m traffic lanes on the southern side (whilst maintaining a through lane on the northern side)

c. 1.5m bicycle lane on the southern side

d. 1.5m minimum width concrete footpath on the southern side, fronting lots 36, 104 to 108, and 87.2.5m minimum width concrete shared use path on the southern side, fronting lot 109 and fronting lot 109 and the Public Open Space lot.

e. piped stormwater drainage

f. underground power

g. future provision of a pedestrian crossings/refuges to be considered in engineering design.

h. street trees

(27) New roads must, unless approved otherwise by Council's Municipal Engineer, include: -

a. New Subdivision Roads

i. 8.9 metre minimum carriageway width;

ii. Kerb and channel;

iii. 1.5 metre minimum width concrete footpath on both sides;

iv. Underground stormwater drainage.

(28) The proposed road running north south adjacent the public open space lot must be constructed such that it meets the boundary of the neighbouring property to the south.

(29) All carriageway surface courses must be constructed with a 10 mm nominal size hotmix asphalt with a minimum compacted depth of 35 mm, or 40mm where bus traffic is expected, in accordance with standard drawings and specifications prepared by the IPWE Aust. (Tasmania Division) and the requirements of Council's General Manager.

(30) A reinforced concrete vehicle access must be provided from the road carriageway to each Lot.

(31) Vehicle accesses must be located and constructed generally in accordance with the standards shown on standard drawings TSD-R09 Urban Roads Driveways and TSD-RF01 Guide to Intersection and Domestic Access Sight Distance Requirements prepared by the IPWE Aust. (Tasmania Division) and the satisfaction of Council's Municipal Engineer.

(32) Kerb ramps must be provided to accommodate the needs of people with disabilities in accordance with standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's Municipal Engineer.

Stormwater management

(33) The developer is to provide a piped stormwater property connection to each lot capable of servicing the entirety of each lot by gravity in accordance with Council standards and to the satisfaction of Council's Municipal Engineer.

(34) The developer is to provide a stormwater drainage system designed to comply with all of the following:

a) The piped system within the subdivision must be able to accommodate a storm with a 5% AEP when the land serviced by the system is fully developed;

b) Underground stormwater detention must be provided such that peak flows for a 5% AEP event, to the piped public stormwater system in Brighton Road, are limited to pre-existing or no greater than that which can be accommodated in the existing piped system, whichever is the lesser;

Advice: The stormwater system in Brighton Road is estimated to have a maximum spare capacity of 240 litres per second where the new main extension through 1 Elderslie Road connects.

c) The subdivision must incorporate an overland flow paths to accommodate a 1% AEP (plus climate change) rainfall event;

d) Stormwater detention must be provided on the site such that peak overland flows exiting the site for up to a 1% AEP (plus climate change) rainfall event are limited to pre-existing, or 1.8029 cumecs along the northern flow path adjacent Elderslie Road, and 2.8456 cumecs through the school site (adjacent the proposed oval), whichever is the lesser;

Advice: The stormwater system downstream of the development has limited capacity and cannot accommodate any increase in flows.

e) Stormwater from the proposed subdivision must be treated prior to entering the public stormwater system to:

i) Standard Stormwater Treatment Requirements specified in Table 3 Water Quality Treatment Targets in DEP AND LGAT TASMANIAN STORMWATER POLICY GUIDANCE AND STANDARDS FOR DEVELOPMENT 2021 V1.

f) Stormwater Quality Improvement Devices installed as part of the subdivision must be consistent with other systems adopted by Council and approved by Council's Municipal Engineer; and

g) Water Sensitive Urban Design Principles (where incorporated) must be in accordance with the *Water Sensitive Urban Design Procedures for Stormwater Management in Tasmania*, and to the satisfaction of the Council's Municipal Engineer.

(35) An updated Stormwater Management Report must be submitted to Council's Municipal Engineer in conjunction with the engineering design plans for approval. The Stormwater Management Report must be prepared and certified by a suitably qualified person, in accordance with section 2.6.2 of *DEP &LGAT (2021). Tasmanian Stormwater Policy Guidance and Standards for Development. Derwent Estuary Program and Local Government Association of Tasmania (Hobart, Australia)* and include calculations, design, construction and maintenance details of stormwater treatment, detention, and conveyance. The report must clearly demonstrate that the requirements of this permit are met, and that adjacent and downstream properties will not be adversely impacted by the stormwater system. Once approved the updated Stormwater Management Report will form part of this permit.

Advice: General Manager's consent is required for connection to the public stormwater system in accordance with the Urban Drainage Act. Providing the planning permit conditions are met General Managers Consent will be granted.

Sewer & Water

(36) Each lot must be connected to a reticulated potable water supply.

(37) Each lot must be connected to a reticulated sewerage system.

TasWater

(38) The development must meet all required Conditions of approval specified by Tas Water Submission to Planning Authority Notice TWDA 2023/00828-BTN, dated 19/02/2024.

Telecommunications and Electrical Reticulation

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

(40) Prior to the work being carried out a drawing of the electrical reticulation and street lighting, and telecommunications reticulation in accordance with the appropriate authority's requirements and relevant Australian Standards must be submitted to and endorsed by the Council's Municipal Engineer.

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

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

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

Erosion and Sediment Control

(42) An Erosion and Sediment Control Plan (here referred to as a 'ESCP') prepared in accordance with the guidelines Erosion and Sediment Control, The fundamentals for development in Tasmania, by the Derwent Estuary Program and Tamar Estuary and Esk Rivers Program, must be approved by Council's Director Development Services before development of the land commences. The ESCP shall form part of this permit when approved.

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

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

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

Construction Amenity

(46) The road frontage of the development site including road, kerb and channel, footpath and nature strip, must be:

a) Surveyed prior to construction, photographed, documented and any damage or defects be noted in a dilapidation report to be provided to Council's Asset Services Department prior to construction.
b) Be protected from damage, heavy equipment impact, surface scratching or scraping and be cleaned on completion.

In the event a dilapidation report is not provided to Council prior to commencement, any damage on completion will be deemed a result of construction activity requiring replacement prior to approval.

(47) The development must only be carried out between the following hours unless otherwise approved by the Council's Director Development Services.

• Monday to Friday	7:00 AM to 6:00 PM
• Saturday	8:00 AM to 6:00 PM
• Sunday and State-wide public holidays	10:00 AM to 6:00 PM

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

a) emission from activities or equipment related to the use or development, including noise and vibration, which can be detected by a person at the boundary with another property; and/or
b) transport of materials, goods or commodities to or from the land; and/or
c) appearance of any building, works or materials.

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

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

Survey Pegs

(51) Survey pegs are to be stamped with lot numbers and marked for ease of identification.

(52) Prior to the works being taken over by Council, evidence must be provided from a registered surveyor that the subdivision has been re-pegged following completion of substantial subdivision construction work. The cost of the re-peg survey must be included in the value of any security.

Maintenance and Defects Liability Period

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

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

As constructed drawings

(55) Prior to the works being placed on the maintenance and defects liability period "as constructed" drawings and data for all engineering works provided as part of this approval must be provided to Council to the satisfaction of the Council's Municipal Engineer. These drawings and data sheets must be prepared by a qualified and experienced civil engineer or other person approved by the Municipal Engineer in accordance with Council's Guidelines for As Constructed Data.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT:

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

B. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.

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

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

DECISION:

Cr Owen moved, Cr Geard seconded that the recommendation be adopted with minor amendments as tabled.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Geard	
Cr Gray	
Cr Irons	
Cr Murtagh	
Cr Owen	
Cr Whelan	

13. Officers Reports

13.1 Community Leasing and Licencing Policy

Author: Executive Officer (M Braslin)

Authorised: Director, Corporate Services (G Browne)

Background

In April 2023 Council endorsed the Brighton Social Infrastructure Plan. This plan recommended 14 priority actions one of which was to 'Develop and implement a community hiring and leasing policy'.

The community leasing policy establishes set guidelines for leasing public or council-owned properties to the community.

The policy is to ensure equitable access and to maximise the utilisation of existing Council facilities by community groups.

Consultation

Senior Management Team, Council Community Facilities officer, Community Development and Engagement department.

Risk Implications

- Reputational risk can be perceived favouritism of a community group or tenant misconduct.
- Lease agreement violations like failing to maintain the property as agreed.
- Regulatory non-compliance risk if the property is not used in accordance with local laws, zoning and safety standards.
- Revenue loss for offering reduced rates for leases.
- Financial viability where tenants fall into arrears with rent. This could result in increased costs to Council if legal action is required or for finding new tenants.

Financial Implications

The revenue from the lease amounts will be put towards lease administration costs and building insurance costs.

Strategic Plan

Relates to our Goal 1 to:

Inspire a proud community that enjoys a comfortable life at every age.

1.1 Engage with and enable our community.

Social Implications

A community policy can impact the community socially in various ways such as:

- Community groups gain access to spaces where they can host activities, provide services and engage with local residents. This helps to foster community spirit and encourages participation.
- The leasing policy can promote inclusivity and ensure that various community needs are met.

Environmental or Climate Change Implications

Any tenant will be required to engage in activities to promote sustainable living behaviours.

Economic Implications

The leasing policy offers reduced rates or favourable terms for community groups, helping them sustain their operations without the burden of high rents.

By implementing a community leasing policy the Council is able to support local business indirectly. By leasing spaces to Community groups this may result in economic stimulation in these areas that were previously a potentially unused space. Events, programs, and activities hosted by these organisations can attract visitors and may generate economic activity as well as increase membership numbers.

Helping to create successful Community organisations can increase job creation as this can then flow onto employment of staff or increased volunteers, which will then contribute to local employment and skill development.

Other Issues

Nil

Assessment

The policy can enhance transparency in how public resources are allocated, ensuring that decisions are made in a clear and transparent way.

A council community leasing policy can be a powerful tool for enhancing social capital, promoting inclusivity, and supporting the local economy.

Options

1. Council approves the Community Leasing and Licencing Policy.
2. Do not approve the Community Leasing and Licencing Policy.
3. Other

RECOMMENDATION:

That Council approves the Community Leasing and Licencing Policy and approves the update of Councils fees and charges register for 2024/25 to include the community leasing fees.

DECISION:

Cr Geard moved, Cr Whelan seconded that Council approves the Community Leasing and Licencing Policy and approves the update of Councils fees and charges register for 2024/25 to include the community leasing fees.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Geard	
Cr Gray	
Cr Irons	
Cr McMaster	
Cr Murtagh	
Cr Owen	
Cr Whelan	

13.2 Request for funding - Pony Club, Pontville Park

Author: Executive Officer (M Braslin)

Authorised: General Manager (J Dryburgh)

Background

The working Group for Pontville Equestrian Centre have been working together to progress the rebuild of the wooden horse holding yards at Pontville Equestrian Grounds at 325 Brighton Road Pontville. Mrs Blackwell has written to Council on behalf of the working group requesting $15,000 funding to match funding granted by Kerry Vincent on behalf of the Liberal Party during the election campaign. Unfortunately, this request came into Council after the closure of the Councils Community Grants program.

There are 60 existing timber yards (6 groups of 10) that have served their purpose for many years but are now in disrepair.

The clubs are fundraising together to upgrade further yards.

We have been advised that other than Pontville Park's normal horse club use Pontville will host two State Championship shows in March 2025 and they would like to have upgraded 30 hold yards by then.

Consultation

Senior Management Team, Council Community Facilities officer, Community Development and Engagement department.

Risk Implications

Many of the wooden structures are presently in quite poor condition. This may pose a reputational risk and increases the risk of damage to the structures or injuries.

Updating these wooded horse yards is important for mitigating these risks and ensuring the usability of the horse holding yards on council property.

Financial Implications

Unbudgeted funds for this project could be allocated from 'Promotion of Municipality' 2024/25 Budget and reported as a Donation.

The equine users will be responsible for the upkeep and maintenance of the horse holding yards.

Strategic Plan

Relates to our Goal 1 to:

Inspire a proud community that enjoys a comfortable life at every age.

1.1 Engage with and enable our community.

Social Implications

Forming a bond with a horse helps develop empathy and communication skills. Horses can improve your mental health while giving a sense of purpose and belonging as well as the opportunity to connect with an animal.

As the Brighton Municipality continues to grow so does the need for community activities.

Environmental or Climate Change Implications

No significant climate or environmental-related issues.

Any tenant will be required to engage in activities to promote sustainable living behaviours.

Economic Implications

The National event will bring many people to Tasmanian specifically the Brighton area and increase the business for the area. Other events bring people to the facilities from surrounding regions.

Other Issues

Nil.

Assessment

The wooden horse holding yards at the Council owned facility in Pontville Park are in poor condition and would benefit from an upgrade.

Horse Riding is beneficial for mental, emotional, and physical health. It teaches valuable life lesson and skills. Learning to ride a horse required patience, mindfulness and resilience as well as using every muscle group in the body.

Given that Pontville Park will be hosting Nationals next year where participants come for all over the State and Country, we will be show-casing our equine venue, it seems timely to assist in the improvement of the facilities, especially as there is some co-funding secured.

The working Group would be able to apply for Councils Community Grants program next year for possible further assistance.

Options

1. Council approves funding of $15,000 towards the repair of horse holding yards.
2. Council approves $7,500 towards the repair of horse holding yards.
3. Do not approve funding.

RECOMMENDATION:

That Council approves $7,500 towards the repair of horse holding yards from the Promotion of Municipality budget 2024/25.

DECISION:

Cr Geard moved, Cr Curran seconded that Council approves $7,500 towards the repair of horse holding yards from the Promotion of Municipality budget 2024/25.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Geard	
Cr Gray	
Cr Irons	
Cr McMaster	
Cr Murtagh	
Cr Owen	
Cr Whelan	

13.3 Old Beach Foreshore Track Feasibility Consultation

Author: Project Manager (D Cundall)

Authorised: A/Director, Asset Services (L Wighton)

Purpose

This report is to provide the Council and the broader community with the details and recommendations regarding the recent consultation with landowners and stakeholders on the feasibility of a new walking track between Riviera Drive, Old Beach and Jetty Road, Old Beach.

The report includes detailed responses to the issues raised in the submissions received during the consultation period (July – August 2024).

Background

The Council have commenced a project to determine the feasibility of a new foreshore track in the Old Beach area between Riviera Drive/St Ann's Living and the Jetty in Jetty Road. The land is mostly coastal or riparian reserve (creeks and waterways) with the exception of some land within St Ann's Living and the East Derwent Highway (road reserve). The area is shown in Figure 1 and the Attachment B.

Council had previously allocated a budget of $120,000 in the 2022-2023 financial year for the "Old Beach Foreshore Walkway – Blackstone to Morrisby – 950m" project. However, this was never progressed, and the amount was carried forward subject to further studies and consultation.

In 2023, the Council under Part 1.3 of the *Brighton Council Annual Plan 2023 – 2024* (June 2023) the Council included the following:

> *Plan, design and undertake community consultation for an additional section of gravel walkway along the Old Beach Foreshore from Morrisby Road to Blackstone Drive*

In 2024, under Part 1.3 of the *Brighton Council Annual Plan 2024-2025* the Council included the following objective:

> *Consider community feedback for additional sections of gravel walkway along the Old Beach Foreshore from Morrisby Road to Blackstone Drive.*

The Annual Plan and budget item builds upon Council's *Brighton Council 2050 Vision* to provide a foreshore track "…. Similar to that provided in Rosetta" together with better connectivity between walking tracks and natural assets in the area.

The Council had previously undertaken a more limited investigation on the potential for a new track in this area (in the past 10 years). However, it was determined that careful planning, design, landowner and stakeholder consultation was much needed to get a better understanding of the issues and scope of works.

Figure 1: Project Investigation Area (Source: theLIST mapping services)

The first stage of the project was to determine the overarching objectives of the project. These are provided as follows:

a) To investigate and provide options for a new walking track between Compton Road and Jetty Road based on risk assessment, feasibility of options, cost, stakeholder and community feedback and approvals; and

b) To investigate connections to Riviera Drive and subdivision on eastern side of the Derwent Highway.

c) To provide additional walking tracks in the Old Beach area

d) To enhance amenity and liveability of Old Beach foreshore and Old Beach area

e) To provide safer public access to foreshore

f) To eradicate declared weeds, better manage erosion and long-term native plantings for habitat, biodiversity and site stability along the track route

A site constraints and opportunities analysis was undertaken by Council Officers to map a planning corridor area suitable for public consultation. This map was based on the following studies and assessment:

- Land tenure assessment and boundary checks
- Aboriginal Heritage Assessment
- Natural Values Assessment
- Assessment of natural hazards such as coastal erosion, flood, steep slopes, bushfire hazards etc
- Assessment of impact on local amenity, privacy, accessibility etc

The investigation area shown in Attachment B is the same map that was used in the recent stakeholder and landowner consultation (July – August 2024). The track investigation area is located entirely within public land, with the exception of a small section of land within the St Ann's Living precinct located at Stanfield Drive, Old Beach. The track area is otherwise within land owned by the Brighton Council or land leased to the Brighton Council by Crown Land Services or other public reserve (i.e. riparian reserve). Part of the track may also be within the land owned by State Growth along the East Derwent Highway.

Based on the preliminary investigations the area can be divided into four (4) distinct stages:

1. Riviera Drive to Compton Road
2. Compton Road to Blackstone Drive
3. Blackstone Drive to Morrisby Road
4. Morrisby Road to Jetty Road/Old Beach pontoon "Ferry Point"

The total length of the investigation area is 3.2km. This includes areas of partly formed existing track.

Council Officers sent letters to residents that adjoin the track investigation area in early 2024 to advise them of the project and to advise that Council Officers were undertaking site investigations in the area.

Between July – August 2024 Officers again contacted the local residents and provided a consultation page on the Council website seeking feedback on the track investigation area.

Consultation

Stakeholder engagement and consultation on the track investigation area is summarised as follows:

1. Landowners were notified of the project in January 2024.
2. Meetings between Council Officers and the owners of St Ann's Living to seek in principle agreement to use part of their land for a public walkway subject to design and further consultation.
3. Landowners in vicinity of boundary survey work were again notified.
4. Meetings between Council Officers and the Department of State Growth for in principle agreement to use East Derwent Highway Road reserve subject to design, approvals and further consultation.

5. Mail-out to all adjoining residents and all stakeholders in July 2024 seeking feedback on the Track Investigation Area and feedback on a new track on the public land between St Ann's and Jetty Road.

6. Website "Have your Say" page was formed with an information sheet and investigation area map (Attachment A and Attachment B)

7. Emails and communications with Project Manager from residents 10th July – 9th August 2024

8. Follow up and site visits with landowners (yet to be completed)

Following a decision of Council on this consultation then a more detailed plan will be prepared and further discussions with stakeholders and landowners will be undertaken in late 2024.

This design would be separated into one (1) or more of the four (4) stages i.e. "Riviera Drive to Compton Road" and consultation on a design for each stage may be for feasible than a complete design for the entire 3.2km which may take significant time to complete and unnecessarily extend the design process.

Discussion of Consultation

A total of 38 submissions were received. These are categorised as follows:

- 29 landowner/resident submissions were received via email and mail during the July – August 2024 period
  - 12 submissions had stated they were opposed to a new walking track and provided written comments.
  - 11 submissions provided comments, feedback and raised concerns about particular matters.
  - 6 submissions were letters of support and provided comments and feedback.
- 9 stakeholders including Department of State Growth, St Ann's Living, Tas Police, Tas Fire Service, Inland Fisheries etc provided letters of support or no objection with comments and feedback.

A break-down the submissions is provided below in Figure 2.

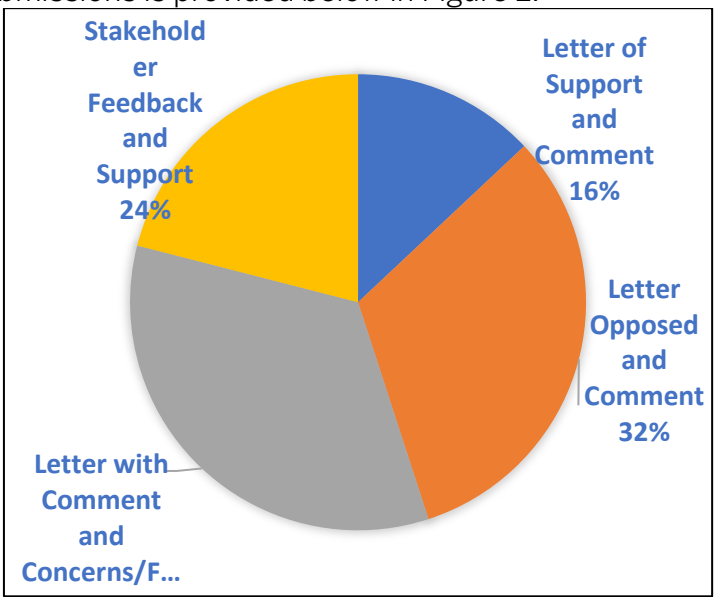


Figure 2: Summary of submissions on Old Beach Foreshore Track Project

The issues raised can be summarised as the following categories:

A. Track Surfacing, Safety and Construction
B. Privacy and Loss of Amenity
C. Crime or Anti-Social or Nuisance Behaviour
D. Natural Values and Wildlife
E. Costs, Maintenance and Council Spending
F. Property Values
G. Other Matters

Most questions, concerns or feedback were on the track surfacing, safety and construction.

Over 70% of respondents had particular questions or concerns/feedback on the design of a foreshore track in the area. Many of these questions cannot be addressed as they are subject to completion of a design that will be provided to residents.

The second issue was concerns about privacy and loss of residential amenity. Over 40% had raised this as an issue or reason to oppose a new track in this area.

A percentage summary of the issues raised is provided below in Figure 3.

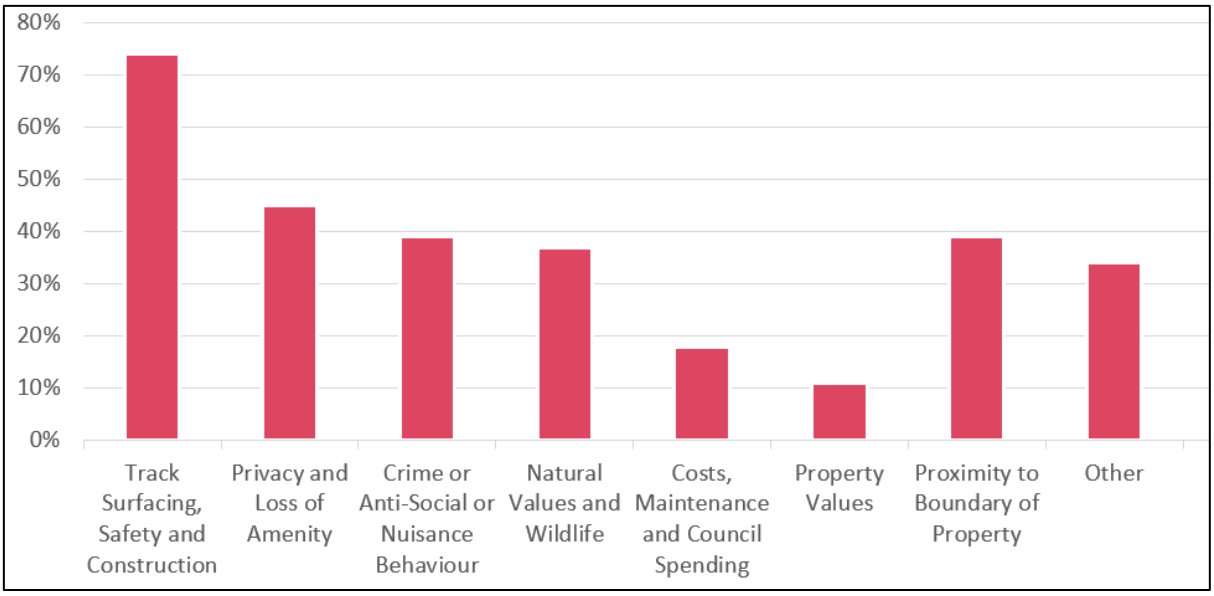


Figure 3: Percentage of Issues Raised in Submissions

A response to the issues raised by landowners and residents is provided together with a response in the tables below:

TRACK SURFACING, SAFETY AND CONSTRUCTION	
ISSUE	DESIGN RESPONSE and COMMENT
Suitable track grade for all abilities	Design will make every effort, as far as practicable, to provide a track suitable for all abilities and to be DDA compliant.

Erosion, land instability, water management and surfacing	Design is to minimise erosion and washouts through avoiding natural drainage lines, installation of culverts, pipes and drains. Tracks within Clarries Creek will need to be concreted to reduce maintenance costs. This is similar to other tracks that may be subject to waterways.
Distance and separation from private property boundaries	Design to locate track as far as practicable from private boundaries and make use of existing vegetation to create a sense of separation. Additional landscaping with shrubs may be suitable in some places to provide a more natural feeling walkway. There are however some sections which are more difficult to manage due to narrow access ways or existing access to the foreshore between houses (fences).
Safety due to steep slopes and fencing	Parts of the track corridor along Morrisby Road are adjacent to very steep slopes. Design will need to include fencing in places or a raised or cantilevered platform with fence to be reasonably safe. Signage warning of steep slope or cliff edge will be needed in some places along with additional landscaping to deter persons from entering. This is common practice for tracks in such areas.
DDA compliance	Design will make every effort as far as practicable to provide a track suitable for all abilities and to be DDA compliant.
Fencing along private property	Council or Crown Land Services are not legally required to construct new fencing per the *Boundary Fences Act 1908* however there are sections where a fence may be required for safety reasons or conflict between vehicles and pedestrians. This is yet to be determined and subject to further site assessment. Plantings, garden beds and other landscaping is suitable to create a separation between what is private property and the public land may be needed. Landowners are free to put up their own signs or fence if that is what they want.
Odour from sewer pump station	Meeting places or park benches should not be located adjacent to a sewer pump station. These pump stations are commonly found in public spaces and people tend to walk past or through such areas and not spend time in the vicinity of bad odour.
Construction in Coastal Hazard Area	Part of the track corridor area is within the Coastal Hazard Area for coastal erosion and coastal inundation. The coastal inundation area is around the low-lying areas of Jetty Road and Clarries Creek. Both are short sections of track. The design corridor and previous feasibility studies had already identified these areas and avoided as far as practicable. The Brighton Council *Coastal Hazards Report* (June 2024) identifies human safety as paramount in works and development in a Coastal Hazard Area. This must be factored in any design solution.

	The track design will need to factor in the two hazards through suitable track surfacing that is unlikely to erode or cause unplanned or undue maintenance. This can be achieved through engineered drainage solutions, concrete paths or raised platforms. Signs warning of wave actions may also be required together with fencing. Council would also be introducing an asset into these areas and will need to factor in the life of the asset and that future works may be needed to either protect or replace the asset due to coastal inundation. For instance, a raised platform may last for 50 years however the height of the platform may need to be increased in 50 years time to allow for sea level rise. Council Officer's initial assessment is that a design can be created that factors: - Public safety - Design and type of asset suitable for a coastal hazard area - Does not increase the hazard for private landowners or infrastructure providers, natural assets or cultural places or items. - Overall design to minimise risk to the public and to the Council. - Future protection of the asset from sea level rise or erosion.

PRIVACY AND LOSS OF AMENITY	
ISSUE	DESIGN RESPONSE and COMMENT
Dogs barking at track users	The comments are that dogs will bark at people or other dogs using a new walkway as dogs are not used to people in that part of the land. A design solution is to keep the track at a maximum distance from property boundaries to avoid direct interaction between dogs at fences and dogs or people using the walkway. It is also Officers recommendation that people keep their dog(s) on a leash at all times and that signage is introduced and rules enforced. This is also a requirement of the *Dog Control Act 2000*. Design for additional landscaping buffers or existing landscaping buffers will also create a distance and screen between the track and property boundaries. Park benches should not be placed close to property boundaries where people will stop, rest or gather and potentially stress or excite dogs on private property (or vice versa).

	Council Officer experience of walking this area multiple times is that dogs bark at first but then stop once you walk away. It is the opinion of Council Officers, based on experience, that dogs typically get accustomed to change and new people and other dogs over time. Owners may need to train their dogs to deter them from barking so they do not become a nuisance or disturb the amenity of the entire area. It is also likely that new dogs at properties will be aware of a walking track (i.e. post construction) and unlikely to react the same as dogs that have lived on the property without a walking track.
Loss of privacy	It is agreed that a formed walking track will attract more people to use these public reserves or access the River Derwent. Over 40% of respondents had raised privacy and increased people/activity in the area as a concern. This was raised by both people that were for or against a walking track in the area. People were concerned that they could no longer enjoy their private open space and treated the land that backs onto the reserve like a private backyard. Firstly, Council respect people's opinions on this matter and that privacy can be subjective. A design solution is to locate a track that maintains a distance from boundaries, as far as practicable, and makes use of existing tracks and vegetation. Further landscaping can be introduced to create a buffer between the track and property boundaries. However, it is important that such landscaping does not unreasonably block people's views or create places that entirely obscure track users when viewed from the private properties. An element of passive surveillance between the reserve and private property is important for safety and security and a natural deterrence of anti-social behaviour. Further discussions with some landowners is needed to discuss some particular sites.

Lack of fencing between property and foreshore reserve	Landowners are not required to fence this boundary and Council is not required to construct fencing per the *Boundary Fences Act 1908*. Again, the design solution is to maintain a distance from the property boundary and make use of existing vegetation. Further landscaping ought to be included to create a natural feeling buffer between the reserve and private property.
Noise from people using the track and other loud behaviour	A walking track may increase noise from people or dogs using the track however Council has very minimal complaints about track users from existing tracks in the Brighton area. A walking track is not a land use that is known to cause noise issues. A design solution however is to avoid constructing park benches or gathering places that are close to boundaries or people's windows etc.
Vegetation removal	A design solution is to avoid vegetation removal other than weed removal. Coastal vegetation is critical habitat and is needed to control erosion, wind and also privacy and amenity.

CRIME OR ANTI-SOCIAL OR NUISANCE BEHAVIOUR	
ISSUE	DESIGN RESPONSE and COMMENT
People hooning on motorbikes or motorised bikes	A design solution is to ensure there is passive surveillance between track users and local residents, signage that prohibits motor bikes, fencing and gates to restrict access for these types of vehicles but still allow wheel chairs, prams and cycling. Residents are typically very pro-active to discourage this type of behaviour through reports to the Tasmania Police.
Trespass onto private property	Though a police matter there is still scope to delineate between what is the public land and the private land through landscaping and designing a track that is not located directly against a boundary. Further assessment and design solutions may be presented to the community for feedback on this matter.
Anti-social behaviour	It is expected that track users will be mostly local residents or people simply enjoying nature or exercise. A design solution is again to allow for passive surveillance where possible, to not create hiding spaces or gathering spaces behind fences or vegetation.
Burglary and access to private property	The Tasmania Police were contacted as part of the consultation process. Tasmania Police said that creating a track may create additional access points to property. However, they could not comment on potential crimes that have not happened. From an urban design perspective passive surveillance and a high quality amenity are good deterrents for anti-social or criminal behaviour.

	People that witness suspicious behaviour or criminal activity typically contact the police. Council are also reminded that the project area is mostly existing reserve land with the exception of the small amount of land within the St Ann's precinct. Council would not be creating the reserve through land acquisition or the like. Use of cameras in the area may be a deterrent particularly around likely meeting or gathering spots such as the Jetty Road carpark. It is noted that many residents have cameras on their properties that would be a deterrence or pickup criminal or suspicious activity.
How will Police and Council manage anti-social behaviours	A well-designed trail that includes passive surveillance, encourages people to get outdoors and exercise or go fishing and enjoy nature is one of the best ways to deter anti-social behaviour. The more people that use the track and are present in the area the less likely people will be to cause a nuisance or act in an anti-social manner as such behaviour can be reported to the Tasmania Police.
Houses and private open spaces were built before the track and not designed for a track	Again, Council respect people's opinions on this matter and that it can be subjective. Foreshore reserves are great places for foreshore tracks and access to a river for fishing or to enjoy the outdoors. Council has already constructed many foreshore tracks in the nearby areas which are frequently used by people to get exercise and enjoy nature. A design solution is to design a track that is respectful of people's privacy and to maintain a distance from boundaries and buffer with landscaping.
Access for emergency services	There are multiple access points for emergency services either through existing vehicle accesses, walkways or through private property in the event of an emergency.

NATURAL VALUES AND WILDLIFE	
ISSUE	DESIGN RESPONSE and COMMENT
Loss of habitat and vegetation removal	A design solution is to avoid vegetation removal as far as practicable and plant further vegetation that is suitable coastal habitat. A walking track would also enable and encourage better weed management of the area.
Dogs and wildlife	It is recommended that dogs strictly kept on a leash. The natural values survey identified bandicoot habitat and other wildlife. A clearly marked track would also delineate between natural bushland and the track and deter people and dogs from straying from the path into the vegetation.
Impact on threatened species	Per above the design would provide that clearly delineates a pathway and that dogs must be kept on a leash or prohibited.

	The Natural Values Assessment has provided recommendations for design and construction and to avoid unnecessary removal of vegetation including dead vegetation or piles of vegetation that are bandicoot or other fauna habitat.

COSTS, MAINTENANCE AND COUNCIL SPENDING	
ISSUE	DESIGN RESPONSE and COMMENT
Council should be spending funds on more play equipment in Old Beach	These comments are noted and have been directed to the Asset Services team.
A track will require ongoing maintenance at ratepayer expense	A solution is to design a track to an affordable best practice principle that requires minimal or inexpensive maintenance such as well drained gravel tracks. Also to construct sections out of concrete with a long design life, where necessary, such as Clarries Creek.
Do not agree with spending funds on a track in this area as opposed to a track in the area	Council has identified further tracks and connectivity between places as part of Council's *Brighton Council 2050 Vision.* This forms part of Council's role to deliver community infrastructure. Council has included consultation on the walkway in this area in their current *Annual Plan 2024-2025*. Funding and final costs are not yet known and could be funded through state or federal grant funds or as budget allows.

PROPERTY VALUES	
ISSUE	DESIGN RESPONSE and COMMENT
That a walking track would decrease property values in the area	There is no evidence to support that public facilities and amenities reduce property values and the design measures to reduce anti-social behaviour and create a high quality and high amenity foreshore track will likely make Old Beach an even more attractive place to live and visit.

OTHER ISSUES RAISED	
ISSUE	DESIGN RESPONSE and COMMENT
That the crown reserve was gifted to some residents	The track corridor does not include land in private ownership other than land within the St Ann's Living precinct which the owner's have agreed to include subject to further design and community consultation.
That Council did not contact some residents about the project	Adjoining owners were contacted and information was provided on Council's website inviting comment on the track investigation area. Council has retained the records and contact details.
Impact on TasWater underground pipes	TasWater were contacted as part of the consultation and have no objections to works in the area. Works such as excavations or drainage can be designed to avoid underground assets.
Council would be liable for damages to private property from criminal activity or liable if persons are injured	There is no evidence to support this claim. The track can be designed per best practice and to a high standard and with professional advice. Council can seek advice from their insurer on measures to make the track safe and discourage people taking risks. Such measures would likely include public safety through signage, fencing and landscaping. Also the track would be continually inspected to ensure track works are kept to a reasonable standard. Members of the public can report maintenance issues to Council.

The table below provides a summary of the responses from the Stakeholders.

STAKEHOLDER FEEDBACK	
STAKEHOLDER and COMMENT	DESIGN RESPONSE and COMMENT
Tasmania Fire Service (TFS) *TFS have no significant concerns with respect to the concept foreshore track. I note it does not appear likely to have any material impact on our ability to access properties or firefighting resource in the area.*	No further comment or design response other than the expected vegetation management that would be associated with track maintenance may further reduce bushfire hazards.
Inland Fisheries Services *Thanks for contacting the Inland Fisheries Service in respect of the proposal to extend the walking tracks in Old Beach.*	The comments are noted and can be included in the design response to provide signage and further consultation will be undertaken with IFS to refine design drawings.

The IFS, through our Anglers Access programme have already identified a number of access points to the River Derwent for anglers in the Old Beach area including existing walking tracks. I have attached a copy of the River Derwent Anglers Access brochure. *The project outline, if implemented, will enhance access to the river for angling and any new access points will be added to the IFS map.* *We suggest that the angling symbol be included in any new signage for the walking track as a permissible activity.* *In respect of the alternate creek crossing we support the safest and most cost effective option as close as practical to the River Derwent.* *I would be happy to discuss any aspect of this very worthwhile project.*	
Aboriginal Heritage Tasmania *That the assessment process under the Aboriginal Heritage Act 1976 is required and that further consultation is required once a design is finalised.*	The comments are noted and the assessment report by CHMA provides a series of recommendations to avoid or manage Aboriginal Heritage sites such as middens. Further consultation will be undertaken should Council proceed to the design stage.
Crown Land Services *Property Services appreciates Council engaging with us and keeping us informed.* *As mentioned, when the investigative matters outlined in the Stakeholder Consultation paper dated 10 July, 2024, are substantially progressed, please contact Property Services to check if approvals are needed prior to commencing any works on the Crown land.*	The comments are noted and further engagement with Crown Land Services can be undertaken should the project proceed to a design.
St Ann's Living *The Owners of St Ann's living have provided in principle support to further foreshore tracks in the area including within their land.*	The comments are noted. Should further design documentation be prepared then further consultation with the owners of St Ann's Living will be undertaken.
Department of State Growth *The department is committed to encouraging people to walk, wheel, or ride as part of their everyday travel. Walking, wheeling, and riding play an important role in making the Tasmanian transport*	The comments are noted and demonstrate that design and construction of such tracks are part of a much broader strategy for Tasmanians. Further consultation is required should Council proceed to a design.

network more resilient, safe, and equitable. This increases the use and efficiency of our transport corridors and delivers health, environmental, and economic benefits. *In turn, the department supports Brighton Council's goal of extending the River Derwent foreshore track within Old Beach and beyond. This aligns with the intent of the Hobart Regional Arterial Bicycle Network Plan and Greater Hobart Cycling Plan of providing loops of cycleways across Greater Hobart that transverse the River Derwent.* *If Council's on-going planning and consultation work determines that the proposed foreshore track extension is a viable development, and if the track is ultimately proposed to use the State road reservation, further consultation with the department will be required to ensure the design in the reservation meets the department's safety expectations, and to ensure the final proposed alignment of the track does not conflict with future improvements envisioned for the East Derwent Highway. In addition, Brighton Council would need to enter a Crown land licence and ensure all surface maintenance and other improvements, such as plantings, are maintained by the licensee.* *The Department is working towards providing a suite of state-wide guidance for walking, wheeling and riding, which may assist with your project. Drafts will be provided to councils and other key stakeholders for review and comment as they are ready.* *In the meantime, thank you again for the opportunity to review the potential route. We appreciate Council's efforts in promoting walking, wheeling and riding and look forward to continued collaboration.*	
Old Beach Landcare Group *Generally supportive of further walking tracks in the area and improved access*.	

Tasmania Police* **Tasmanian Police were contacted specifically by Council Officers in response to feedback from the public about potential crime caused by a new track.* *That further consultation ought to be undertaken with Tasmania Police*. That new walking tracks can provide additional points of access to properties and that Tasmania Police cannot provide specific comment on potential for crime.	The project is not to create a new public reserve as this already exists in most locations.
Old Beach Foreshore group *Thank you for considering Friends of Old Beach Foreshore group in the consultation process.* *The idea of an extended walking track is welcomed by our group. It gives so much more opportunity for our group to extend our work along the river to ensure the area is looked after for generations to come.* *As discussed this morning the only concern for us, which council is already onto is the identification and preservation of any endangered species of plant/wildlife or aboriginal significant sites of interest along the proposed track.* *In terms of access for individuals with criminal intent we don't see the track as a conduit for an increase in crime within the area.* *We look forward to hearing the track will go ahead, which will open the area up for residents to enjoy a longer walk/ride/run along the banks of the River Derwent. Enabling them to take advantage of new and alternate views the river has to offer from these vantage points.*	The comments are noted and further consultation will be undertaken should Council proceed to design.
TasWater That further consultation ought to be undertaken if works may impact TasWater's asset. This would include service locations or use of Before You Dig asset services.	The Comments are noted.

Next Steps

The next steps should Council decide to proceed with the design stage of the project and further consultation are listed as follows:

- September 2024 - Meet with those property owners and any others identified by Council to discuss design particulars of where safety between vehicles and pedestrians may be compromised.
- September 2024 - Further site investigations around boundaries and cliff top access and incidental discussions with property owners
- September – November 2024 Prepare design plans in response to issues raised in the consultation and present to Council
- December 2024 - 2025 Undertake consultation on the design plans and refine as needed
- Further report to Council.

Risk Implications

Stakeholder and community consultation is critical to progressing a project such as this.

There is practically nil risk to Council in proceeding to a more detailed design and further consultation on a track in this area per the recommendations and per the feedback received from stakeholders and the community.

The project will continue to be managed carefully by Council Officers per the project management plan which includes fit for purpose consultation and preparation of design documentation.

Financial Implications

A costing of the design documentation, per the recommendations of this report, can be achieved within the current budget allocation towards track works in the area and in Brighton. Some of this design work will be undertaken by external consultants such as engineered solutions or graphic design. The remaining design and consultation elements will be carefully managed by Asset Services.

Strategic Plan

1.1: Understand/Improve Health and Wellbeing

S1.3: Provide Public Facilities/Amenities

S1.4: Support Connected Communities

S1.5: Build a resilient community and environmentally sustainable future

S3.2: Implement Strategic Asset Management Plan (Existing and New)

S3.3: Enabling Infrastructure

S4.4: Long-term thinking & evidence-based

Social Implications

Council have based this project on the success of other foreshore trails in the Brighton area. These public spaces are very popular places to exercise, connect with nature, socialise or connect between areas. They also improve the general amenity of residential areas through improved infrastructure and further maintenance/management of public land (i.e. mowing, weed management etc) and a general sense of community well-being.

Economic Implications

High-quality trails and improved open spaces, including access to the foreshore, make Brighton a better place to work, live, play and invest.

Options

1. As per the recommendation
2. Other

RECOMMENDATION:

1. That Council Officers further investigate issues raised in the public consultation process and prepare a design plan for one (1) or more stages of the Old Beach foreshore track investigation area (as shown in Attachment B); and
2. Council Officers commence further stakeholder and community engagement on the design plan via the same communications methods used for the July – August 2024 consultation; and
3. Council Officers report on the outcomes of the design consultation to the Council at an Ordinary Council Meeting.

DECISION:

Cr Irons moved, Cr Curran seconded that

1. *Council Officers further investigate issues raised in the public consultation process and prepare a design plan for one (1) or more stages of the Old Beach foreshore track investigation area (as shown in Attachment B); and*
2. *Council Officers commence further stakeholder and community engagement on the design plan via the same communications methods used for the July – August 2024 consultation; and*
3. *Council Officers report on the outcomes of the design consultation to the Council at an Ordinary Council Meeting.*

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Geard	
Cr Gray	
Cr Irons	
Cr McMaster	
Cr Murtagh	
Cr Owen	
Cr Whelan	

14. Questions on Notice

There were no Questions on Notice for the September meeting.

15. Closed Meeting

Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015* provides that Council may consider certain sensitive matters in Closed Meeting.

Matters are listed in the Closed Meeting section of the Council Agenda in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*.

RECOMMENDATION:

That in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*, Council move into Closed Session and the meeting be closed to members of the public to deal with the following items:

Item:	Closed under:
15.1 – Employment Contract – General Manager	15(2)(a)
15.2 – Draft Policy 3.3 – CEO Exercise of Powers	15(2)(a)

DECISION:

Cr Curran moved, Cr Whelan seconded that in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015, Council move into Closed Session and the meeting be closed to members of the public to deal with the following items:

15.1 – Employment Contract – General Manager 15(2)(a)

15.2 – Draft Policy 3.3 – CEO Exercise of Powers 15(2)(a)

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Geard	
Cr Gray	
Cr Irons	
Cr McMaster	
Cr Murtagh	
Cr Owen	
Cr Whelan	

15.1 Employment Contract – General Manager

Author: Director Governance & Regulatory Services (J Banks)

15.2 Draft Policy 3.3 – Chief Executive Officer – Exercise of Powers

Author: Director Governance & Regulatory Services (J Banks)

Authorisation to Move Out of Closed Session & Release of Information to the Public

RECOMMENDATION:

That Council, having met and dealt with its business formally moves out of Closed Session and resolves to report that it has determined the following:

Agenda item	Matter	Outcome
15.1	Employment Contract – General Manager	Council have resolved to renew the General Manager's contract for a further 5 years from July 1, 2025 once the current contract expires. They have also resolved to change the title from GM to CEO to better reflect contemporary local government.
15.2	Draft Policy 3.3 – CEO Exercise of Powers	Policy approved and to be made publicly available on Council's website.

DECISION:

Cr McMaster moved, Cr Curran seconded that Council move out of closed session and the decisions made while in closed session be ratified.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr Geard	
Cr Gray	
Cr Irons	
Cr McMaster	
Cr Murtagh	
Cr Owen	
Cr Whelan	

Meeting closed: 6.45 pm

Confirmed: _____

(Mayor)

Date: 15 October 2024

ATTACHMENT
AGENDA ITEM **3.2**

BRIGHTON COUNCIL AUDIT PANEL MEETING

Minutes

Date: 23rd August 2024
Venue: 1 Tivoli Road Old Beach
Time: 2.00pm

1. ATTENDANCE & APOLOGIES:

Ric De Santi (Chair), David Strong, Clr Phil Owen, Gillian Browne

Apologies: James Dryburgh, Cr Peter Geard

2. DECLARATION OF INTEREST:

2.1 Declaration of Interest

Person and/or Organisation with Interest	Conflict Nature or Interest	Perceived/ Potential/ Actual	Date of Declaration
Ric De Santi			
Audit Panels – Glenorchy, GSB, Sorell & Launceston	Chair & Panel Member	Perceived	25/5/23
Catholic Education Commission of Tasmania	Deputy Chair	Potential	25/5/23
Tas Community Fund	Board Member	Potential	25/5/23
Department of Treasury & Finance - Audit Risk Management Committee	Chairperson	Potential	1/7/24
Councillor Peter Geard			
Local Government Association	State Fire Rep	Perceived	25/5/23
Brighton SES	Unit Manager	Potential	25/5/23
Southern Poultry Association	Patron	Potential	25/5/23
Tea Tree Hall	Wife is a Member	Potential	18/8/23

Councillor Phil Owen			
Old Beach Neighbourhood Watch	Member	Potential	25/5/23
Old Beach Foreshore Group	Member	Potential	25/5/23
Voluntary Roles in other Community Groups		Potential	25/5/23
David Strong			
Audit Panel Tasman Council	Chair	Perceived	18/8/23
Tassie Flying Paws Dog Club	President	Potential	18/8/23
Tasmanian Canine Association (Tas Dogs)	Member	Potential	18/8/23
Audit Panel Member Sorell Council	Member	Potential	15/3/24

2.2 General Manager's Declaration
Nothing to declare

3. CONFIRMATION OF MINUTES FOR MEETING HELD ON 10TH MAY 2024
Minutes confirmed as correct.

4. REVIEW OF DRAFT FINANCIAL STATEMENTS
The financial statements were reviewed by the panel and changes were recommended for various pages. Most of these changes were in relation to the notes and various formatting issues. The Director of Corporate Services will make the necessary changes and provide the panel with updated statements when the audit is completed in mid September.

5. NEXT MEETING – 13th September 2024 11.00am

Meeting closed at 3.17pm

Brighton Council

MINUTES OF THE PLANNING AUTHORITY MEETING

OF THE BRIGHTON COUNCIL HELD IN THE COUNCIL CHAMBERS,

COUNCIL OFFICES, 1 TIVOLI ROAD, OLD BEACH

AT 5.30 P.M. ON TUESDAY, 1 OCTOBER 2024

1. Acknowledgement of Country

2. Attendance

Cr L Gray (Chairperson); Cr B Curran; Cr A De La Torre; Cr P Geard; Cr G Irons; Cr T Murtagh; Cr P Owen and Cr M Whelan.

IN ATTENDANCE: Cr J McMaster; Mr J Dryburgh (Chief Executive Officer); Mr D Allingham (Director Development Services); Ms J Banks (Director, Governance & Regulatory Services); Mr L Wighton (Acting Director Asset Services); Mr B White (Planning Officer)

3. Apologies

All members were present.

4. Public Question Time & Deputations

There was no requirement for Public Question Time.

5. Declaration of Interest

In accordance with the requirements of Part 2 Regulation 8 of the L*ocal Government (Meeting Procedures) Regulations 2015*, the chairperson of a meeting is to request Councillors to indicate whether they have, or are likely to have, a pecuniary interest or conflict of interest in any item on the Agenda.

In accordance with Section 48(4) of the *Local Government Act 1993*, it is the responsibility of councillors to then notify the general manager, in writing, the details of any interest(s) that the councillor has declared within 7 days of the declaration.

Cr De La Torre declared an interest in Item 6.1

6. Council Acting as Planning Authority

In accordance with the provisions of Part 2 Regulations 25 of the *Local Government (Meeting Procedures) Regulations 2015*, the intention of the Council to act as planning authority pursuant to the *Land Use Planning and Approvals Act 1993* is to be noted. In accordance with Regulation 25, the Council will act as a planning authority in respect to those matters appearing under Item 6 on this agenda, inclusive of any supplementary items.

Cr De La Torre had declared an interest in the following item and left the meeting at 5.34pm.

6.1 Development Application SA 2023/0019 – Subdivision (3 lots plus balance) at 10 Alanah Court, Old Beach, 31 and 89 Baskerville Road, Old Beach

Author: Planning Officer/Senior Planner

Authorised: Director, Development Services (D Allingham)

Applicant:	Lark & Creese
Subject Site:	10 Alanah Court, Old Beach, 31 & 89 Baskerville Road, Old Beach
Proposal:	Subdivision (three lots plus balance)
Planning Scheme:	Tasmanian Planning Scheme - Brighton
Zoning:	General Residential & Rural
Codes:	• Old Beach Quarry Specific Area Plan • Parking and Sustainable Transport Code • Road and Railways Assets Code • Bushfire-prone Areas Code • Natural Assets Code
Local Provisions:	N/A
Use Class:	Residential
Discretions:	• 8.6.1 A2/P2 – General Residential Zone - Lot Design – Frontage • 20.5.1 A1/P1 – Rural Zone – Lot Design & Frontage

	• C2.6.2 A1.1/P1 - Design and layout of parking areas (Parking and Sustainable Transport Code) • C7.7.2 A1/P1.2 - Subdivision within a priority vegetation area (Natural Assets Code) • C13. 6.1 A1/P1 - Provision of hazard management areas (Bushfire Prone Areas Code)
Representations:	3 representations were received. The representors raised the following issues: • Stormwater disposal impacts on properties • Natural Values (Tasmanian Devils) • Future development (on the lots and adjacent land) • Future subdivision design/density of the balance lot
Recommendation:	Approval with conditions

1. STATUTORY REQUIREMENTS

The purpose of this report is to enable the Planning Authority to determine application SA 2023/19.

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

Council's assessment of this proposal should also consider the issues raised in any representations received, the outcomes of the State Policies and the objectives of Schedule 1 of the Land Use Planning and Approvals Act, 1993 (LUPAA).

This report details the reasons for the officer recommendation. The Planning Authority must consider this report but is not bound to adopt the recommendation. Broadly, the Planning Authority can either:

(1) adopt the recommendation, or

(2) vary the recommendation by adding, modifying, or removing recommended reasons and conditions or replacing an approval with a refusal (or vice versa).

Any alternative decision requires a full statement of reasons to comply with the *Judicial Review Act* 2000 and the *Local Government (Meeting Procedures) Regulations* 2015.

2. SITE ASSESSMENT

The proposal encompasses three titles located at 10 Alanah Court, Old Beach (C/T 184468/11), 31 Baskerville Road, Old Beach (C/T 143522/7) and 89 Baskerville Road, Old Beach (C/T 49158/1).

The site subject to a three lot plus balance subdivision is 10 Alanah Court, Old Beach. It is sized approximately 3.24 hectares (ha) and shaped irregularly (see Figure 1). The three lots are proposed in the area bounded by green and zoned General Residential while the proposed turning head sized 700 square metres (m2) and the balance lot, which is zoned Rural, is situated within the area bounded by blue and zoned Rural (see Figure 1).

Future developments on the proposed lots are highly likely to be influenced by overland flow and affect the neighbouring lands.

31 Baskerville Road is included in the proposal in order to facilitate infrastructure works for sewer connection.

89 Baskerville Road forms part of the application as it is required to support the stormwater management of the proposed subdivision by directing the overflow water into its bushland.

The site is partially within the Old Beach Quarry Specific Area Plan (refer figure 2)). However, the SAP is not applicable as it does not relate to subdivision. The site is fully within the Bushfire-Prone Areas Code overlay (Figure 3). The Rural Zone portion of the site is affected by a priority vegetation area (Figure 4). The proposal includes vegetation clearance to construct the extension of the road and turning head.

The site is burdened by a Drainage and Pipeline and services easement.

Figure 1: Site Map (source: Listmap)

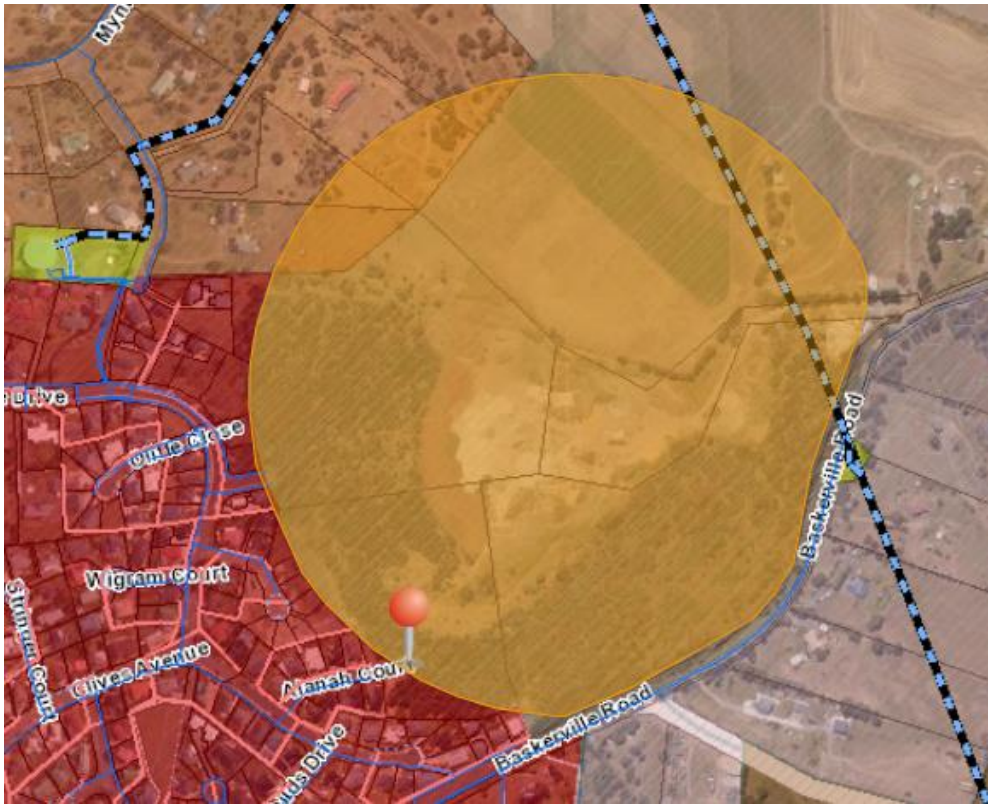


Figure 2: Old Beach Quarry Specific Area Plan (Source: Listmap)

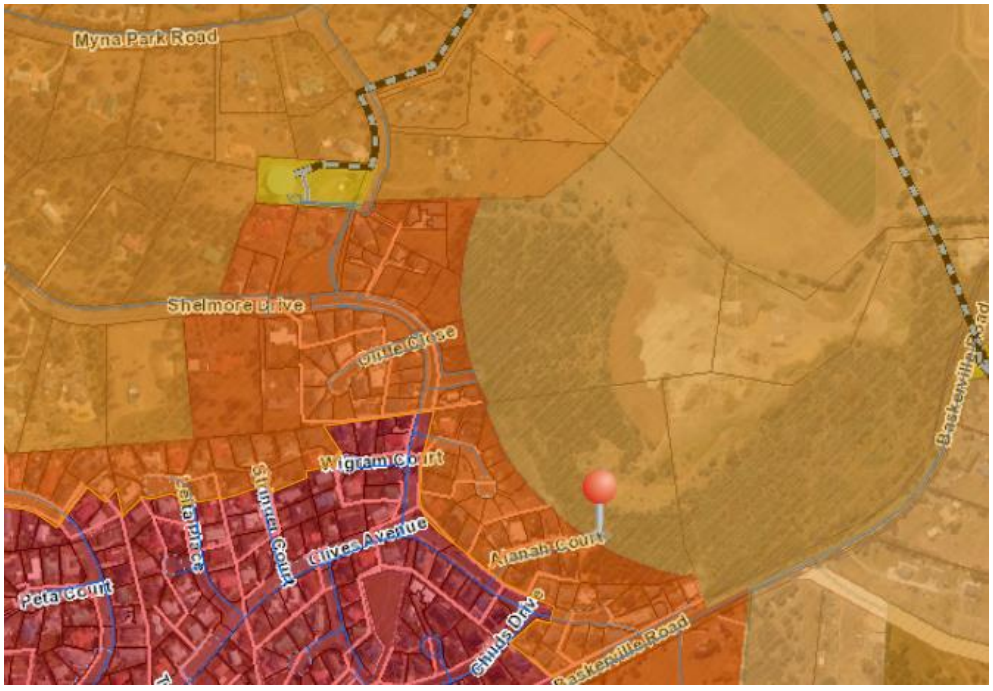


Figure 3: Bushfire Prone Areas Code (source: Listmap)

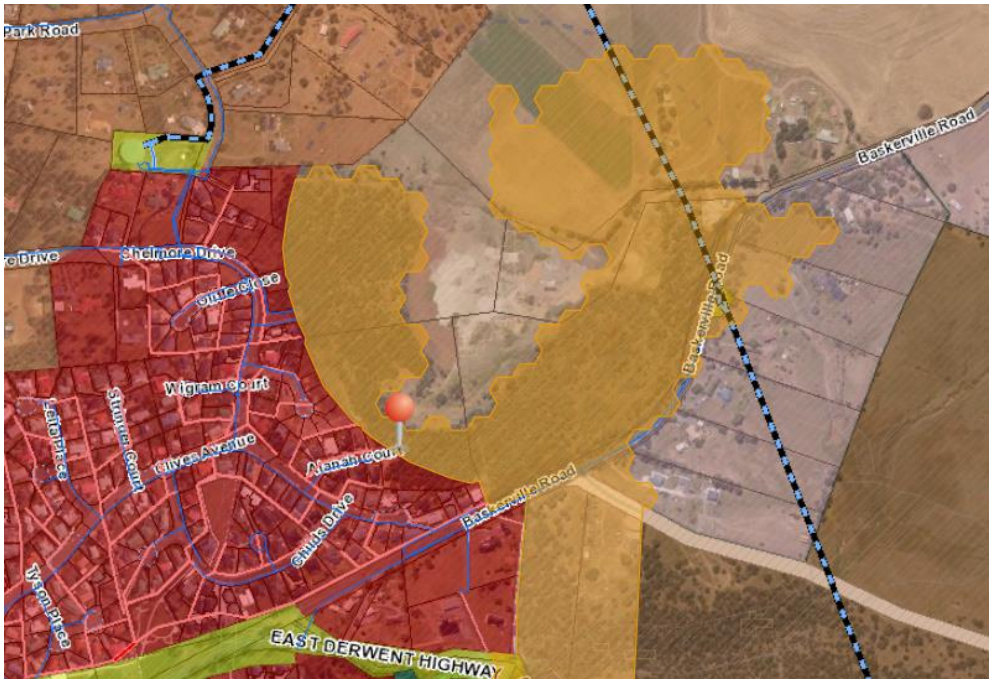


Figure 4: Natural Values Overlay (Priority Vegetation) (Source: Listmap)

3. PROPOSAL

- The proposal seeks to subdivide 10 Alanah Court, Old Beach from one lot into three lots plus balance (see Figure 5).
- Lots 1, 2, and 3 within the General Residential zone are sized 783, 923, and 993 square metres (m2) respectively and the balance rural zoned lot is 2.97 hectares (ha).
- No development is proposed within the drainage and pipeline and services easement.
- The application is supported by proposal plans including subdivision plans, bushfire hazard report, stormwater assessment, and civil design drawings.
- A Natural Values Assessment, and an addendum assessing the significance of burrowing habitat, has been submitted after the public notification period in response to representations relating to natural values.
- The proposal includes an extension to the existing road of approximately 80m to provide for vehicular access and turning which extends onto the rural zoned balance lot.
- Each of the proposed general residential lots have access to a reticulated water supply within Alanah Court and can have gravity sewer disposal to an access chamber at the rear of 31 Baskerville Rd.
- Sewer and water connections are to be provided to Lots 1 to 3. Connections are not required to the balance lot as this is zoned Rural and has no requirement for services to be provided in this Zone.

Stormwater Management

- All proposed lots will require a 3.0m wide drainage easement for sewer and stormwater drainage. The proposal relies upon connecting into the existing access chamber located above 31 Baskerville Rd and the downstream network having capacity.
- The land is currently undeveloped being comprised of open bushland.
- The proposal includes a stormwater assessment completed by the design engineer. The assessment provides hydrological analysis for the drainage needed and evaluates the post-development stormwater runoff conditions.
- No stormwater connection is required to the balance lot as it is situated in the Rural Zone which has no requirements for services to be provided.
- The proposal was referred to Council's Development Officer/Engineer, who considers that the proposed stormwater assessment can be accepted with conditions ensuring the further development of an engineered stormwater solution and a receipt of contribution towards infrastructure upgrades across Baskerville Rd and into 26 Baskerville Rd.

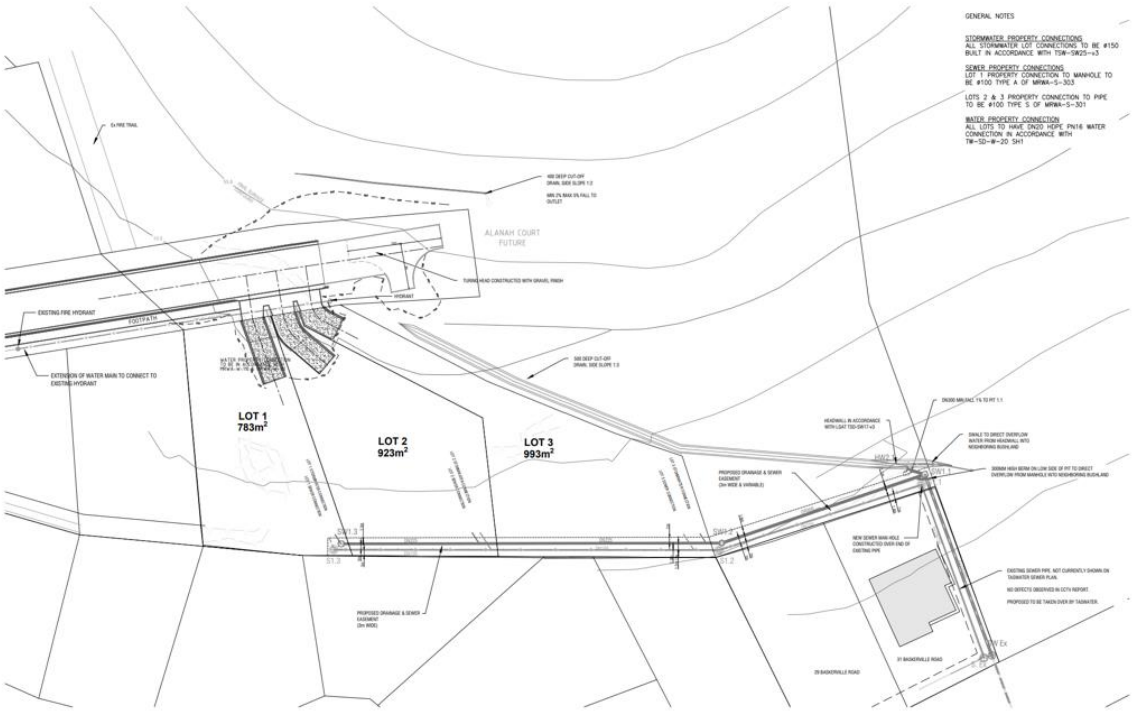


Figure 5. Proposed plan of subdivision

4. PLANNING SCHEME ASSESSMENT

Compliance with Applicable Standards:

5.6.1 A use or development must comply with each applicable standard in the State Planning Provisions and the Local Provisions Schedules.

5.6.2 A standard is an applicable standard if:

(a) the proposed use or development will be on a site within:

(i) a zone;

(ii) an area to which a specific area plan relates; or

(iii) an area to which a site-specific qualification applies; or

(b) the proposed use or development is a use or development to which a relevant applies; and

(c) the standard deals with a matter that could affect, or could be affected by, the proposed use or development.

5.6.3 Compliance for the purposes of subclause 5.6.1 of this planning scheme consists of complying with the Acceptable Solution or satisfying the Performance Criterion for that standard.

5.6.4 The planning authority may consider the relevant objective in an applicable standard to determine whether a use or development satisfies the Performance Criterion for that standard.

Determining applications (clause 6.10.1):

6.10.1 In determining an application for any permit for use or development the planning authority must, in addition to the matters required by section 51(2) of the Act, take into consideration:

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

(b) any representations received pursuant to and in conformity with section 57(5) of the Act,

but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.

Use Class

The proposed development is for subdivision, which, pursuant to clause 6.2.6 of the Scheme, is not required to be categorised into a use class:

6.2.6 Notwithstanding sub-clause 6.2.1 of this planning scheme, development which is for subdivision, a sign, land filling, retaining walls or coastal protection works does not need to be categorised into one of the Use Classes.

Notwithstanding this, the site is within the General Residential Zone and Rural Zone, and future development of the sites will be assessed against the provisions of this zone.

Compliance with Performance Criteria

The proposal meets the Scheme's relevant Acceptable Solutions with the exception of the following:

Clause 8.6.1 A2/P2 Lot Design - Frontage

Objective:	
That each lot: (a) has an area and dimensions appropriate for use and development in the zone; (b) is provided with appropriate access to a road; (c) contains areas which are suitable for development appropriate to the zone purpose, located to avoid natural hazards; and (d) is orientated to provide solar access for future dwellings.	
Acceptable Solution	Performance Criteria
A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 12m.	P2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to: (a) the width of frontage proposed, if any; (b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access; (c) the topography of the site; (d) the functionality and useability of the frontage; (e) the ability to manoeuvre vehicles on the site; and (f) the pattern of development existing on established properties in the area, and is not less than 3.6m wide.

Lots 2 and 3 are proposed to have a frontage of 5m and 7m each. Accordingly, the proposal is not able to satisfy the acceptable solution. Therefore, assessment against the performance criteria is relied upon.

Although all the proposed lots have a frontage more than 3.6m, the steeply sloping nature of the lots require widening of the access to accommodate retaining walls and ensure driveways are of an appropriate grade.

As discussed in Clause C2.6.2 A1.1/P1 – Design and layout of parking areas below, it is considered that there is sufficient ability to manoeuvre vehicles and that access can be constructed in accordance with Australian Standards.

Accordingly, the PC is satisfied with conditions outlined under Clause C2.6.2 A1.1/P1.

Clause 20.5.1 Lot Design

<table>
<tr><td colspan="2">Objective:</td></tr>
<tr><td colspan="2">To provide for subdivision that:

(a) relates to public use, irrigation or Utilities; or

(b) facilitates use and development for allowable uses in the zone.</td></tr>
<tr><td>Acceptable Solution</td><td>Performance Criteria</td></tr>
<tr><td>A1

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

(a) be required for public use by the Crown, a council or a State authority;

(b) be required for the provision of Utilities or irrigation infrastructure;

(c) be for the consolidation of a lot with another lot provided each lot is within the same zone; or

(d) be not less than 40ha with a frontage of no less than 25m and existing buildings are consistent with the setback and separation distance required by clause 20.4.2 A1 and A2</td><td>P1

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

(a) have sufficient useable area and dimensions suitable for the intended purpose, excluding Residential or Visitor Accommodation, that:

(i) requires the rural location for operational reasons;

(ii) minimises the conversion of agricultural land for a non-agricultural use;

(iii) minimises adverse impacts on nonsensitive uses on adjoining properties; and

(iv) is appropriate for a rural location; or</td></tr>
</table>

	(b) be for the excision of a dwelling or Visitor Accommodation existing at the effective date that satisfies all of the following: (i) the balance lot provides for the sustainable operation of a Resource Development use, having regard to: a. not materially diminishing the agricultural productivity of the land; b. the capacity of the balance lot for productive agricultural use; and c. any topographical constraints to agricultural use; (ii) an agreement under section 71 of the Act is entered into and registered on the title preventing future Residential use if there is no dwelling on the balance lot; (iii) the existing dwelling or Visitor Accommodation must meet the setbacks required by subclause 20.4.2 A2 or P2 in relation to setbacks to new boundaries; (iv) it is demonstrated that the new lot will not unreasonably confine or restrain the operation of any adjoining site used for agricultural use; and (c) be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to: (i) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access; (ii) the topography of the site; (iii) the functionality and useability of the frontage; (iv) the anticipated nature of vehicles likely to access the site;

	(v) the ability to manoeuvre vehicles on the site; (vi) the ability for emergency services to access the site; and (vii) the pattern of development existing on established properties in the area.

The balance lot will have an area less than 40ha and a frontage to Alanah Court less than 25m, being the width of the road extension onto the site. Accordingly, the AS cannot be satisfied and the PC must be addressed.

The application is assessed under P1(a) above. Other than the construction of the road extension and turning head to facilitate the 3 lot subdivision in the General Residential Zone, which forms part of the site, there are no changes proposed to the use or development of the balance lot. As such, it is considered that the site will continue to operate in its current manner, with no additional conversion of the agricultural land proposed. The Old Beach Quarry Specific Area Plan protects the site from residential development by prohibiting residential uses within the mapped overlay.

The application shows a road width extension of Alanah Court onto the site, which will provide a sole legal connection as required by P1(c), which is wide enough for access by emergency service vehicles. Standard conditions requiring preparation and certification of engineering design are included in this assessment for consideration.

Accordingly, it is considered that the PC can be satisfied.

Clause C2.6.2 A1.1/P1 – Design and layout of parking areas

Objective:	
That parking areas are designed and laid out to provide convenient, safe and efficient parking.	
Acceptable Solution	Performance Criteria
A1.1 Parking, access ways, manoeuvring and circulation spaces must either: (a) comply with the following: (i) have a gradient in accordance with *Australian Standard AS 2890 – Parking facilities, Parts 1-6*; (ii) provide for vehicles to enter and exit the site in a forward direction	P1 All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to: (a) the characteristics of the site; (b) the proposed slope, dimensions and layout; (c) useability in all weather conditions;

where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces; (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and (vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or (b) comply with *Australian Standard AS 2890-Parking facilities, Parts 1-6*.	(d) vehicle and pedestrian traffic safety; (e) the nature and use of the development; (f) the expected number and type of vehicles; (g) the likely use of the parking areas by persons with a disability; (h) the nature of traffic in the surrounding area; (i) the proposed means of parking delineation; and (j) the provisions of *Australian Standard AS 2890.1:2004 - Parking facilities, Part 1: Off-street car parking* and *AS 2890.2 -2002 Parking facilities, Part 2: Off-street commercial vehicle facilities.*

The proposed design does not demonstrate compliance with A1.1(a)(i) of the acceptable solution and thus, the assessment against the performance criteria is relied upon.

The site is steep with the subdivision lots being proposed for the lower side of Alanah Court. The proposal plans showing retaining walls and crash barriers to be constructed as part of the access driveways for lots 2 and 3.

Council's Development Engineer has considered that the application documents did not specifically demonstrate compliance with the acceptable solution. In assessing the proposal against the performance criteria, the council officer concluded that the proposed accesses to each lot are able to be constructed to meet AS2890 such that they can provide convenient, safe and efficient parking, at a time when future residential development is considered.

Accordingly, it is considered that the proposal can satisfy the performance criteria with a standard condition requiring the provision of detailed engineering design and associated certification from a suitably qualified person.

Accordingly, the PC is satisfied with conditions.

Clause C7.7.2 A1/P1.1 & P1.2 - Subdivision within a priority vegetation area

Objective:	
That: (a) works associated with subdivision will not have an unnecessary or unacceptable impact on priority vegetation; and (b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on priority vegetation.	
Acceptable Solution	Performance Criteria
A1 Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must: (a) be for the purposes of creating separate lots for existing buildings; (b) be required for public use by the Crown, a council, or a State authority; (c) be required for the provision of Utilities; (d) be for the consolidation of a lot; or (e) not include any works (excluding boundary fencing), building area, bushfire hazard management area, services or vehicular access within a priority vegetation area.	P1.1 Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must be for: (a) subdivision for 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; (b) subdivision for the construction of a single dwelling or an associated outbuilding; (c) subdivision in the General Residential Zone or Low Density Residential Zone; (d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design; (e) subdivision involving 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 (f) subdivision involving clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.

	P1.2 Works association with subdivision within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to: (a) the design and location of any works, future development likely to be facilitated by the subdivision, and any constraints such as topography or land hazards; (b) any particular requirements for the works and future development likely to be facilitated by the subdivision; (c) the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of any future habitable buildings; (d) any mitigation measures implemented to minimise the residual impacts on priority vegetation; (e) any on-site biodiversity offsets; and (f) any existing cleared areas on the site.

The proposal involves vegetation clearance within a priority vegetation area for the proposed road and turning head, which does not satisfy the acceptable solution.

The required clearance area is approximately 2150 square metres (m2) and is located within the General Residential Zone and Rural Zone. The proposal is able to satisfy P1.1(c) and (f) as the application is for subdivision of general residential zoned land with clearance being of a limited scale relative to the extent of priority vegetation on the site.

However, the road extension and turning head constitute works. Therefore, assessment against the performance criteria in P1.2 is required.

A Natural Values Assessment (Summers, 2024) (see Attachment 3) has determined that the area required for vegetation clearance can satisfy the performance criteria given that the proposed works will occur in the minimum area necessary to construct a turning area to comply with Tas Fire Service regulations.

The assessment also identified dens within the clearance area which may be occupied by either the Eastern quoll and/or Tasmanian Devil. It also notes that whilst there may be a loss of potential foraging habitat for various species as outlined in the report, apart from the Eastern quoll and Tasmanian Devil, the works will only result in disturbance and not a significant loss of core or priority denning habitat.

A further assessment (see Attachment 4) of the den was undertaken by setting trial cameras from 20.8.2024 to 29.8.2024 which showed no obvious signs of activity from the species in question. It was concluded that this was not a natal den and was not significant.

The Natural Values Assessment also notes that within the study site a declared weed and a Weed of National Significance has been identified under Tasmania's Weed Management Act 1999. It is recommended that a condition requiring a weed management plan prepared by a suitably qualified person be submitted to and approved by Council's Director Development Services prior to commencement of works, to restrict the spread of the weed from the site.

Accordingly, the PC is satisfied with conditions.

Clause C13.6.1 A1/P1 Provision of Hazard Management Areas

<table>
<tr><td colspan="2">Objective:</td></tr>
<tr><td colspan="2">That subdivision provides for hazard management areas that:

(a) facilitate an integrated approach between subdivision and subsequent building on a lot;

(b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and

(c) provide protection for lots at any stage of a staged subdivision</td></tr>
<tr><td>Acceptable Solution</td><td>Performance Criteria</td></tr>
<tr><td>A1

(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or

(b) The proposed plan of subdivision:

(i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision;

(ii) shows the building area for each lot;

(iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions</td><td>P1

A proposed plan of subdivision shows adequate hazard management areas in relation to the building areas shown on lots within a bushfire-prone area, having regard to:

(a) the dimensions of hazard management areas;

(b) a bushfire risk assessment of each lot at any stage of staged subdivision;

(c) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability;

(d) the topography, including site slope;</td></tr>
</table>

equal to, or greater than, the separation distances required for BAL 19 in Table 2.6 of Australian Standard AS3959:2018 Construction of buildings in bushfire-prone areas; and (iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than the separation distances required for BAL 19 in Table 2.6 of Australian Standard AS3959:2018 Construction of buildings in bushfire-prone Areas; and (c) if hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.	(e) any other potential forms of fuel and ignition sources; (f) separation distances from the bushfire-prone vegetation not unreasonably restricting subsequent development; (g) an instrument that will facilitate management of fuels located on land external to the subdivision; and (h) any advice from the TFS.

The applicant has submitted a Bushfire Assessment for the site prepared by a suitably qualified person. As part of that assessment, it recommends a 20m Hazard Management Area of the Rural zoned balance lot. However, the proposal does not satisfy A1(c) as written consent agreeing to enter into a Part 5 Agreement has not been received from the owner of the land.

The Part 5 Agreement will extend on to the balance lot 4. Therefore, it is considered reasonable that written agreement can be obtained from the landowner to comply with A1(c). It is proposed that a condition be included on any permit approved, requiring written consent to be submitted to Council's Director Development Services prior to commencement of any works, in satisfaction of the acceptable solution.

5. Other Matters

5.1. Referrals

Development Officer/Engineer

The proposal was referred to Council's Development Engineer for assessment. The officers' comments are included in this report where applicable.

TasWater

TasWater have reviewed the proposal and have issued a Submission to Planning Authority Notice reference number TWDA 2023-01014-BTN dated 18th June 2024, which is to form part of any permit issued.

TasNetworks

The proposal was referred to TasNetworks, who have advised that based on the information provided, the development is not likely to adversely affect TasNetworks' operations.

5.2. Public Open Space

Requirements for public open space no longer sit in the planning scheme.

However, Council has powers and responsibilities under the Local Government (Buildings and Miscellaneous) Act 1993 in relation to public open space. Further guidance is provided by Council's Public Open Space Policy.

These provisions enable Council to

a) Require a subdivider to provide to Council up to 5% of land being subdivided; or

b) Require a subdivider to make a contribution cash-in-lieu of the provision of land, either in part or in whole.

In this instance, there is no land that is suitable for quality open space and a cash-in-lieu contribution is required for 5% of the unimproved value of the land contained in lots 1-3.

6. Representations

Three (3) representations were received during the statutory public exhibition period between 22nd June 2024 and 8th July 2024. The representations are summarised in Table 1.

TABLE 1: SUMMARY OF REPRESENTATIONS	
Issue Raised	**Officer's Response**
Stormwater disposal impacts on properties The representors raised stormwater disposal concerns and the ability for the downstream system to cope with minor and major events.	The design proposed was accompanied with a stormwater report. The report quantified overland flow volumes and reaffirmed Council officers' understanding of the stormwater network capacity. Conditions are included in the draft permit requiring a detailed stormwater design which considers the downstream network to be submitted to and approved by Council's Municipal Engineer prior to commencement of any works. This will provide certainty for neighbouring and downslope properties.

Natural Values (Tasmanian Devils) The representors raised concerns regarding the impact of the proposed vegetation clearance on the habitat of the threatened flora/fauna.	A natural values assessment has been provided by a suitably qualified person in accordance with the requirements set out under the planning scheme. The assessment notes that there is potential for threatened fauna (Tasmanian Devils) in the area to be cleared. A further assessment determined that the den identified in the NVA was not significant.
Future development (on the lots and adjacent land) potentially resulting in overshadowing issues	Future development applications will be assessed against the provisions of the planning scheme in force at the time.
Future subdivision design/density of the balance lot	The balance lot is currently zoned Rural and as such is not able to be subdivided to residential densities without first obtaining approval for rezoning via a planning scheme amendment. Such an application will provide opportunities for further consultation.

A summary of the representations was provided to the Applicant for comment. The applicant has subsequently provided a Natural Values Assessment in response to the representations relating to natural values. This is included in Attachment 3 & 4.

It is considered that the contents of that assessment do not require re-advertising the proposal.

7. Conclusion

The proposal for **Subdivision (three lots plus balance)** at **10 Alanah Court, Old Beach, 31 & 89 Baskerville Road, Old Beach** in Tasmania, satisfies the relevant provisions of the Tasmanian Planning Scheme - Brighton, and as such is recommended for approval.

RECOMMENDATION:

That pursuant to the *Tasmanian Planning Scheme - Brighton*, Council approve application SA 2023/19 for **Subdivision (three lots plus balance)** at **10 Alanah Court, Old Beach, 31 & 89 Baskerville Road, Old Beach** in Tasmania, for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

General

(1) The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings, the Natural Values Assessment (dated September 2024) and with the conditions of this permit and must not be altered or extended without the further written approval of Council.

(2) Where a conflict occurs between the application for planning approval, the endorsed drawings and conditions of this permit, the latter prevails.

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

Vegetation Protection

(4) No vegetation is to be cleared or removed from the site other than that within the development disturbance area shown on plan and necessary for the building construction, associated vehicular access, underground service installation and bushfire hazard management areas without prior approval from the Director Development Services.

(5) Prior to the carrying out of any works approved or required by this permit, the subdivider must submit a Weed Management Plan to be approved by Council's Director Development Services. The Weed Management Plan must:

a) detail the measures to be adopted to remove and limit the spread of weeds listed in the Weed Management Act 1999, and

b) how the site is to be managed during construction,

c) incorporate the management prescription measures outlined in the Natural Values Assessment by D Summers dated July 2024.

Advice: This condition requires further information to be submitted and approved by Council's Municipal Engineer pursuant to s60(2) of the Land Use Planning and Approvals Act 1993.

Bushfire Hazard Management

(6) The development must be carried out in accordance with the Bushfire Hazard Report prepared by Lark & Creese dated 21st December 2023.

(7) Prior to Council sealing the final plan of survey the developer must provide certification from a suitably qualified person that all the requirements of the bushfire hazard management plan have been complied with.

(8) Prior to the carrying out of works approved or required by this permit, written consent from the landowner agreeing to enter into a Part 5 Agreement must be submitted to Council's Director Development Services.

Advice: This condition requires further information to be submitted and approved by Council's Municipal Engineer pursuant to s60(2) of the Land Use Planning and Approvals Act 1993.

(9) Prior to the sealing of the final plan of survey an agreement pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* must be entered into. The Part 5 Agreement must require:

a) establishment and management of a Hazard Management Area in the in a minimal fuel condition within the Balance Lot (Lot 4) to the east and north of Lot 3, in accordance with the Bushfire Hazard Management Plan prepared by Lark and Creese dated 20/06/2023 and Tasmania Fire Service guidelines, and in accordance with the Bushfire Hazard Report certified by N M Creese dated 20th June 2023.

b) The developer is responsible for the establishment of the hazard management area.

c) Ongoing management of the Hazard Management Area is the responsibility of the owner of Lot 4.

Agreements

(10) Agreements made pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* must be prepared by the applicant on a blank instrument form to the satisfaction of the Council and registered with the Recorder of Titles. The subdivider must meet all costs associated with the preparation and registration of the Part 5 Agreement.

Transfer of Reserves

(11) All roads or footways must be shown as "Road" or "Footway" on the Final Plan of Survey and transferred to the Council by Memorandum of Transfer submitted with the Final Plan of Survey.

Public Open Space

(12) In accordance with the provisions of Section 117 of the Local Government (Building and Miscellaneous Provisions) Act 1993, payment of a cash contribution for Public Open Space must be made to the Council prior to sealing the Final Plan of Survey. The cash contribution amount is to be equal to 5% of the value of the land being subdivided [i.e., Lots 1, 2, and 3] in the plan of subdivision at the date of lodgement of the Final Plan of Survey.

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

(13) The cash-in-lieu of public open space must be in the form of a direct payment made before the sealing of the final plan of survey.

Easements

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

(15) An easement must be provided over the proposed open drain on the balance lot and across the property at 89 Baskerville Road to the satisfaction of Council's Municipal Engineer.

Covenants

(16) Covenants or other restrictive controls that conflict with any provisions or seek to prohibit any use provided within the planning scheme must not be included or otherwise imposed on the titles or lots created by this permit either by transfer, inclusion of such covenants in a Schedule of Easements or registration of any instrument creating such covenants with the Recorder of Titles unless such covenants or controls are expressly authorised by the terms of this permit or the consent in writing of Councils Director Development Services.

Final plan

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

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

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

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

Engineering Design

(21) The subdivision must be designed and constructed in accordance with the:

(a) Tasmanian Subdivision Guidelines October 2013.

(b) Tasmanian Standard Drawings By IPWEA Tas Division.

(c) Tasmanian Municipal Standard Specification by IPWEA Tas Division.

as published by the Local Government Association of Tasmania (LGAT) and to the satisfaction of Councils Municipal Engineer.

(22) Before any works associated with the development of the land commences, engineering design drawings, to the satisfaction of Councils Municipal Engineer must be submitted to and approved by Council.

Advice: The engineering drawings submitted with the application are considered to be concept plans and may require alterations prior to consideration for approval.

Advice: This condition requires further information to be submitted and approved by Council's Municipal Engineer pursuant to s60(2) of the Land Use Planning and Approvals Act 1993.

(23) Engineering design drawings are to be prepared by a qualified and experience civil engineer or other person approved by Councils Municipal Engineer and must show:

(a) all existing and proposed services required by this permit.

(b) all existing and proposed roadwork required by this permit,

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

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

(e) all drainage required by this permit to drain the allotments and measures to protect adjoining allotments from concentrated overland flow,

(f) requirements from the bushfire hazard plan,

(g) location of existing trees and desired clearance from road edge,

(h) location of TasWater infrastructure,

(i) any other work required by this permit.

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

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

Services

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

(27) Property services must be contained wholly within each lot served or an easement provided in accordance with the requirements of the responsible authority and to the satisfaction of Councils Municipal Engineer.

(28) Services for lot 3 are to be extended to the lot proper.

Roadworks

(29) The existing public road must be extended to the end of the proposed turning head and include:

(a) Kerb and channel both sides,

(b) Full depth pavement construction and asphalt seal (including the turning head),

(c) concrete footpath on the southern side extending from the existing path to the proposed turning head; and

(d) stormwater drainage.

(30) A concrete vehicle access must be provided to the property boundary of Lots 1 to 3.

(31) A vehicle access to the boundary of the Balance Lot must be provided to the satisfaction of Council's Municipal Engineer.

(32) The access driveway for lot 3 is to be constructed for the full length of the access strip to the lot proper.

(33) Vehicle accesses must be in accordance with Council's standard drawings, Australian Standard AS 2890.2, Parking facilities - Part 2: Off-Street, commercial vehicle facilities, for the types of vehicles likely to use the site and to the satisfaction of Council's Municipal Engineer.

Sewer & Water

(34) Lots 1 to 3 must be connected to a reticulated potable water supply.

(35) Lots 1 to 3 must be connected to a reticulated sewerage system.

(36) The development must meet all the required conditions of approval specified by TasWater Amended Submission to Planning Authority notice TWDA 2023/01014-BTN dated 18/06/2024.

Telecommunication and Electrical Reticulation

(37) Electrical and telecommunication services must be provided to Lots 1 to 3 in accordance with the requirements of the responsible authority and to the satisfaction of Councils Municipal Engineer.

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

(a) A "Provision of Telecommunication Infrastructure – Confirmation of final payment or Certificate of Practical Completion of Developers Activities" from NBN Co.

(b) Written advice from TasNetworks confirming that all conditions of the agreement between the owner and the authority have been complied with and that future owners will not be liable for network extension or upgrade costs other than individual property connections at the time each lot is further developed.

Stormwater

(39) The developer is to provide a piped stormwater property connection to Lots 1 to 3 capable of servicing the entirety of each lot by gravity in accordance with Council standards and to the satisfaction of Council's Municipal Engineer.

(40) The piped stormwater system within the subdivision must be able to accommodate a storm with a 5% AEP when the land serviced by the system is fully developed.

(41) The existing public stormwater system downstream of the proposed subdivision must be upgraded to accommodate increased flows from the proposed subdivision for up to a 5% AEP rainfall event or, where approved by Council's Municipal Engineer the developer must make a financial contribution to Council in lieu of undertaking the works.

Unless approved otherwise by Councils Municipal Engineer, works must include:

a) Upgrading of the existing piped stormwater from the southeastern corner of the subject property to the southern side of Baskerville Road;

Alternatively, the developer is to make a financial contribution to Council for the upgrade of the pipe.

b) Piping of the open drain from the southern side of Baskerville Road across the northeastern corner of 26 Baskerville Road;

c) Upgrading of the open drain/watercourse along the eastern boundary of 26 Baskerville Road and 1426 East Derwent Highway;

Alternatively, the developer is to make a financial contribution to Council equivalent to the cost of upgrading the open drain/creek.

The value of any financial contribution is to be based on a cost estimate provided by the supervising engineer with the engineering design plans and approved by Councils Municipal Engineer.

Advice: The stormwater system downstream of the proposed subdivision has insufficient capacity to accommodate increased flows from the developed subdivision.

(42) A cut off drain must be provided along the northeastern boundary of lot 3 with a dispersed overflow across 89 Baskerville Road, to be contained within a drainage easement.

(43) The subdivision must incorporate an overland flow paths to accommodate a 1% AEP (plus climate change) rainfall event.

(44) Stormwater from the proposed subdivision must be treated prior to entering the existing public stormwater system to:

(a) Standard Stormwater Treatment Requirements specified in Table 3 Water Quality Treatment Targets in DEP AND LGAT TASMANIAN STORMWATER POLICY GUIDANCE AND STANDARDS FOR DEVELOPMENT 2021 V1.

Alternatively;

The developer may make a financial contribution to Brighton Council for the provision of stormwater treatment in accordance with *Council Policy 6.1 Stormwater Quality Control Contributions.*

(45) An updated Stormwater Management Report must be submitted to Council's Municipal Engineer in conjunction with the engineering design plans for approval. The Stormwater Management Report must be prepared and certified by a suitably qualified person, in accordance with section 2.6.2 of *DEP &LGAT (2021). Tasmanian Stormwater Policy Guidance and Standards for Development. Derwent Estuary Program and Local Government Association of Tasmania (Hobart, Australia)* and include calculations, design, construction and maintenance details of stormwater treatment, detention, and conveyance. The report must clearly demonstrate that the requirements of this permit are met and that adjacent and downstream properties will not be adversely impacted by the stormwater system. Once approved the updated Stormwater Management Report will form part of this permit.

Advice: General Manager's consent is required for connection to the public stormwater system in accordance with the Urban Drainage Act. Providing the planning permit conditions are met General Managers Consent will be granted.

Advice: This condition requires further information to be submitted and approved by Council's Municipal Engineer pursuant to s60(2) of the Land Use Planning and Approvals Act 1993.

Erosion and Sediment Control

(46) An Erosion and Sediment Control Plan (here referred to as a 'ESCP') prepared in accordance with the guidelines Erosion and Sediment Control, The fundamentals for development in Tasmania, by the Derwent Estuary Programme and Tamar Estuary and Esk Rivers Program, must be approved by Council's Director Development Services before development of the land commences. The ESCP shall form part of this permit when approved.

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

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

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

Construction Amenity

(50) The developer must make good any damage to the road frontage of the development site including road, kerb and channel, footpath, and nature strip to the satisfaction of Council's Municipal Engineer.

(51) The road frontage of the development site including road, kerb and channel, footpath, and nature strip, should be:

(a) Surveyed prior to construction, photographed, documented and any damage or defects be noted in a dilapidation report to be provided to Council's Asset Services Department prior to construction.

(b) Be protected from damage, heavy equipment impact, surface scratching or scraping and be cleaned on completion.

In the event a dilapidation report is not provided to Council prior to commencement, any damage on completion, existing or otherwise, may be deemed a result of construction activity and require replacement or repair to the satisfaction of Council's Municipal Engineer.

Advice: This condition requires further information to be submitted and approved by Council's Municipal Engineer pursuant to s60(2) of the Land Use Planning and Approvals Act 1993.

(52) Works associated with the development must only be carried out between the following hours unless otherwise approved by the Council's General Manager

- Monday to Friday 7:00 am to 6:00 pm
- Saturday 8:00 am to 6:00 pm
- Sunday and State-wide public holidays 10:00 am to 6:00 pm

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

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

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

(c) Obstruction of any public footway or highway.

(d) Appearance of any building, works or materials.

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

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

Survey pegs

(56) Survey pegs are to be stamped with lot numbers and marked for ease of identification.

(57) Prior to the works being taken over by Council, evidence must be provided from a registered surveyor that the subdivision has been re-pegged following completion of substantial subdivision construction work. The cost of the re-peg survey must be included in the value of any security.

Maintenance and Defects Liability Period

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

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

As Constructed Drawings

(60) Prior to the works being placed on the maintenance and defects liability period "as constructed" drawings and data for all engineering works provided as part of this approval must be provided to Council to the satisfaction of the Council's Municipal Engineer. These drawings and data sheets must be prepared by a qualified and experienced civil engineer or other person approved by the Municipal Engineer in accordance with Council's Guidelines for As Constructed Data.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT:

A. If any condition in this permit requires that further documents are to be submitted and approved, you will need to submit the relevant documentation to development@brighton.tas.gov.au for assessment pursuant to s60 of the *Land Use Planning and Approvals* Act 1993.

Where building approval is also required, it is recommended that documentation is submitted well before submitting documentation for building approval to avoid unexpected delays.

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

C. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.

D. Please contact Council to understand the requirements for vegetation clearing.

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

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

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

DECISION:

Cr Irons moved, Cr Owen seconded that the recommendation be adopted.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	Cr Murtagh
Cr Geard	Cr Whelan
Cr Gray	
Cr Irons	
Cr Owen	

Cr De La Torre rejoined the meeting at 6.07pm

6.2 Planning Scheme Amendment to correct minor errors in the South Brighton Specific Area Plan

Author: Director, Development Services (D Allingham)

File Reference	RZ 2024/02
Type of Application:	S40D(b) of *Land Use Planning and Approval Act 1993*
Applicant:	Brighton Council
Subject Site:	Various
Owner:	Various
Planning Instrument	Tasmanian Planning Scheme – Brighton
Proposal	To amend the Brighton Local Provisions Schedule ordinance in the BRI-S11.0 South Brighton Specific Area Plan as follows: a. Amend the wording of BRI-S11.7.1 Building and Works A1(c).

1. Executive Summary

The South Brighton Specific Area Plan (SAP) came into effect on 24 May 2024 after being approved by the Tasmanian Planning Commission (TPC). Since its approval, one minor error has been identified in the drafting.

The error relates to the wording in clause BRI-S11.7.1 Building and Works A1(c):

Building and works must:

…..

(c) be on a lot, excluding a balance lot, that has been created by an approved subdivision under this Specific Area Plan.

The current wording will unintentionally result in future development applications being discretionary on lots created by two subdivisions which were approved prior to the SAP coming into effect. These subdivisions are at 1 Dylan St (9 lots) and 33 Elderslie Road (109 lots).

A modification to the wording is proposed as follows:

Building and works must:

…..

(c) be on a lot, excluding a balance lot, that has been created after the date this Specific Area Plan first came into effect.

The modification refers only to lots "created" and removes the reference to a subdivision approval. A lot is created when a title is registered. As no titles have been registered for these two subdivisions prior to the effective date of the South Brighton SAP, future development applications on new lots can satisfy the Acceptable Solution, as intended.

No other modifications to the South Brighton SAP are proposed and the proposed draft amendment to the LPS satisfies the LPS Criteria.

Given the simplicity of the draft planning scheme amendment, the planning authority also requests that the Tasmanian Planning Commission exempt the proposed amendment from public exhibition in accordance with Section 40I(2)(b)(ii) of the *Land Use Planning and Approvals Act 1993* (the Act). It is submitted that the public interest will not be prejudiced by the draft amendment not being publicly exhibited.

It is recommended that the Planning Authority certify the draft amendment to the LPS.

2. Legislative and Policy Content

The purpose of this report is for the Planning Authority to consider whether to, of its own motion, prepare a draft amendment of an LPS as described in this report.

The amendment request is made under section 40D(b) of the *Land Use Planning and Approvals Act 1993* (the Act). The provisions of the Act establish the test of whether a planning scheme amendment is reasonable or not.

Section 40F(1) of the Act requires the Planning Authority to consider the LPS criteria, contained in s.34 of the Act, when approving or refusing an amendment.

The planning authority also requests that the Tasmanian Planning Commission exempt the proposed amendment from public exhibition in accordance with Section 40I(2)(b)(ii) of the Act as the amendment is to fix an error in the wording of a clause that would unintentionally make all development applications discretionary. It is submitted that the public interest will not be prejudiced by the draft amendment not being publicly exhibited.

This report details the reasons for the officer's recommendation. The Planning Authority is not bound to adopt the recommendations in this report. The Planning Authority can either: (1) adopt the recommendation; or (2), vary the recommendation by adding, modifying, or removing recommended reasons or replacing an approval with a refusal (or vice versa). Any alternative decision requires a full statement of reasons to comply with the *Judicial Review Act* 2000 and the *Local Government (Meeting Procedures) Regulations* 2005.

3. Risk and Implications

There is no risk to initiating the planning scheme amendment.

Not initiating the planning scheme amendment will create unnecessary discretions for a number of future development applications that relate to social and affordable housing.

4. Planning Scheme Amendment Proposal

It is proposed to modify clause BRI-S11.7.1 Building and Works A1(c) of the South Brighton SAP as follows:

Existing

Building and works must:

…..

(c) be on a lot, excluding a balance lot, that has been created by an approved subdivision under this Specific Area Plan.

Proposed:

Building and works must:

…..

(c) be on a lot, excluding a balance lot, that has been created after the date this Specific Area Plan first came into effect.

5. Rationale for the amendment

The South Brighton Specific Area Plan (SAP) came into effect on 24 May 2024 after being approved by the Tasmanian Planning Commission (TPC). Since its approval, a minor error has been identified in the drafting.

The error relates to the wording in clause BRI-S11.7.1 Building and Works A1(c):

Building and works must:

…..

(c) be on a lot, excluding a balance lot, that has been created by an approved subdivision under this Specific Area Plan.

The intent of clause BRI-S11.7.1 Building and Works is to ensure that buildings and works are located so that they don't preclude the efficient utilisation of the land as set out in the South Brighton Development Framework as per Figure BRI-S11.2 in the South Brighton SAP.

However, the current wording will unintentionally result in future development applications being discretionary on lots created by two subdivisions which were approved prior to the SAP coming into effect The subdivisions are:

- Permit SA2015/00011) - 9-lot subdivision at 1 Dylan St that has been approved prior to the South Brighton SAP being approved.
- Permit SA2023/00010)- A 109-lot subdivision at 33 Elderslie that was submitted prior to the effective date of the South Brighton SAP being approved. As per s.51(3) of the Act, this subdivision was approved in accordance with the provisions of the planning scheme as in effect on the day on which the application became valid.

Both of these subdivisions are consistent with the Development Framework.

The current wording of clause BRI-S11.7.1 Building and Works A1(c) means that future development applications, on lots created under these two subdivision approvals, will not be able to meet the Acceptable Solution because they will **not** be "*on a lot, excluding a balance lot, that has been created by an approved subdivision under this Specific Area Plan.*"

This will mean that any development application for building and works on future lots created by these two subdivisions will need to be unintentionally assessed under the corresponding Performance Criteria and will likely lead to unnecessary delays and complications.

The proposed draft amendment refers only to lots "created" and removes the reference to a subdivision approval. A lot is created when a title is registered. As no titles have been registered for these two subdivisions prior to the effective date of the South Brighton SAP, future development applications on the land, once lots are created, will be able to satisfy the Acceptable Solution, as intended.

Site Location & Context

The draft planning scheme amendment relates to all the land in the South Brighton SAP area (see Figure 1).

Figure 1. Land subject to South Brighton Specific Area Plan highlighted in blue.

6. Planning Assessment

Section 40D (b) of the Act allows a planning authority to prepare a draft amendment of an LPS of its own motion.

Section 40F (1) of the Act requires that, where a planning authority has prepared a draft amendment of an LPS (under Section 40D(b), it must be satisfied the draft amendment of an LPS meets the LPS criteria under Section 34 of the Act.

The LPS criteria is provided under Section 34 of the Act, and Section 34(2) is addressed below where relevant to the proposed amendment.

It should be noted that the proposed draft amendment is to correct a minor error in the already effective South Brighton SAP which was determined under draft amendment application **AM-BRI-RZ 2023-05.** The strategic rationale for the South Brighton SAP as set out in **AM-BRI-RZ 2023-05** remains the same and is referred to in the assessment below. There are no strategic or policy changes proposed as part of this draft amendment.

Table 4.1 provides an assessment of the proposed amendment against the criteria.

Table 4-1 Assessment against S34

Criteria	Assessment
a) Contains all the provisions that the SPPs specify must be contained in an LPS	The proposed amendments accords with the structure and contents of the LPS.
b) Is in accordance with Section 32	Section 32 of the Act sets out the contents of the LPSs. The changes to the zoning and overlays are all provisions that apply to the LPS. The section 32(4) test for the use of a SAP is consistent with the rationale set out in **AM-BRI-RZ 2023-05.**
c) Furthers the objectives set out in Schedule 1	The proposed amendments meet with the objectives in Schedule 1 as set out in Table 2 below.
d) Is consistent with each State policy	The proposed draft amendment is consistent with State Policy as it only addresses a minor error in the South Brighton SAP.
da) Satisfies the relevant criteria in relation to the TPPs	There is no current adopted TPPs

e) As far as practical, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates	It was determined that the South Brighton SAP was consistent with the Southern Tasmanian regional land use strategy (STRLUS) under **AM-BRI-RZ 2023-05.** The South Brighton SAP continues to be consistent with STRLUS if the proposed modification is approved.
f) Has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates	The proposed draft planning scheme amendment is consistent with the Brighton Strategic Plan 2023-2033.
g) As far as practical, is consistent and coordinated with any LPSs that apply to the municipal areas adjacent to the municipal area to which the relevant planning instrument relates.	The site is not adjacent to another municipal area.
h) Has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019	The proposed amendment relates to land situated outside of the declared pipeline corridor, and, as such, will not affect the safety requirements of the Act.

Objectives of LUPAA

Schedule 1 of LUPAA sets out the objectives to be furthered by the Act, provides an assessment of the proposed amendment against the objectives of the RMPS and the planning process established by the Act.

Table 2 – RMPS Objective Assessment

Objective	Response
Part 1	
(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity	N/A
(b) to provide for the fair, orderly and sustainable use and development of air, land and water	The amendment is to modify an error in the planning scheme ordinance to make for a more fair and orderly development pathway.
(c) to encourage public involvement in resource management and planning	*The proposed draft planning scheme amendment is to fix a minor error and will improve the South Brighton SAP to make for a more efficient approval pathway on*

	two lots. There will be no public interest in this planning scheme amendment and it is requested that the TPC exempt the draft amendment from public exhibition.
(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and	The proposed amendment will provide a more efficient approval pathway for development on two approved subdivisions which will facilitate housing development in time of a housing crisis.
(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State	The proposed draft amendment is minor and does not require broader responsibility.
Part 2	
(a) to require sound strategic planning and coordinated action by State and local government	The proposed amendment is to resolve an error that will improve strategic planning outcomes.
(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land.	The proposed amendment better aligns the South Brighton SAP with the planning system as it provides a more consistent approvals pathway.
(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land.	Previously addressed.
(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels	Previously addressed.
(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals	The draft amendment provides for a more streamlined approvals pathway.
(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe working, living and recreational environment for all	Previously addressed.

Tasmanians and visitors to Tasmania	
(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value	There are no buildings or areas of interest within the subject site.
(h) to protect public infrastructure and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community	The draft amendment has no impact on the delivery of public infrastructure.
(i) to provide a planning framework which fully considers land capability.	Previously addressed.

7. Relevant Issues

7.1 Section 40I (2) Application

The planning authority also requests that the Tasmanian Planning Commission exempt the proposed amendment from public exhibition in accordance with Section 40I(2)(b)(ii) of the Act as the amendment is to fix an error in the wording of a clause that would unintentionally make all development applications discretionary. It is submitted that the public interest will not be prejudiced by the draft amendment not being publicly exhibited.

The proposed amendment will only impact 33 Elderslie Road and 1 Dylan St. Both owners have consented to the proposed amendment (see attachment B & C respectively)

8. Conclusion

The proposed draft planning scheme amendment is for the purpose of fixing a minor error in the drafting of clause BRI-S11.7.1 Building and Works A1(c) in the South Brighton SAP contained in the Brighton LPS.

The error has unintentional consequences for two subdivisions that were approved prior to the South Brighton SAP becoming effective. Neither subdivision impacts the efficient delivery of the Development Framework set out in the South Brighton SAP.

The proposed modification resolves the error and provides for a more streamlined approval pathway, which was always the intention of the clause.

The planning authority requests that the TPC dispense of the public exhibition requirements under s. 40I (2) of the Act. The public interest will not be prejudiced given the small modification. Both landowners that will be impacted by the amendment have provided consent to the amendment.

RECOMMENDATION:

A. That in accordance with s40D(b) of the *Land Use Planning and Approvals Act 1993* that the planning authority, of its own motion, prepare a draft amendment of an LPS, to be known as draft amendment RZ 2024-02, by amending the planning scheme ordinance in relation to the South Brighton Specific Area Plan.

B. That in accordance with Section 40F(2)(a) of the *Land Use Planning and Approvals Act 1993*, Council considers that draft amendment RZ 2024-02 satisfies the provisions of Section 34 of the Land Use Planning and Approvals Act 1993.

C. That in accordance with Section 40F(3) of the Land Use Planning and Approvals Act 1993, the draft amendment RZ 2024-02 be certified by instrument in writing affixed with the common seal of the Council; and

D. That in accordance with Section 40F(4) of the *Land Use Planning and Approvals Act 1993*, a certified copy of draft amendment RZ 2024-02 be given to the Tasmanian Planning Commission within seven (7) days.

E. That in accordance with Section 40FA(1) of the *Land Use Planning and Approvals Act 1993,* a copy of the draft amendment RZ 2024-02 be provided to relevant agencies and those state service, or State authorities, that the planning authority considers may have an interest in the draft amendment.

F. That in accordance with Section 40I(2)(b)(ii) of the *Land Use Planning and Approvals Act 1993,* Council is to request approval from the Commission to dispense with the public exhibition required by Section 40G(1) of the Land Use Planning Act 1993.

G. That if consent to dispense with public exhibition pursuant to Section 40I(2(b)(ii) of the *Land Use Planning and Approvals Act 1993* is not received from the Commission, that in accordance with Section 40G(1) of the *Land Use Planning and Approvals Act 1993*, draft amendment RZ 2024-02 be placed on public exhibition as soon as practicable.

DECISION:

Cr Whelan moved, Cr De La Torre seconded that the recommendation be adopted.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	
Cr De La Torre	
Cr Geard	
Cr Gray	
Cr Irons	
Cr Murtagh	
Cr Owen	
Cr Whelan	

Meeting closed: 6.10pm

Confirmed: _____

(Chair)

Date: 15 October 2024

ATTACHMENT
AGENDA ITEM 7

Department of Premier and Cabinet
Executive Building 15 Murray Street HOBART TAS 7000 Australia
GPO Box 123 HOBART TAS 7001 Australia
Ph: 1300 135 513 Fax: (03) 6233 5685
Web: www.dpac.tas.gov.au

Tasmanian Government

Mr James Dryburgh
General Manager
Brighton Council
james.dryburgh@brighton.tas.gov.au

Dear Mr Dryburgh

Re: update on the proposed new youth justice facility at Pontville

I am writing to provide an update on the preferred site at 466 Brighton Road, Pontville (the site) for the development of a new youth justice facility to replace the existing Ashley Youth Detention Centre (AYDC).

The Tasmanian Government is committed to closing the Ashley Youth Detention Centre as soon as possible and transitioning to new contemporary facilities as part of its comprehensive reform of the youth justice system. The site at Pontville is undergoing preliminary investigations and feasibility assessments to confirm its suitability for the new facility.

The Department of Premier and Cabinet (DPAC), will lead the development of the new facility, working closely with the Department for Education, Children and Young People (DECYP). To expediate the process, DPAC has established a Youth Justice Reform Taskforce (Taskforce) to progress elements of the Tasmanian Government 's Youth Justice Blueprint.

The Taskforce is keen to ensure the development of the new facility is carried out in close consultation with surrounding landowners and other key stakeholders. Our stakeholder engagement consultants will be in touch to discuss the project with you further, to inform the next phase of the design process.

Please contact Sharyn Cody, Executive Director by email at Sharyn.Cody@dpac.tas.gov.au if you have any queries.

We look forward to working closely with you to achieve a successful outcome for the Tasmanian Youth Justice Facility and the broader community.

Yours sincerely,

Shane Gregory
Associate Secretary

24 September 2024

TASMANIA

PREMIER OF TASMANIA

20 SEP 2024

Mayor Leigh Gray
Brighton Council
Email: admin@brighton.tas.gov.au

Dear Mayor Leigh

Thank you for your letter of 12 August 2024 regarding a potential East Derwent Highway/Midland Highway interchange upgrade, and the follow-up discussion on Monday, 16 September. I apologise for the delay in responding to you.

The Department of State Growth has informed me that the East Derwent Highway Planning Study (Bowen Bridge to Bridgewater) is still being finalised. This planning effort is identifying current and future challenges and improvement opportunities on this section of the highway, and includes looking at potential improvements at the East Derwent Highway/Midland Highway intersection.

Unfortunately, there have been some unforeseen delays to ensure that accurate information and the most up to date data is used by the consultants delivering the study for the department.

We understand the Council's concerns about traffic growth in the area, and it is hoped that this planning study and details of potential improvement priorities for the corridor will be complete by early 2025. The Tasmanian Government has committed $20 million for improving this section of the East Derwent Highway, and the findings from this planning effort will be used to help inform and prioritise the upgrades that are developed with these funds.

State Growth will inform Brighton Council once the planning work is complete, and the study will be made available on the Transport website.

I trust this information is of assistance to you.

Yours sincerely

Jeremy Rockliff MP
Premier
Minister for Infrastructure

ATTACHMENT
AGENDA ITEM 7

Department of State Growth

Salamanca Building, Parliament Square
4 Salamanca Place, Hobart TAS 7000
GPO Box 536, Hobart TAS 7001 Australia
Phone 1800 030 688 Fax (03) 6173 0287
Email info@stategrowth.tas.gov.au Web www.stategrowth.tas.gov.au
Our Ref: D24/203236

Tasmanian Government

Mr James Dryburgh
james.dryburgh@brighton.tas.gov.au

Dear Mr Dryburgh

I am writing to you in my capacity as Chair of the Greater Hobart Advisory Group to advise you that the Greater Hobart Committee (the Committee) has resolved to invite the Brighton Council to participate in the Committee as an adjunct council.

The Committee has not previously invited the participation of adjunct councils. While there is some high-level guidance in the *Greater Hobart Act 2019* and associated regulations regarding the involvement of adjunct councils, there are several matters the Committee will need to consider ensuring that the Brighton Council's participation is meaningful and impactful.

My intention is that the Greater Hobart Advisory Group will consider the role and function of adjunct councils in more detail and provide advice to the Committee for consideration. We will contact you with a formal invitation and more details in due course. Should you wish to provide your thoughts on how an adjunct council should participate I would welcome your suggestions. For your information, the Committee is also inviting the Sorell Council to participate as an adjunct council.

For further information, it may be useful to refer to the Committee's website. Here you will find various publications including the Committee's vision, work program and the 30-Year Greater Hobart Plan. The Act and Regulations are also useful resources.

If you would like to discuss any aspect of the Greater Hobart Committee prior to receipt of a formal invitation, please contact me by phone on 6165 5251 or by email at secretary@stategrowth.tas.gov.au.

Yours sincerely

Craig Limkin
Secretary

4 October 2024

ATTACHMENT
AGENDA ITEM 7

Minister for Business, Industry and Resources
Minister for Transport
Leader of the House

Level 10, Executive Building, 15 Murray Street, Hobart TAS 7000
GPO Box 123, Hobart TAS 7001
Phone: 03 6165 9405 | Email: Minister.Abetz@dpac.tas.gov.au

Tasmanian Government

Cr Leigh Gray
Mayor
Brighton Council
admin@brighton.tas.gov.au

9 OCT 2024

Dear Cr Gray Leigh,

Thank you for your letter of 15 August 2024 and for the opportunity to meet earlier last month to discuss many important issues in the Brighton municipality. It is clear that the Brighton Council is passionate about its local community and is progressing a range of exciting opportunities within the municipality.

Public Transport

I appreciate the concerns you have raised on behalf of the Brighton community regarding public transport, and the importance of having an adequate public transport system available to the people that need it.

I can reiterate that the Department of State Growth is committed to engaging with Brighton Council on this matter, and I understand departmental representatives will meet with Council officers and planners in the coming month to inform a new greater Hobart network.

This will include seeking advice on growth areas and future land use changes, noting the Department has also commenced planning for servicing the new Brighton High School, opening in 2025, including discussions with the Department for Education, Children and Young People to identify catchments and enrolment policy.

The Department is fast-tracking this network review and expects to take a draft network to community consultation in 2025. This new network will include provision for Sunday services from Brighton, which was a commitment at the 2024 election.

I also understand the Department intends to update the Draft River Derwent Ferry Services Masterplan and will engage Brighton Council in this process. Updates will reflect the key themes of consultation, strengthen discussion of potential future expansion with reference to factors including population growth and transport disadvantage, and further clarify the role of bus services in relation to an expanded ferry network.

DSG Landscaping Standards and Maintenance

Regarding landscaping, I note Council's request to undertake landscaping works with a view to creating an attractive gateway to the Brighton Hub. I am supportive of the intent of your request.

I am advised by the Department that funding was provided to Council at the completion of the Brighton Hub project, and that no additional funding is currently available for maintenance or improvement of landscaping in this area.

The Department has committed to delivering any additional vegetation cuts required in the area, subject to seasonal growth variations, as required under the Southern Road Maintenance contract. However, any additional improvements in the area to suit Council will need to be at Council's cost. Please contact Mr Steve McQueen, Regional Team Leader South, Maintenance Services on 0499 973 604 or at steve.mcqueen@stategrowth.tas.gov.au if you or your officers wish to discuss further or to arrange any maintenance to be undertaken.

While building a new Bridgewater Bridge will change the way traffic travels through Bridgewater, the project also presents opportunities for future use of land around the new bridge, including the foreshore area, which will become more accessible to the community once the new bridge is operational.

I understand the New Bridgewater Bridge project team has been meeting regularly with Brighton Council throughout the project to work through a range of issues, including the development of the Bridgewater Waterfront Masterplan, the reinstatement of the Bridgewater boat ramp and a final landscaping plan for the area around the new bridge.

These important initiatives will complement the new bridge and contribute to a community that everyone can be proud of, and I encourage Council and the project team to continue these discussions.

Bridge Growth Precinct

It is exciting to hear of the Council's vision for future growth and investment in the municipality. Your Bridgewater Waterfront Master Plan provides a range of opportunities for the future use of land surrounding the new bridge precinct, including the revitalisation of the area.

I understand the Department has previously provided advice on proposed future land use changes at Bridgewater as part of the Bridgewater Waterfront Master Plan and the Sorell Street Master Plan. These plans provide for the conversion of an existing rural living area to higher residential densities, targeted infill, new commercial uses and new active transport networks and connections.

At a strategic level, the Department acknowledges the significant opportunity for development in the area, leveraging its physical separation from the major residential, commercial, and service centres in eastern Bridgewater by the Midland Highway. While the area may initially have a high car dependence, due to there being no immediate plans to extend bus services into the area, this characteristic should not limit its potential.

The ongoing review of the Southern Tasmania Regional Land Use Strategy offers a chance to align this development with a new settlement strategy for Greater Hobart, fostering growth and aligning with broader regional objectives. This process provides an ideal framework to support projects of this scale, ensuring that the area's development contributes to the strategic vision for Greater Hobart.

In advancing development within the precinct, it is important to consider alignment with TasRail's safety requirements, which will shape how adjacent land can be accessed and utilised. The Department encourages proactive engagement between the Council and TasRail to ensure that any development supports the safe and efficient operation of the rail network.

Recognising that the rail network forms part of the declared Tasmanian Rail Network, it is critical that any proposed changes to its operational status are carefully managed. Converting any portion of the rail corridor for alternate uses will require the approval of the Minister for Infrastructure, ensuring alignment with state-wide transport priorities.

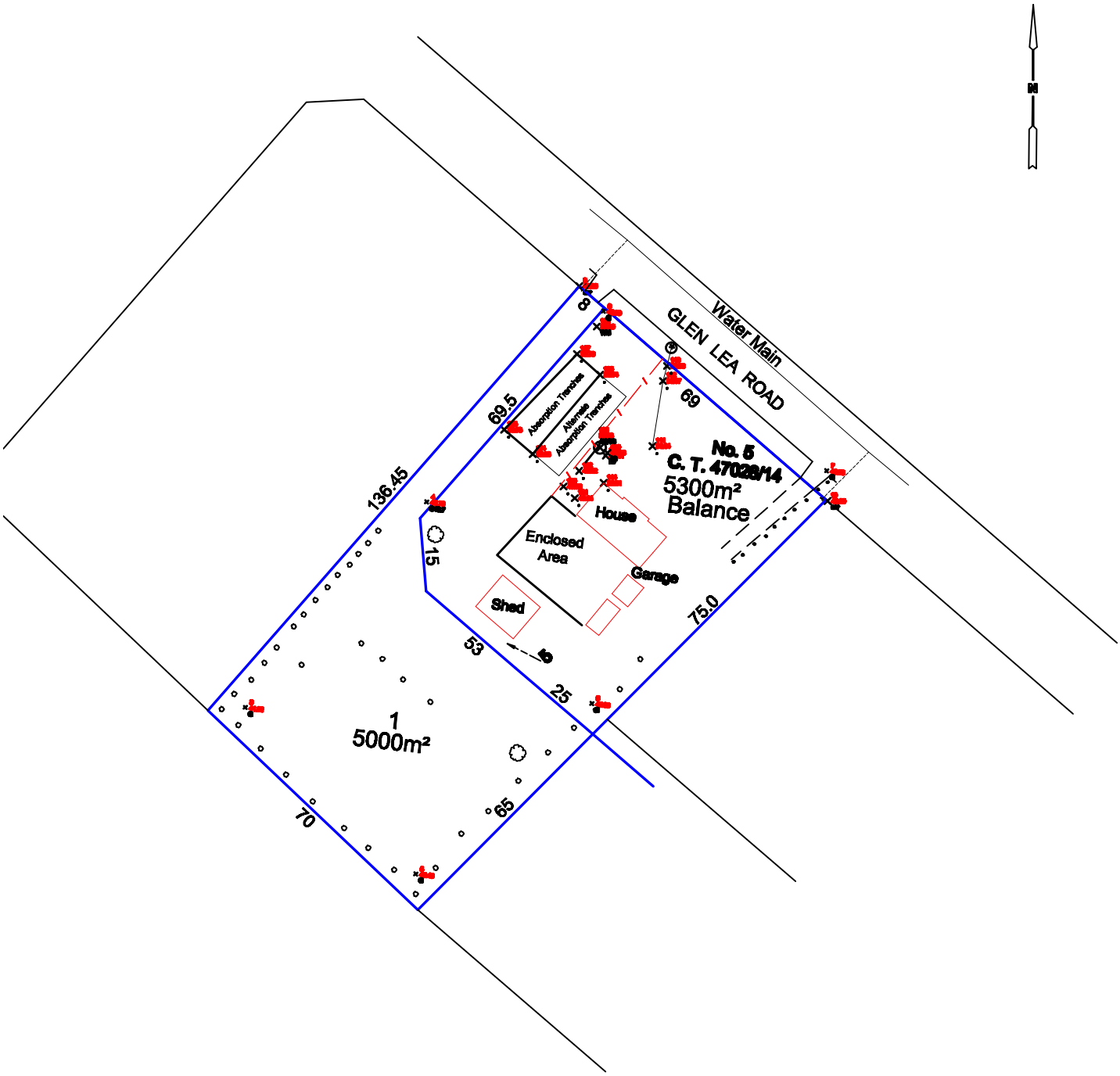
The Department remains committed to supporting the master plan's development and providing expert advice throughout the process. We encourage the Council to take advantage of the strategic opportunities available and to consider the above points as part of a collaborative approach to achieving a vibrant and sustainable future for the area.

Thank you again for raising these matters with me and I look forward to continuing to work with you to progress these important initiatives.

Yours sincerely

Eric Abetz MP
Minister for Transport

ATTACHMENT
AGENDA ITEM **12.1**



CLIENT Matthew Foster & Tamika Hales	PROJECT 5 Glen Lea Rd	DRAWING Site Subdivision Plan	

D.G.J. POTTER
9 Warwick St HOBART, TASMANIA, 7000
Ph: (03) 62 343 082 Fax: (03) 62 343 360
Email: djpotter@linet.net.au

SCALE: 1:1000 DATE: 3/06/24

General Level points taken as shown
New Access & Water Connection at NW Front Cnr
** Location of Wastewater, * Location SW

Rev.	Amendments	Drwn	Date
	Update	DP	May'24

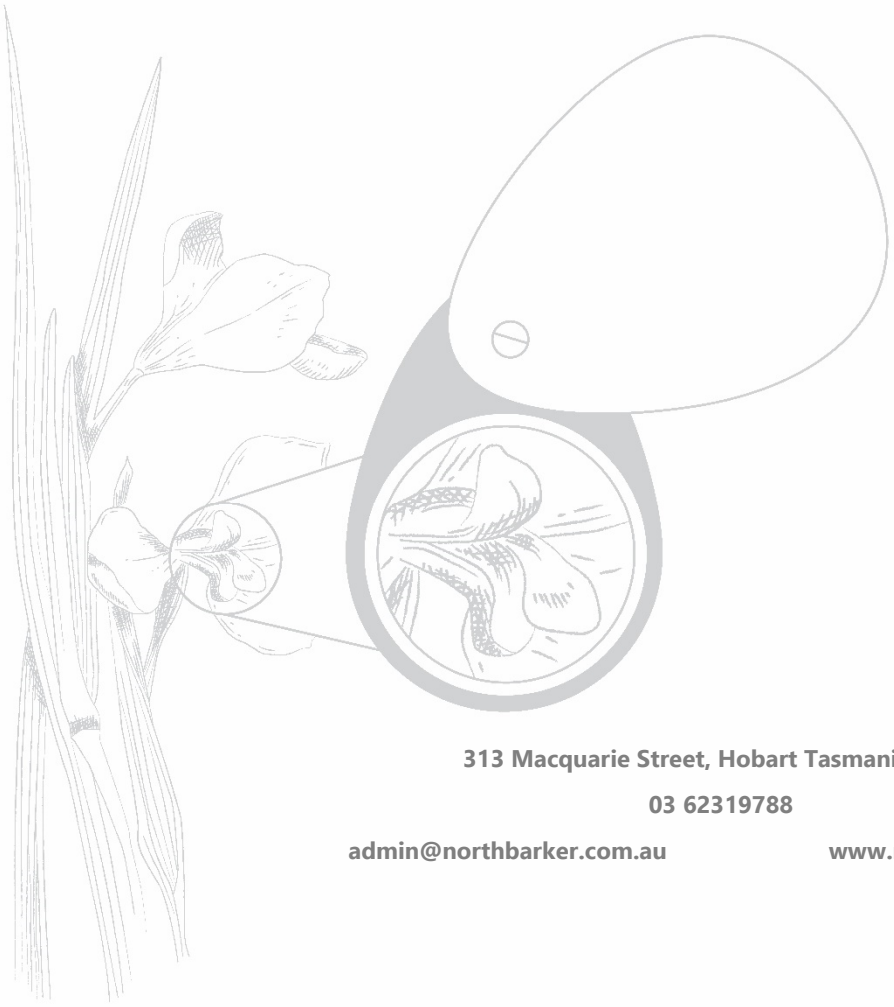
Design	Drawn DP	Checked JP
A3	Sheet No.1	Job No. 230714

5 Glen Lea Road, Pontville - Proposed 2 Lot Subdivision Draft Bushfire Report and Hazard Management Plan

27th March 2024

(POT010)

For DJ Potter



313 Macquarie Street, Hobart Tasmania, 7000

03 62319788

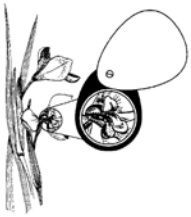
admin@northbarker.com.au www.northbarker.com.au

CONTENTS

SUMMARY

Survey and report details	
Surveyed by	Cameron Geeves
Survey date	19th March 2024
Photos	Cameron Geeves
Report prepared by	Cameron Geeves BFP - P
Hazard management plan prepared by	Philip Barker
Client	D.G.J Potter
Ultimate client	Matthew Foster and Tamika Hales
Report version	v0.1 report draft to client (28/03/2024)
	V1.0 report to client (22/4/2024)
Mapping	Cameron Geeves and Will Tanner

Site details		
Address	5 Glen Lea Road, Pontville	
Planning scheme	Tasmanian Planning Scheme - Brighton	
Planning scheme – zoning	Rural living zone A	
Planning scheme – code overlays	Bushfire Prone Areas Code	
PID	7763262	
Title reference	47028/14	
Proposal	2 lot subdivision	
Determined Bushfire Attack Level for the site		**BAL 19**



1. INTRODUCTION

The following proposal is for the development of a 2 Lot subdivision at 5 Glen Lea Road, Pontville. The development site is on a title of 1.03 ha (Title Ref: 47028/14, PID: 7763262).

D.G.J Potter Land and Engineer Surveyors have engaged North Barker Ecosystem Services (NBES) on behalf of the owners of the land proposed for development, Matthew Foster and Tamika Hales, to complete a Bush Fire Hazard Management Plan (BHMP) as required by Brighton Council. This BHMP provides the required BAL for the proposal and the proposed mitigation in compliance with the AS3959 (2018).

The BHMP is required to be developed for the purposes of Tasmanian Planning Scheme – Bushfire-Prone Areas Code C13.0. This bushfire hazard management plan addresses the requirements for both lots in the subdivision.

This report has been prepared by Cameron Geeves BFP – P, Scope of accreditation – provisional.

2. SITE DESCRIPTION

The site is within the municipality of Brighton. The Tasmanian Planning Scheme - Brighton (2020) identifies the land as occurring within a bushfire prone area. The parcel of land is zoned Rural living (zone A) and is located adjacent to the Pontville Park on a title of approx. 1.03 ha.

The site, which is essentially flat, contains one existing class 1a building currently used for residential accommodation and consists of gardens and lawns. A row of exotic trees line most of the boundary of the site.

The site is subject to the following code overlays under the Tasmanian Planning Scheme 2020

- Bushfire Prone Areas Code

The site and surrounds were inspected on the 19th of March 2024. See Figure 1 for the context and locality of the proposal and figure 2 for the plan of subdivision.

Limitations: This report is based on site measurements at the time of inspection and from information provided by the proponent. The report is limited in scope to bushfire hazard assessment only. The assessment is based on this building proposal and its findings are for this site only. Future changes to the building proposal or changes in the vegetation that affect bushfire hazard have not been considered.

3. PROPOSED DEVELOPMENT

The proposal is for a two-lot subdivision to create two rural living lots. The balance lot has an existing class 1a building (with "stables" and carport within 6 m), and it is proposed that a class 1a dwelling will be constructed on Lot 1 for residential occupancy. A 275 m^2 building area has been provided on the proposed lot 1.

Both lots will be serviced by reticulated water. For firefighting purposes both lots will have independent access.

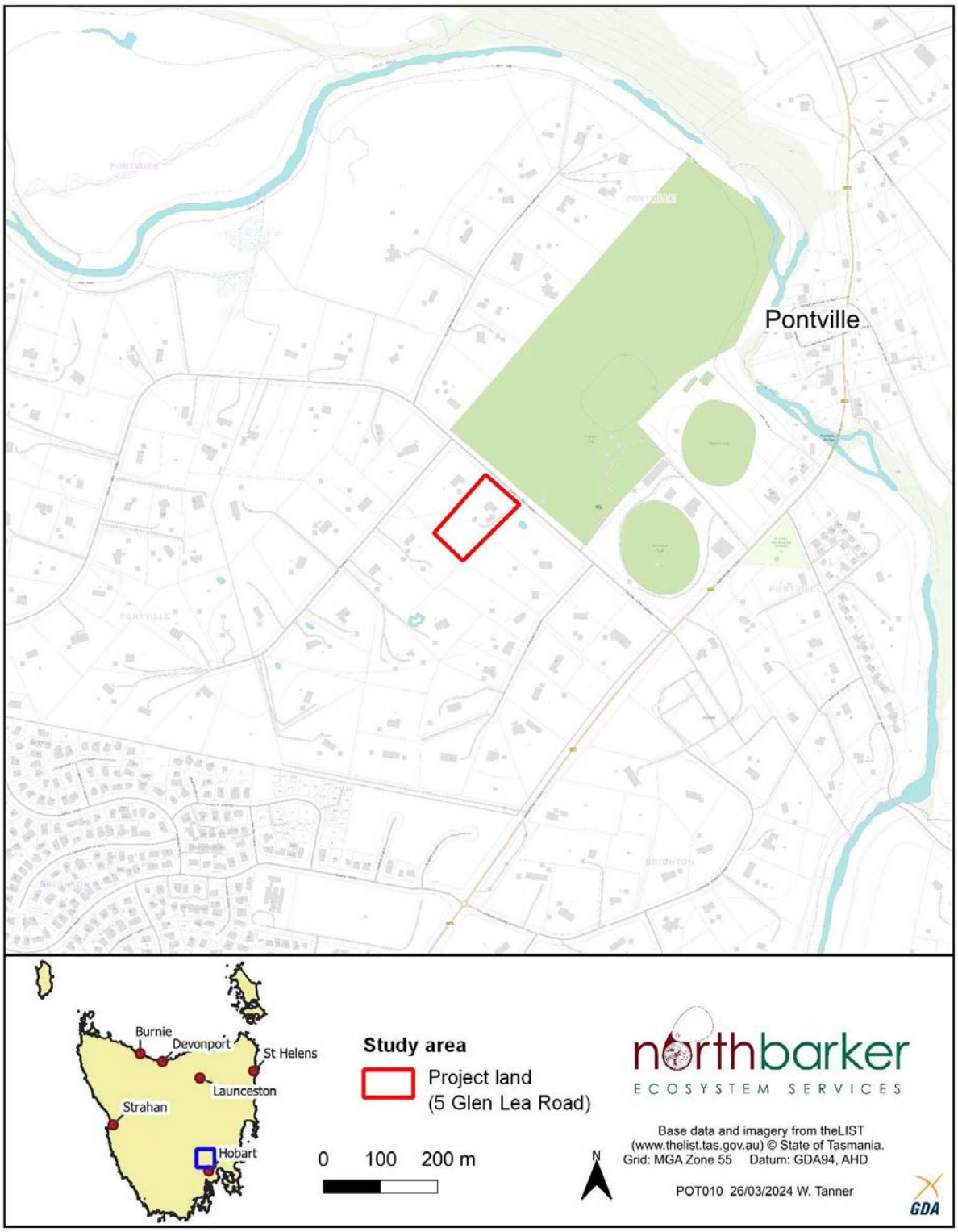


Figure 1. 5 Glen Lea Road, Pontville locality.

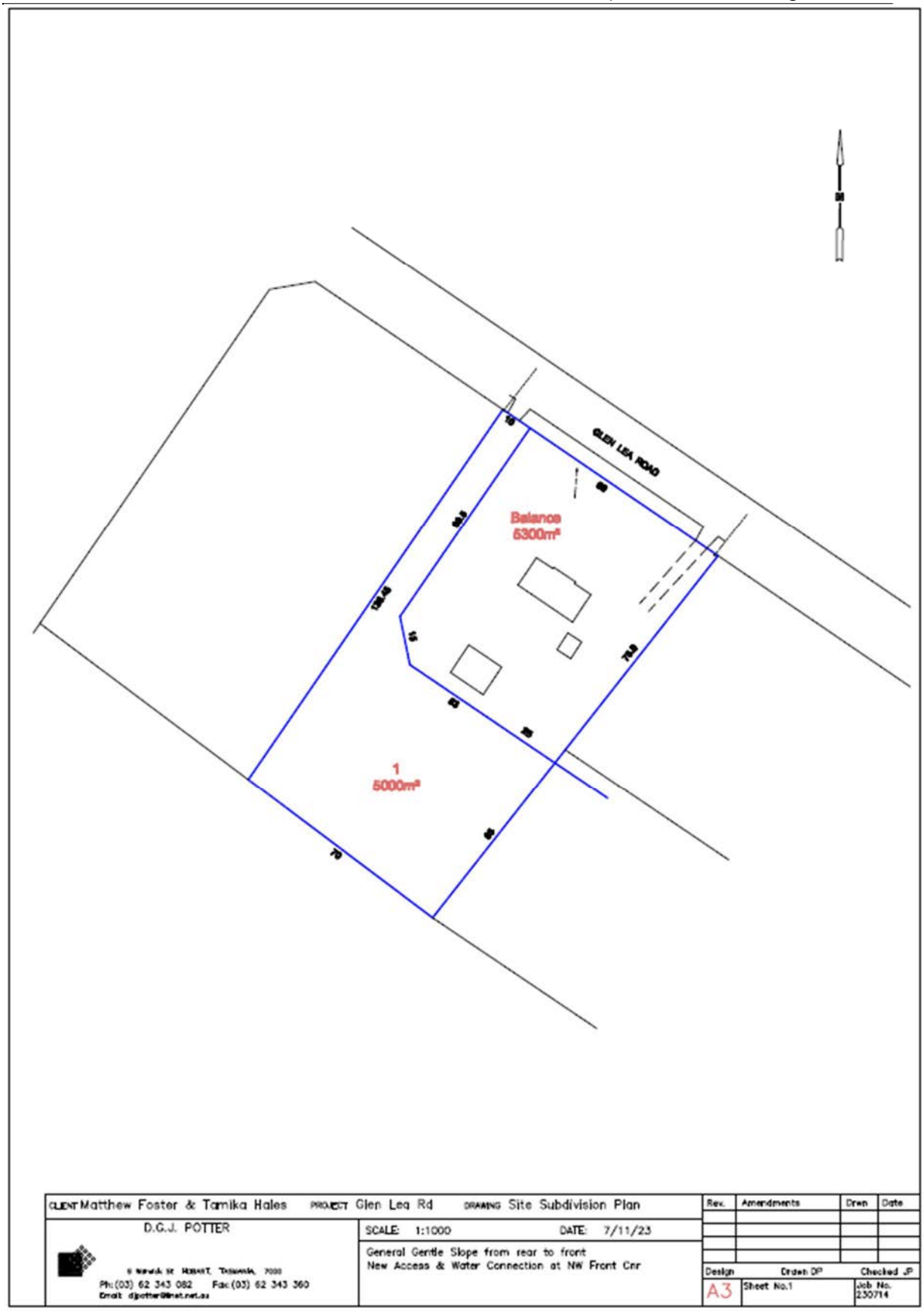


Figure 2. Plan of subdivision for 5 Glen Lea Road, Pontville.

4. BUSHFIRE HAZARD ASSESSMENT

VEGETATION AND EFFECTIVE SLOPE

The surrounding land is essentially flat, with a slight rise in the land to the south of the proposal (from 40 m to 50 m ASL beyond c. 200 m from the site). The site is situated at 40 m ASL. The site consists of managed gardens, lawns and exotic trees lining the rear and side boundaries of the site. Beyond the site the broader area consists of similar sized rural living lots with potential (if not maintained) to become grassland. Figure 3 depicts the vegetation classified within 100 m of the proposal. All classification of vegetation within 100 m of the site have been made in accordance with table 2.3 of AS3959: 2018.

Northwest: Beyond the site to the north is a rural living lot with managed garden surrounding the dwelling (Plate 1) and grassland at the rear of the lot (Plate 2).

Plate 1. Managed garden on rural living lot northwest of the proposal.

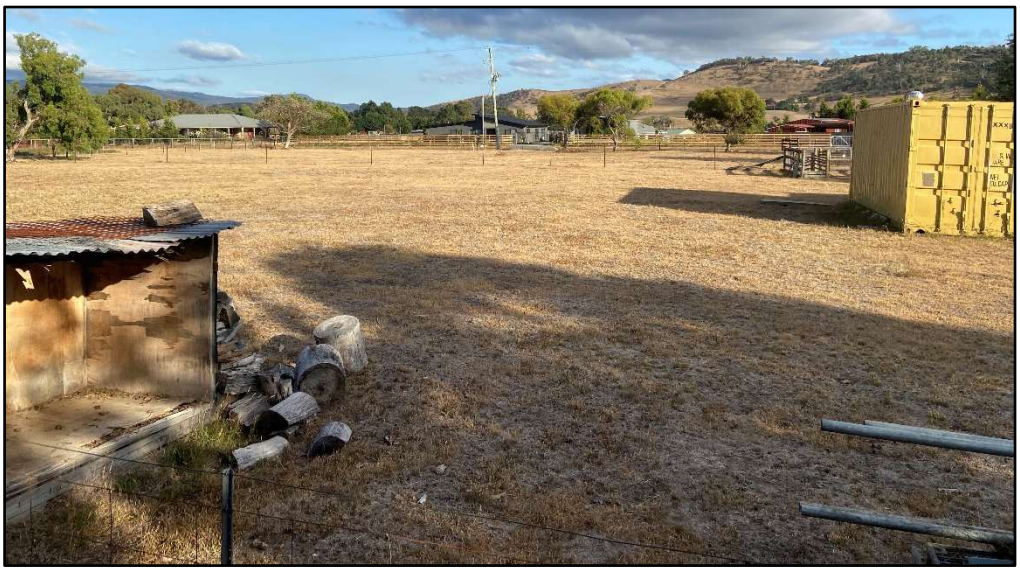


Plate 2. Grassland northwest of the proposal.

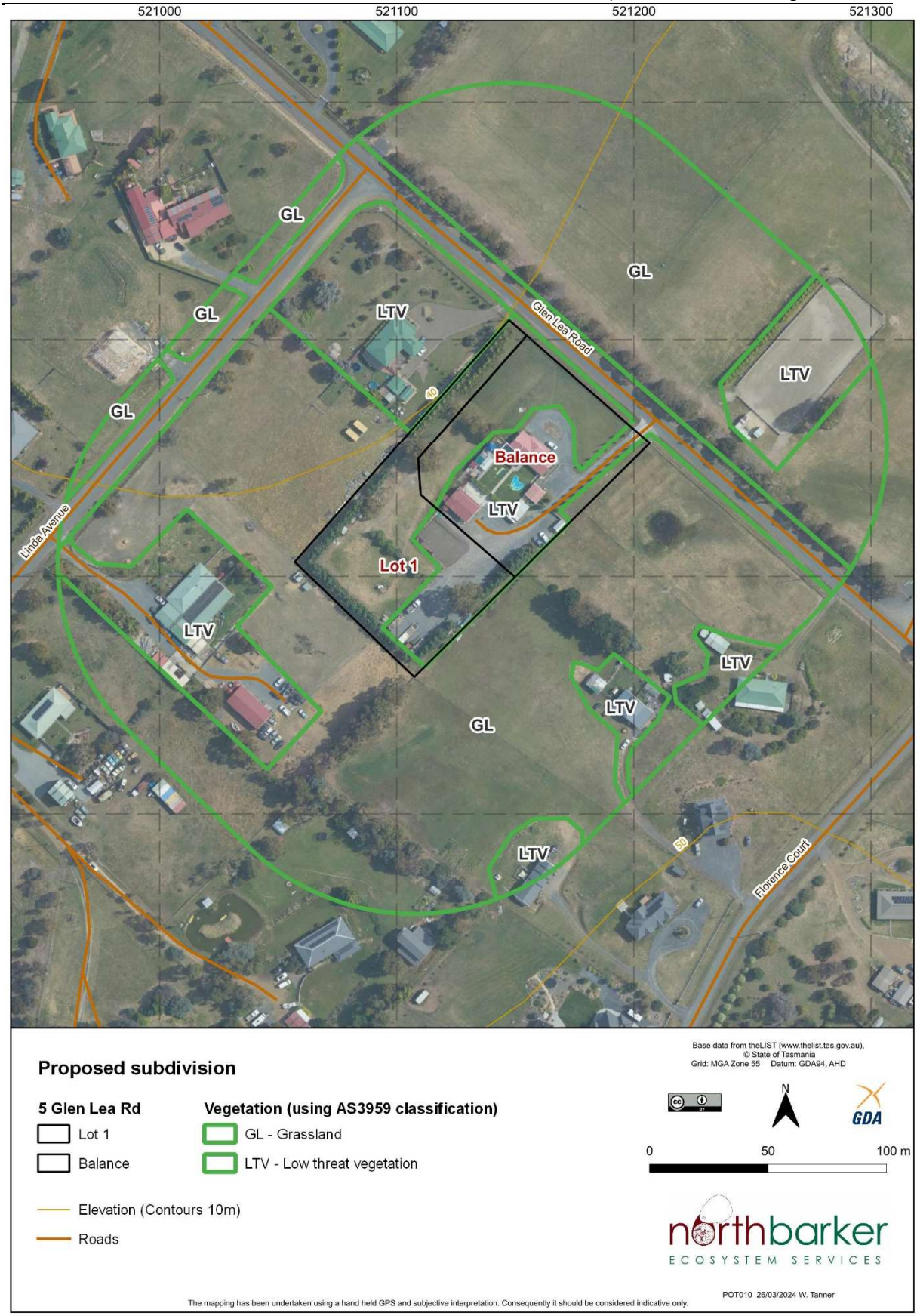


Figure 3. Vegetation and contours in relation to the site.

Northeast: Beyond Glen Lea Road to the northeast is Pontville Park which is managed by Brighton Council. The park is assessed as grassland (Plate 3).

Plate 3. Pontville Park to the northeast of the proposal.

Southeast: Beyond the site to the northeast are rural living lots with managed gardens around dwellings and grassland beyond (Plates 4 and 5).

Plate 4. Grassland vegetation southeast of the existing dwelling.

Plate 5. Grassland vegetation southeast of the proposed lot.

Southwest: Beyond the site to the southwest is a rural living lot with both managed lawns and an area classified as grassland (Plate 6).

Plate 6. Vegetation to the southwest of the proposal.

BUSHFIRE ATTACK LEVEL

Bushfire Attack Level (BAL) assessment conducted in accordance with Clause 2.2 Simplified Procedure (Method 1) of AS 3959: 2018.

Tables 1 – 3, 4 – 6 and Figure 3 indicate the site characteristics for a 100 m radius that have been assessed to determine the BAL of the existing class 1A building and proposed building area respectively and provide the dimensions for the hazard management area for a BAL 19 solution as per Table 2.6 of AS 3959: 2018 (Tables 3 and 6). All aspects have been resolved to BAL 19 by the bushfire hazard management plan.

This BAL Assessment Report has been provided to determine the BAL (in accordance with AS3959: 2018) for the site and where necessary provide recommendations for BAL reduction methods to comply with the Tasmanian Planning Scheme – Brighton (2020) section C13.0 Bushfire-Prone Areas code. Requirements for water supply for firefighting and vehicle access and egress for firefighting have been included; and should part of the Building Surveyors Certificate of Likely Compliance assessment.

NOTE: All distances are based on the proposed design illustrated in appendix 2.

Limitations: All measurements have been made using standard practices and may contain small errors of precision.

Compliance with the AS3959: 2018 building standards referred to in this assessment does not mean that there is no risk to life or property as a result of bushfire. A primary limitation is that the BAL value is determined under an FDI of 50. The FDI can be higher under certain weather and fuel conditions and consequently the BAL may also be higher than determined here. The applicable bushfire attack level for existing and new dwellings and sheds within 6 m of them on the subdivision is BAL-19.

Table 1. Vegetation in each cardinal direction with relation to the existing building on the balance lot – Class 1A. Vegetation has been classified as per table 2.3 of AS3959:2018[1]

Existing – Class 1A building				
Vegetation Classification	**Northeast**	**Southeast**	**Southwest**	**Northwest**
Group A - Forest				
Group B – Woodland				
Group C – Shrubland				
Group D – Scrub				
Group E – Mallee/Mulga				
Group F – Rainforest				
Group G – Grassland	✓	✓	✓	✓
Low threat (cl. 2.2.3.2)	✓	✓	✓	✓

Table 2. Effective slope under classified vegetation within 100 m of the existing building on the balance lot as per AS3959: 2018.

Vegetation Classification	**Northeast**		**Southeast**		**Southwest**		**Northwest**	
Group G – Grassland	0 – 5°	✓	Upslope/0°	✓	Upslope/0°	✓	0 – 5°	✓
Low threat (cl. 2.2.3.2)	0 – 5°	✓	Upslope/0°	✓	Upslope/0°	✓	0 – 5°	✓

Table 3. Existing separation between the existing building on the balance lot and dimension for a proposed BAL-19 hazard management area (HMA) as per table 2.6 of AS3959: 2018.

	Northeast	**Southeast**	**Southwest**	**Northwest**
Existing separation (m)	0 – 14 m LTV 14 – 34 m Grassland 34 – 44 m LTV 44 – 100 m Grassland	0 – 9 m LTV 9 – 100 m Grassland	0 – 50 m LTV 50 – 100 m Grassland	0 – 30 m Grassland 30 – 100 m LTV
Proposed hazard management area minimum dimension (m)	11 m	10 m	10 m	11 m
BAL value for each quadrant	**BAL-19**	**BAL-19**	**BAL-19**	**BAL-19**

[1] AS3959:2018

Table 4. Vegetation in each cardinal direction with relation to the proposed building area on lot 1. Vegetation has been classified as per table 2.3 of AS3959:2018[2]

Proposed Lot 1 building area (900 m^2)				
Vegetation Classification	**Northeast**	**Southeast**	**Southwest**	**Northwest**
Group A - Forest				
Group B – Woodland				
Group C – Shrubland				
Group D – Scrub				
Group E – Mallee/Mulga				
Group F – Rainforest				
Group G – Grassland	✓	✓	✓	✓
Low threat (cl. 2.2.3.2)	✓	✓	✓	✓

Table 5. Effective slope under classified vegetation within 100 m of the proposed building area on lot 1 as per AS3959: 2018.

Vegetation Classification	**Northeast**		**Southeast**		**Southwest**		**Northwest**	
Group G – Grassland	0 – 5°	✓	Upslope/0°	✓	Upslope/0°	✓	0 – 5°	✓
Low threat (cl. 2.2.3.2)	0 – 5°	✓	Upslope/0°	✓	Upslope/0°	✓	0 – 5°	✓

Table 6. Existing separation between the proposed building area on lot 1 and dimension for a proposed BAL-19 hazard management area (HMA) as per table 2.6 of AS3959: 2018.

	Northeast	**Southeast**	**Southwest**	**Northwest**
Existing separation (m)	0 – 100 m Grassland	0 – 21 m LTV 21 100 m Grassland	0 – 15 m LTV 15 – 100 m Grassland	0 – 100 m Grassland
Proposed hazard management area minimum dimension (m)	11 m	10 m	10 m	11 m
BAL value for each quadrant	**BAL-19**	**BAL-19**	**BAL-19**	**BAL-19**

[2] AS3959:2018

Table 7. Building area size and location on lot 1 (distances measured from southern corner of building area).

Building Area (BA)	BA (m^2)	Distance to northeastern title boundary (m)	Distance to Northwestern title boundary (m)
Lot 1 (proposed building area)	275 m^2 (13.5 x 20 m)	40 m	30 m

FIRE HISTORY

The fire history layer from the LIST shows one bushfire has occurred in proximity of the site (Fire name: Broadmarsh-Bluff Rd). This fire occurred in the 2002/03 fire season and burned an extensive area of land west of the site (LIST accessed 18/03/2024) (Figure 4).

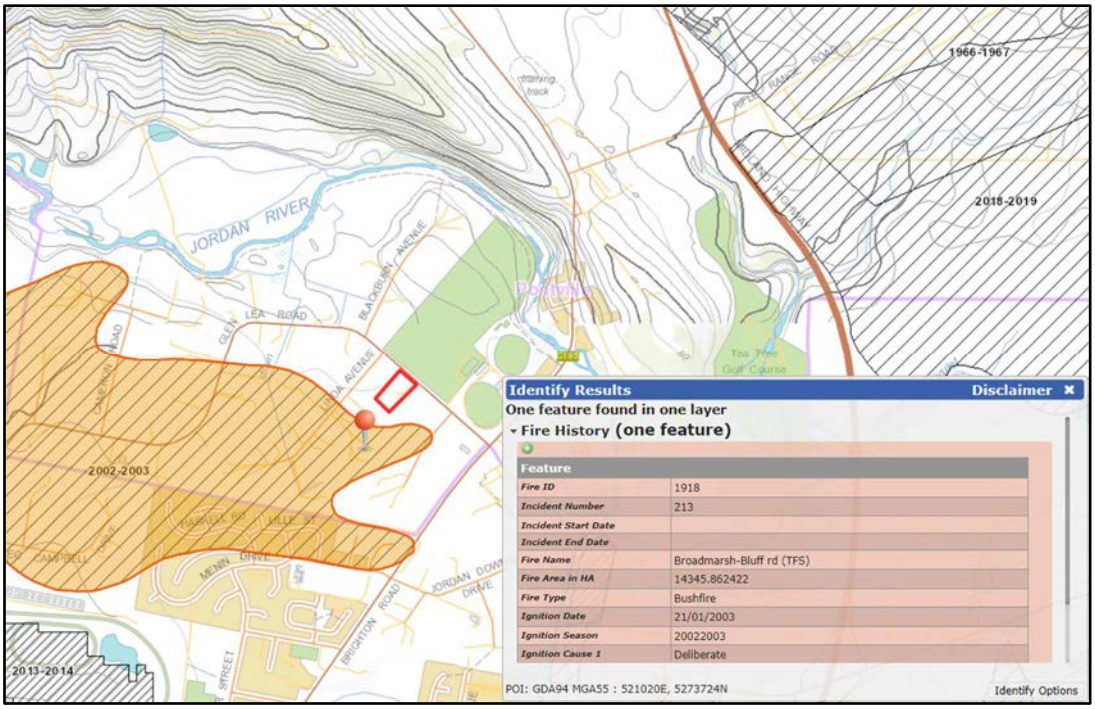


Figure 4. The extent of the Broadmarsh – Bluff Road bushfire from January 2003.

5. REQUIRED BUSHFIRE PROTECTION MEASURES

The proposed subdivision is required to comply with the *Tasmanian Planning Scheme – Brighton (2020) Bushfire-Prone Areas Code.* This Code has been developed to ensure that use and development is designed, located, serviced and constructed to reduce the risk to human life and property, and the cost to the community, caused by bushfires.

Each required element of protection is discussed in this section of the report. The required protective features have been consolidated in a summary of compliance requirements (Table 10) the bushfire hazard management plan enclosed as Appendix 1.

REQUIREMENTS FOR HAZARD MANAGEMENT AREA

A hazard management area (HMA) is a fuel-reduced area surrounding a dwelling which separates the dwelling from the bushfire hazard. This area provides a buffer zone that allows emergency services access and provides a relatively safe area for firefighters and homeowners to defend their property.

Bush fire fuels should be minimised within the HMA. This is so that the vegetation within the area does not provide a path for the spread of fire to the building, either from the ground level or through the tree canopy. If maintained regularly a HMA will reduce the risk of:

- Direct flame contact on the building;
- Damage to the building from intense radiant heat; and
- Ember attack.

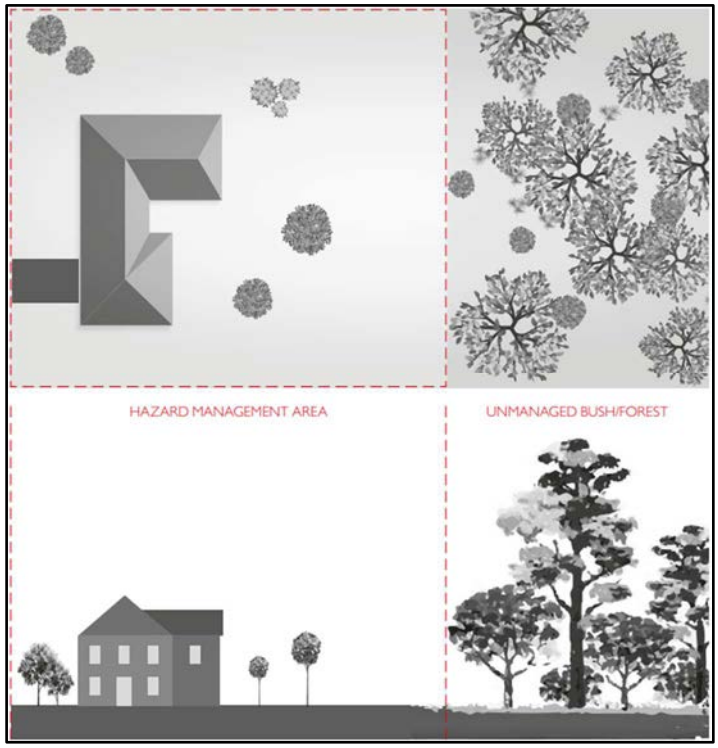


Figure 5. Example HMA (source: TFS building for bushfire)

The bushfire hazard management plan (Appendix 1) has resolved all aspects to BAL 19 for each building as per Tables 1 – 6 to meet the requirements of C13.6.1 of the Code. All vegetation within the HMA of the site (the entire property) will be managed in a low fuel state and the following recommendations are made.

The HMA should continue to be maintained as a low fuel environment prior to occupancy and is to be verified by a building surveyor at the sealing of titles. Subject to the ongoing maintenance of the BHMP, the proposal will comply with the requirements for the HMA.

The entire property is currently managed as a low fuel environment. The site must be maintained by the owner of the land in perpetuity as a low fuel environment. This can be achieved through regular mowing or brush cutting as required as well as following the HMA maintenance schedule below (Table 8).

Table 8. Hazard management area establishment and maintenance schedule.

Bushfire hazard management area establishment and maintenance	Timing
Remove native trees that overhang the dwelling.	As a part of establishment of the HMA.
Maintain ground cover vegetation (mow, slash, rake) including grasses to within 100 mm.	As a part of establishment of the HMA, and then as often as necessary.
Prune low-hanging native tree branches (<2m from the ground) to provide vertical separation between fuel layers.	As a part of establishment of the HMA, and annually in spring.

Pruning larger native trees to maintain horizontal separation between canopies of at least 3 m.	As a part of establishment of the HMA, and then as necessary.
Remove fallen limbs, sticks, leaf litter and bark.	As a part of establishment of the HMA, and then as necessary.
Minimize the storage of flammable materials such as firewood and gas bottles.	As a part of establishment of the HMA, and then as necessary.
Maintaining vegetation clearances around access and water supply points.	As a part of establishment of the HMA, and then as necessary.
Clear out any accumulated leaf and other debris from roof gutters and other debris accumulation points.	Annually in spring

CONSTRUCTION STANDARD

Specified separation distances shown in the bushfire hazard management plan provide for BAL-19 solution. Any future habitable building on Lot 1 must be designed and constructed to BAL-19 standard. The relevant requirements for construction are as follows:

Building work in a bushfire-prone area must be designed and constructed in accordance with an Acceptable Construction Manual determined by the BCA, being either: -

AS 3959-2018; or

Standard for Steel Framed Construction in Bushfire Areas published by the National Association of Steel Framed Housing Inc. (NASH). As appropriate for a BAL determined for that site.

Regarding timing – the design plans must be verified as compliant by the building surveyor prior to the issue of a certificate of likely compliance. The completed work must be verified by the building surveyor prior to occupancy.

Subject to implementation of the BHMP the proposal will comply with the requirement.

PROPERTY ACCESS

Public access to the site is via Glen Lea Road, which is a sealed two-way road 7 m in width.

Access to both the existing dwelling and proposed building area are both between 30 – 200 m in length. Design and construction requirements must comply with Table C13.2: Standards for Property Access (Table 9 element B below).

- *Subject to implementation of the BHMP, the project will comply with requirements for access.*
- *Regarding timing – the design plans must be verified as compliant by the building surveyor prior to the issue of a certificate of likely compliance. The completed work must be verified by the building surveyor prior to occupancy.*

Table 9. Requirements for Property Access.

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

B.	Property access 30 metres or greater, or access is required for a fire appliance to access a firefighting water point.	The following design and construction requirements apply to property access: (a) All-weather construction; (b) Load capacity of at least 20 tonnes, including for bridges and culverts; (c) Minimum carriageway width of 4 metres; (d) Minimum vertical clearance of 4 metres; (e) Minimum horizontal clearance of 0.5 metres from the edge of the carriageway; (f) Cross falls of less than 3° (1:20 or 5%); (g) Dips less than 7° (1:8 or 12.5%) entry and exit angle; (h) Curves with a minimum inner radius of 10 metres; (i) Maximum gradient of 15° (1:3.5 or 28%) for sealed roads, and 10° (1:5.5 or 18%) for unsealed roads; and (j) Terminate with a turning area for fire appliances provided by one of the following: (i) A turning circle with a minimum outer radius of 10 metres; (ii) A property access encircling the building; or (iii) A hammerhead "T" or "Y" turning head 4 metres wide and 8 metres long.
C.	Property access length is 200 metres or greater.	The following design and construction requirements apply to property access: (a) The Requirements for B above; and (b) Passing bays of 2 metres additional carriageway width and 20 metres length provided every 200 metres.
D.	Property access length is greater than 30 metres, and access is provided to 3 or more properties.	The following design and construction requirements apply to property access: (a) Complies with Requirements for B above; and (b) Passing bays of 2 metres additional carriageway width and 20 metres length must be provided every 100 metres.

WATER SUPPLY FOR FIRE FIGHTING

The water supply for lot 1 will be provided from static water supply. All parts of the building area will be within 90 m of the static water point as measured by hose lay. The current water supply for the balance lot is from reticulated water and is compliant.

- *Compliance is subject to the newly created lot 1 installing a dedicated 10,000 L water supply for firefighting purposes as per the requirements of table 8 below.*
- *The water supply should be implemented on lot 1 prior to occupancy and should be verified by a building surveyor.*
- *Subject to implementation of the BHMP, the project will comply with the requirements for water supply for firefighting.*

Compliance is subject to the installation of the water supply on lot 1 as per the requirements of Table 10 below. The water supply should be implemented prior to occupancy and should be verified by a building surveyor.

Table 10. Requirements for Static Water Supply for Firefighting.

Element		Requirement
A.	Distance between building area to be protected and water supply.	The following requirements apply: (a) the building area to be protected must be located within 90 m of fire fighting water point of a static water supply; and (b) the distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.
B.	Static Water Supplies	A static water supply: (a) may have a remotely located offtake connected to the static water supply; (b) may be a supply for combined use (fire fighting and other uses) but the specified minimum quantity of fire fighting water must be available at all times; (c) must be a minimum of 10,000l per building area to be protected. This volume of water must not be used for any other purpose including fire fighting sprinkler or spray systems; (d) must be metal, concrete or lagged by non-combustible materials if above ground; and (e) if a tank can be located so it is shielded in all directions in compliance with section 3.5 of *Australian Standard AS 3959-2009 Construction of buildings in bushfire-prone areas*, the tank may be constructed of any material provided that the lowest 400mm of the tank exterior is protected by: (i) metal; (ii) non-combustible material; or (iii) fibre cement a minimum of 6mm thickness.
C.	Fittings, pipework and accessories (including stands and tank supports)	Fittings and pipework associated with a fire fighting water point for a static water supply must: (a) have a minimum nominal internal diameter of 50mm; (b) be fitted with a valve with a minimum nominal internal diameter of 50mm; (c) be metal or lagged by non-combustible materials if above ground; (d) if buried, have a minimum depth of 300mm2*;* (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 this Table; and (i) if a remote offtake is installed, ensure the offtake is in a position that is: (i) visible; (ii) accessible to allow connection by firefighting equipment; (iii) at a working height of 450 – 600mm above ground level; and (iv) protected from possible damage, including damage by vehicles.
D.	Signage for static water connections	The fire fighting water point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must: (a) comply with water tank signage requirements within Australian Standard AS 2304-2011 Water storage tanks for fire protection systems; or (b) comply with the Tasmania Fire Service Water Supply Guideline published by the Tasmania Fire Service.
E.	Hardstand	A hardstand area for fire appliances must be: (a) no more than 3m from the hydrant, measured as a hose lay; (b)no closer than 6m from the building area to be protected; (c) a minimum width of 3m constructed to the same standard as the carriageway; and (d) connected to the property access by a carriageway equivalent to the standard of the property access.

SUMMARY OF COMPLIANCE REQUIREMENTS

Table 11. Compliance of the proposal with *Tasmanian Planning Scheme Section 13.0 Bushfire-Prone Areas Code*.

	Deemed to satisfy requirements (Elements)	**Requirement**	**Compliance**
C13.0	Construction requirements	AS 3959: 2018 BAL-19 or *NASH Standard – Steel Framed Construction in Bushfire Areas*	Specified separation distances shown in the bushfire hazard management plan provide for BAL-19 solution. Construction specifications of all habitable buildings must comply with AS 3959: 2018 – section 3 for general requirements and section 6 for BAL-19 requirements. All building design and construction must be verified by a building surveyor.

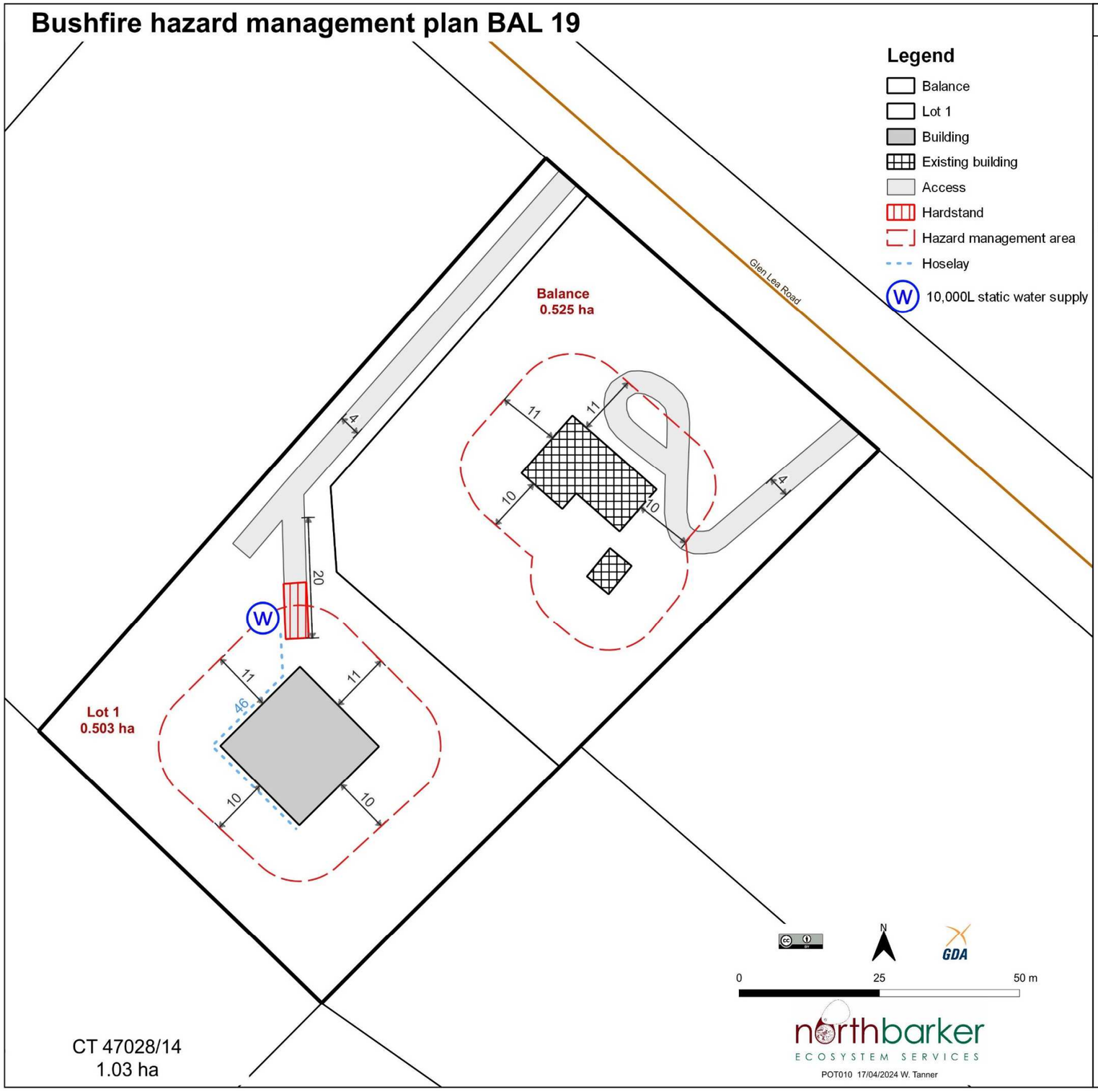
C13.6.1	Hazard management area	C13.6.1 A1 (b)	The entirety of both lots will be managed as a hazard management area. Subject to the hazard management area (entire lot) being established and maintained in accordance with the certified bushfire hazard management plan. The hazard management area on balance lot should be verified by a building surveyor at the sealing of titles. The hazard management area on Lot 1 is to be implemented prior to occupancy and is to be verified by a building surveyor. Both hazard management areas must be maintained in perpetuity.
C13.6.2	Private access	Table C13.2 (B)	Private access to both lots is between 30 m and 200 m in length and therefore design and construction requirements must comply with table C13.2 (b) which includes the following: Access must terminate with a turning area for fire appliances provided by one of the following: (i) a turning circle with a minimum outer radius of 10m; or (ii) a property access encircling the building; or (iii) a hammerhead "T" or "Y" turning head 4m wide and 8m long. Access to Balance lot is existing and terminates with a tuning area with a minimum outer radius of 10 m. Access to the building area on Lot 1 must be implemented before occupancy and verified by a building surveyor.
C13.6.3	Static water supply for fire fighting	Table C13.5 (A-E)	Compliance is subject to the installation of a 10,000 L static water supply for the building as per the requirements of Table 13.5 of the Code -corresponding Table 10 above. The water supply should be implemented prior to the sealing of titles and should be verified by council. All parts of the building will be within 90 m of the static water supply as measured by hose lay.

REFERENCES

Australian Standard AS 3959 (2018) Construction of Buildings in Bushfire Prone Areas.

Tasmanian Planning Scheme – Bushfire-Prone Areas Code.

APPENDIX 1. BUSHFIRE HAZARD MANAGEMENT PLAN



Schedule of Requirements

Balance

1 Building design and construction

- Specified separation distances shown on this plan provide for a BAL-19 solution.
- There are no specific design or construction requirements for existing buildings or outbuildings.

2 Property access

- Property access to the existing building on Balance is between 30 – 200 m. The access is 4 m wide and terminates with adequate turning area for a firefighting appliance.

3 Reticulated water supply for firefighting

- Water supply for firefighting is provided by existing fire hydrants located within 120 m of the existing buildings on the lot.

4 Hazard management area

- Establish hazard management area as dimensioned on this plan.
- Maintain in a low fuel condition in perpetuity, ensuring fuels are reduced sufficiently and other hazards are removed such that the fuels and other hazards do not significantly contribute to the bushfire attack.
- Limited amounts of low flammability plants are acceptable within the HMA including maintained lawns (kept to a nominal height of 100 mm), paths, paving, low flammability ornamental gardens and vegetable gardens.

Lot 1

1 Building design and construction

- Specified separation distances shown on this plan provide for a BAL-19 solution.
- Habitable buildings must be designed and constructed to comply with AS3959: 2018 – Section 3 for general requirements and Section 6 for BAL-19 construction requirements. Higher levels of construction are acceptable.
- Construction requirements should be verified by a building surveyor prior to occupancy.

2 Property access

- Construct all weather property access to building area with 4 m wide carriageway from Glen Lea Road to within < 90 m of the furthest part of the building area.
- Access must terminate with either a minimum 10 m wide outer radius or a 'T' or 'Y' turning area for fire appliances with turning heads 4 m wide x 8 m long.
- Access should be implemented prior to occupancy and should be verified by a building surveyor.

3 Static Water Supply for Firefighting

- Compliance is subject to the installation of a 10,000 L water supply as per the requirements of Table C13.5 (A-E).
- The water supply should be implemented prior to occupancy and should be verified by a building surveyor.

4 Hazard management area

- Establish hazard management area as dimensioned on this plan.
- Maintain in a low fuel condition in perpetuity, ensuring fuels are reduced sufficiently and other hazards are removed such that the fuels and other hazards do not significantly contribute to the bushfire attack.
- Limited amounts of low flammability plants are acceptable within the HMA including maintained lawns (kept to a nominal height of 100 mm), paths, paving, low flammability ornamental gardens and vegetable gardens.

APPENDIX 2. PLANNING CERTIFICATE

BUSHFIRE-PRONE AREAS CODE

CERTIFICATE[3] UNDER S51(2)(d) *LAND USE PLANNING AND APPROVALS ACT 1993*

1. Land to which certificate applies

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

Street address:	5 Glen Lea Road, Pontville
Certificate of Title / PID:	PID: 7763262 Certificate of title / number: CT: 47028/14

2. Proposed Use or Development

Description of proposed Use and Development:	2 lot subdivision
Applicable Planning Scheme:	Tasmanian Planning Scheme – Brighton

3. Documents relied upon

This certificate relates to the following documents:

Title	Author	Date	Version
Proposed subdivision – Glen Lea Road	D.G.J. Potter	7/11/2023	1

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

4. Nature of Certificate

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

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

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

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

☐	**E1.6.1 / C13.6.1 Subdivision: Provision of hazard management areas**	
	Acceptable Solution	**Compliance Requirement**
☐	E1.6.1 P1 / C13.6.1 P1	*Planning authority discretion required. A proposal cannot be certified as compliant with P1.*
☐	E1.6.1 A1 (a) / C13.6.1 A1(a)	Insufficient increase in risk

☒	E1.6.1 A1 (b) / C13.6.1 A1(b)	Provides BAL-19 for all lots (including any lot designated as 'balance')
☐	E1.6.1 A1(c) / C13.6.1 A1(c)	Consent for Part 5 Agreement

☐	**E1.6.2 / C13.6.2 Subdivision: Public and fire fighting access**	
	Acceptable Solution	**Compliance Requirement**
☐	E1.6.2 P1 / C13.6.2 P1	*Planning authority discretion required. A proposal cannot be certified as compliant with P1.*
☐	E1.6.2 A1 (a) / C13.6.2 A1 (a)	Insufficient increase in risk
☒	E1.6.2 A1 (b) / C13.6.2 A1 (b)	Access complies with relevant Tables

☐	**E1.6.3 / C13.1.6.3 Subdivision: Provision of water supply for fire fighting purposes**	
	Acceptable Solution	**Compliance Requirement**
☐	E1.6.3 A1 (a) / C13.6.3 A1 (a)	Insufficient increase in risk
☒	E1.6.3 A1 (b) / C13.6.3 A1 (b)	Reticulated water supply complies with relevant Table
☐	E1.6.3 A1 (c) / C13.6.3 A1 (c)	Water supply consistent with the objective
☐	E1.6.3 A2 (a) / C13.6.3 A2 (a)	Insufficient increase in risk
☒	E1.6.3 A2 (b) / C13.6.3 A2 (b)	Static water supply complies with relevant Table
☐	E1.6.3 A2 (c) / C13.6.3 A2 (c)	Static water supply consistent with the objective

5. Bushfire Hazard Practitioner

Name:	Philip Barker	**Phone No:**	0438250713
Postal Address:	313 Macquarie St Hobart	**Email Address:**	pbarker@northbarker.com.au
Accreditation No:	BFP- 147	**Scope:**	1,2,3A,3B,3C

6. Certification

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

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

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

Signed:

certifier

Name: Philip Barker Date: 22/04/2024

Certificate Number: POT010

(for Practitioner Use only)

ON-SITE WASTEWATER ASSESSMENT

Proposed Subdivision

5 Glen Lea Road

Pontville

July 2024

GES

GEO-ENVIRONMENTAL

SOLUTIONS

Introduction

Client: DG Potter Land Surveys
Date of inspection: 04/07/24
Location: 5 Glen Lea Road, Pontville
Land description: 1ha block, zoned rural living
Building type: Existing dwelling + proposed new lot
Investigation: 70mm auger
Inspected by: A Plummer

Background information

Map: Mineral Resources Tasmania – Tea Tree Sheet 1:25 000
Rock type: Triassic sediments
Soil depth: 2m+
Planning Overlay: No planning scheme limitations
Local meteorology: Annual rainfall approx 550 mm
Local services: Mains water with on-site wastewater disposal required

Site conditions

Slope and aspect: Gentle fall at 1-3% to the North East
Site drainage: Poor surface drainage
Vegetation: Pasture grasses with some weed species and ornamentals.
Weather conditions: Fine, approx. 5mm rainfall received in preceding 7 days.
Ground surface: Moist surface conditions

Investigation

A number of auger holes were completed to identify the distribution of, and variation in soil materials on the site. Representative auger holes at the approximate location indicated on the site plan were chosen for testing and classification according to AS1547-2012 (see profile summary 1).

Site Summary

The current development application is for the subdivision of the property into two new lots each with an area at least 5000m^2. The site is currently relatively flat open pasture with an existing dwelling close to the road. There are no signs of significant previous development or disturbance of the site in the area of the proposed new lot.

Investigation

A number of excavations were completed to identify the distribution of, and variation in soil materials on the site. Representative excavations from each of the proposed lots indicated on the site plan were chosen for testing and classification according to AS1547-2012 (see profile summaries).

Profile Summary

Hole 1 Depth (m)	Hole 2 Depth (m)	Horizon	Description
0 – 0.20	0 – 0.50	A1	Dark brownish grey **SAND (SP**), weak polyhedral structure, moist loose consistency, few roots, abrupt boundary to
0.20 - 0.60	0.50 – 1.0	B21	Mottled orange and grey **Sandy Silty CLAY (CH)**, strong polyhedral structure, moist stiff consistency, clear boundary to
0.60 – 2.0+	1.0 – 2.0+	B22	Mottled grey/yellow/orange **Silty Sandy CLAY (CI)** with lenses of **Clayey SAND (SC)** lenses, moderate polyhedral structure, moist very stiff consistency, medium sand grains, lower boundary undefined

Soil Profile Notes

The soil profiles above have been taken from each of the proposed lots. The soils on the site feature clayey sand topsoils, overlying clay subsoils. The soil is well structured and permeability is estimated to be low to moderate. A high cation exchange capacity (CEC) for the retention of nutrients is expected.

Nutrient Balance and Sustainable Wastewater Application

The soils across the site have developed from Triassic sediments and have a high estimated Cation Exchange Capacity (CEC). The soils returned negative results to all Emerson dispersion tests. Therefore, the soils have a good capacity to retain nutrients in applied wastewater.

Hydrological Balance and Wastewater Disposal

The capability of the proposed new lots to support a typical residential dwelling and on-site wastewater disposal must be evaluated to ensure environmental values are maintained. Modelling of wastewater application on the proposed lot was undertaken utilising the Trench program, long term weather average for Brighton, and estimated flows from an average three-bedroom home.

The soils are well structured, have a moderate permeability and high CEC for retention of nutrients. The soils across the site area classified according to AS/NZS1547-2012 as **Category 5 – Light Clay.** The topsoils are well drained; however, the subsoils have a moderately low permeability in the range of 0.24-0.36m/day.

The current dwelling is serviced by an AWTS with irrigation which appears to all in working order (GES assessment report dated 2017 for new system installation with 250m^2 of subsurface irrigation). Using the setbacks calculated below there is enough space between the current wastewater system and the proposed new lot boundaries. The closest boundary will be to the proposed new access strip to the west the existing irrigation area (see plan). This required a setback of 9.5m from the existing boundary for compliance (1.5m from the proposed new boundary plus 8m for the new access strip). This was measured on site for compliance and confirmed.

Assuming the construction of a typical three-bedroom dwelling with mains water supply on the new lot, the expected loading under AS/NZS1547-2012 and the Directors Guidelines for On-site Wastewater 2016 is 750L/day (5 persons @150L/day). Due to the limited space available and the clay subsoils it is expected that secondary treatment of effluent would be

utilised on the lot. Based upon secondary treatment and irrigation with a DIR of 3mm/day, an irrigation area of 250m^2 would be required.

A 100% reserve area is required, and the area excluded from traffic and future building works. Therefore, a total area of 500m^2 would be required (i.e.250m^2 primary and 250m^2 reserve).
If this area is combined with a typical dwelling size of 200-250m^2, and the setbacks calculated below, then there is more than sufficient room for access, parking, and private open space on a lot with an area of 5000m^2.

It is recommended the final decision of wastewater system approval rest with the permit authority at the time of site specific design to ensure the most compatible environmental and economic outcomes. Therefore, it is not warranted to restrict the lot to a single wastewater system type at the subdivision approvals stage, as each dwelling will have individual nuances which may be more suited to any one of a range of designs allowable within AS1547-2012. The assessment a concludes that the proposed lots would be more than sufficient to accommodate wastewater from future residential development.

Setbacks Distances to Boundaries and Sensitive Features

A number of indicative minimum boundary setbacks applicable to future development on the new low (lot 1) have been modelled utilising the Trench program and with reference to the Building Act 2016 wastewater guidelines.

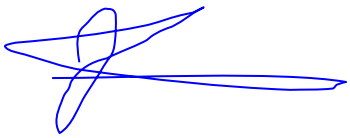
- Boundaries (upslope/across slope) – 1.5m
- Boundaries down slope – secondary effluent – 2.25m (slope 1^o)
- Down slope surface water – secondary effluent– 17m (slope 1^o)
- Buildings – secondary effluent – 3m

Note -there is no permanent surface water on the lots and the nearest surface water identified on hydrology layer of the listmap is a small dam approximately 120m to the West of the property.

Conclusions

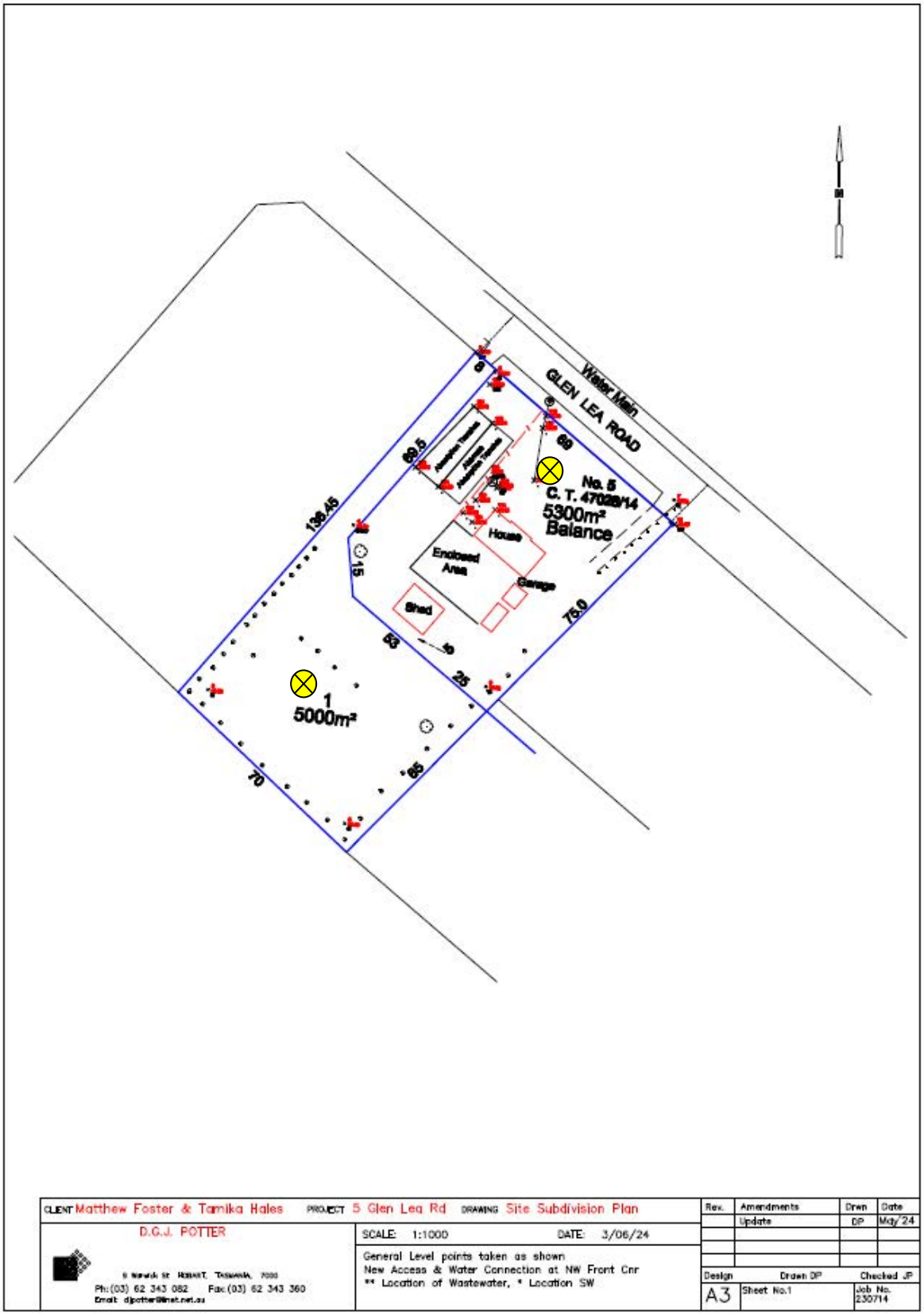
The current subdivision proposal allows for sufficient space on the proposed lots to be created for the installation and successful operation of a wastewater treatment system from a typical residential dwelling, with adequate setbacks in regards boundaries, buildings, and sensitive features.

No serious geotechnical impediments were identified for future residential use on the lots and as such the land is suitable for the proposed subdivision.



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

Appendix 1 – Site plan showing location of proposed lots and test holes shown in yellow



Appendix 2 – Trench Report

GES P/L

Land suitability and system sizing for on-site wastewater management

Trench 3.0 (Australian Institute of Environmental Health)

Assessment Report

Site assessment for on-site waste water disposal

Assessment for	DG Potter Surveys	Assess. Date	18-Jul-24
		Ref. No.	
Assessed site(s)	5 Glen Lea Road, Pontville	Site(s) inspected	4-Jul-24
Local authority	Brighton Council	Assessed by	John Paul Cumming

This report summarises wastewater volumes, climatic inputs for the site, soil characteristics and sustem sizing and design issues. Site Capability and Environmental sensitivity issues are reported separately, where 'Alert' columns flag factors with high (A) or very high (AA) limitations which probably require special consideration for system design(s). Blank spaces on this page indicate data have not been entered into TRENCH.

Wastewater Characteristics

Wastewater volume (L/day) used for this assessment = 750 (using the 'No. of bedrooms in a dwelling' method)

Septic tank wastewater volume (L/day) = 250

Sullage volume (L/day) = 500

Total nitrogen (kg/year) generated by wastewater = 2.3

Total phosphorus (kg/year) generated by wastewater = 1.8

Climatic assumptions for site (Evapotranspiration calculated using the crop factor method)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Mean rainfall (mm)	42	39	39	44	38	44	42	42	44	53	47	51
Adopted rainfall (R, mm)	42	39	39	44	38	44	42	42	44	53	47	51
Retained rain (Rr, mm)	38	35	35	40	34	40	38	38	40	48	42	46
Max. daily temp. (deg. C)												
Evapotrans (ET, mm)	130	110	91	63	42	29	32	42	63	84	105	126
Evapotr. less rain (mm)	**92**	**75**	**56**	**23**	**8**	**-10**	**-6**	**4**	**23**	**36**	**63**	**80**

Annual evapotranspiration less retained rain (mm) = 445

Soil characterisitics

Texture = light clay Category = 5 Thick. (m) = 3

Adopted permeability (m/day) = 0.12 Adopted LTAR (L/sq m/day) = 3 Min depth (m) to water = 7

Proposed disposal and treatment methods

Proportion of wastewater to be retained on site:	All wastewater will be disposed of on the site
The preferred method of on-site primary treatment:	In a package treatment plant
The preferred method of on-site secondary treatment:	In-ground
The preferred type of in-ground secondary treatment:	None
The preferred type of above-ground secondary treatment:	Trickle irrigation
Site modifications or specific designs:	Not needed

Suggested dimensions for on-site secondary treatment system

Total length (m) =	25
Width (m) =	10
Depth (m) =	0.3
Total disposal area (sq m) required =	250
comprising a Primary Area (sq m) of:	250
and a Secondary (backup) Area (sq m) of:	

Sufficient area is available on site

To enter comments, click on the line below 'Comments'. (This yellow-shaded box and the buttons on this page will not be printed.)

Comments

Due to the permeability of the observed soil a DIR of 3mm/day with an irrigation area of at least 250 sq m will be required. Therefore the system should have the capacity to cope with predicted climatic and loading events.

GES P/L

Land suitability and system sizing for on-site wastewater management

Trench 3.0 (Australian Institute of Environmental Health)

Site Capability Report

Site assessment for on-site waste water disposal

Assessment for	DG Potter Surveys	Assess. Date	18-Jul-24
		Ref. No.	
Assessed site(s)	5 Glen Lea Road, Pontville	Site(s) inspected	4-Jul-24
Local authority	Brighton Council	Assessed by	John Paul Cumming

This report summarises data relating to the physical capability of the assessed site(s) to accept wastewater. Environmental sensitivity and system design issues are reported separately. The 'Alert' column flags factors with high (A) or very high (AA) site limitations which probably require special consideration in site acceptability or for system design(s). Blank spaces indicate data have not been entered into TRENCH.

Alert	Factor	Units	Value	Confid level	Limitation Trench	Limitation Amended	Remarks
	Expected design area	sq m	5,000	V. high	Very low		
AA	Density of disposal systems	/sq km	50	Mod.	Very high		
	Slope angle	degrees	1	High	Very low		
	Slope form	Straight simple		High	Low		
	Surface drainage	Good		High	Very low		
	Flood potential	Site floods <1:100 yrs		High	Very low		
	Heavy rain events	Infrequent		High	Moderate		
	Aspect (Southern hemi.)	Faces NE or NW		V. high	Low		
	Frequency of strong winds	Common		High	Low		
	Wastewater volume	L/day	750	High	Moderate	No change	
	SAR of septic tank effluent		1.7	High	Low		
	SAR of sullage		2.6	High	Moderate		
	Soil thickness	m	3.0	V. high	Very low		
	Depth to bedrock	m	3.0	V. high	Very low		
	Surface rock outcrop	%	0	V. high	Very low		
	Cobbles in soil	%	0	V. high	Very low		
	Soil pH		6.0	High	Low		
	Soil bulk density	gm/cub. cm	1.4	High	Very low		
	Soil dispersion	Emerson No.	7	V. high	Very low		
	Adopted permeability	m/day	0.12	Mod.	Very low		
	Long Term Accept. Rate	L/day/sq m	3	High	Low		

To enter comments, click on the line below 'Comments' . (This yellow-shaded box and the buttons on this page will not be printed.)

Comments

The site has good capability to accept wastewater onsite.

GES P/L

Land suitability and system sizing for on-site wastewater management

Trench 3.0 (Australian Institute of Environmental Health)

Environmental Sensitivity Report

Site assessment for on-site waste water disposal

Assessment for	DG Potter Surveys	Assess. Date	18-Jul-24
		Ref. No.	
Assessed site(s)	5 Glen Lea Road, Pontville	Site(s) inspected	4-Jul-24
Local authority	Brighton Council	Assessed by	John Paul Cumming

This report summarises data relating to the environmental sensitivity of the assessed site(s) in relation to applied wastewater. Physical capability and system design issues are reported separately. The 'Alert' column flags factors with high (A) or very high (AA) limitations which probably require special consideration in site acceptability or for system design(s). Blank spaces indicate data have not been entered into TRENCH.

Alert	Factor	Units	Value	Confid level	Limitation Trench	Limitation Amended	Remarks
	Cation exchange capacity	mmol/100g	75	High	Moderate		
	Phos. adsorp. capacity	kg/cub m	0.7	High	Moderate		
	Annual rainfall excess	mm	-445	High	Very low		
	Min. depth to water table	m	7	High	Very low		
	Annual nutrient load	kg	4.1	High	Very low		
	G'water environ. value	Agric non-sensit		V. high	Low		
	Min. separation dist. required	m	5	High	Very low		
	Risk to adjacent bores	Very low		V. high	Very low		
	Surf. water env. value	Agric sensit/dom drink		V. high	Moderate		
	Dist. to nearest surface water	m	125	V. high	High	Moderate	Other factors lessen impact
	Dist. to nearest other feature	m	30	V. high	Moderate		
	Risk of slope instability	Very low		V. high	Very low		
	Distance to landslip	m	1000	V. high	Very low		

To enter comments, click on the line below 'Comments'. (This yellow-shaded box and the buttons on this page will not be printed.)

Comments:
There are minimal envinronmental limitations to wastewater disposal on site.

Appendix 4 – Building Act Compliance Table

Acceptable Solutions	Performance Criteria	Compliance
A1 Horizontal separation distance from a building to a land application area must comply with one of the following: a) be no less than 6m; or b) be no less than: (i) 3m from an upslope building or level building; (ii) If primary treated effluent to be no less than 4m plus 1m for every degree of average gradient from a downslope building; (iii) If secondary treated effluent and subsurface application, no less than 2m plus 0.25m for every degree of average gradient from a downslope building.	P1 a) The land application area is located so that (i) the risk of wastewater reducing the bearing capacity of a building's foundations is acceptably low.; and (ii) is setback a sufficient distance from a downslope excavation around or under a building to prevent inadequately treated wastewater seeping out of that excavation	Complies with A1 (b) (i) Land application area can be located with minimum separation distance to proposed building of 3m.
A2 Horizontal separation distance from downslope surface water to a land application area must comply with (a) or (b) (a) be no less than 100m; or (b) be no less than the following: (i) if primary treated effluent 15m plus 7m for every degree of average gradient to downslope surface water; or (ii) if secondary treated effluent and application, 15m plus 2m for every degree of average gradient to down slope surface	P2 Horizontal separation distance from downslope surface water to a land application area must comply with all of the following: a) Setbacks must be consistent with AS/NZS 1547 Appendix R; b) A risk assessment in accordance with Appendix A of AS/NZS 1547 has been completed that demonstrates that the risk is acceptable.	Complies with A2 (a) No permanent surface water within 100m

A3 Horizontal separation distance from a property boundary to a land application area must comply with either of the following: (a) be no less than 40m from a property boundary; or (b) be no less than: (i) 1.5m from an upslope or level property boundary; and (ii) If primary treated effluent 2m for every degree of average gradient from a downslope property boundary; or (iii) If secondary treated effluent and subsurface application, 1.5m plus 1m for every degree of average gradient from a downslope property boundary.	P3 Horizontal separation distance from a property boundary to a land application area must comply with all of the following: (a) Setback must be consistent with AS/NZS 1547 Appendix R; and (b) A risk assessment in accordance with Appendix A of AS/NZS 1547 has been completed that demonstrates that the risk is acceptable.	Complies with A3 (b) (i) Land application area can be located with a minimum separation distance of 1.5m from an upslope or level property boundary Complies with A3 (b) (iii) Land application area can be located with a minimum separation distance of 2.5m of downslope property boundary
A4 Horizontal separation distance from a downslope bore, well or similar water supply to a land application area must be no less than 50m and not be within the zone of influence of the bore whether up or down gradient.	P4 Horizontal separation distance from a downslope bore, well or similar water supply to a land application area must comply with all of the following: (a) Setback must be consistent with AS/NZS 1547 Appendix R; and (b) A risk assessment completed in accordance with Appendix A of AS/NZS 1547 demonstrates that the risk is acceptable	Complies with A4 No bore or well identified within 50m

A5 Vertical separation distance between groundwater and a land application area must be no less than: (a) 1.5m if primary treated effluent; or (b) 0.6m if secondary treated effluent	P5 Vertical separation distance between groundwater and a land application area must comply with the following: (a) Setback must be consistent with AS/NZS 1547 Appendix R; and (b) A risk assessment completed in accordance with Appendix A of AS/NZS 1547 that demonstrates that the risk is acceptable	Complies with A5 (b) No groundwater encountered
A6 Vertical separation distance between a limiting layer and a land application area must be no less than: (a) 1.5m if primary treated effluent; or (b) 0.5m if secondary treated effluent	P6 Vertical setback must be consistent with AS/NZS1547 Appendix R.	Complies with A6 (b) No limiting layer identified
A7 nil	P7 A wastewater treatment unit must be located a sufficient distance from buildings or neighbouring properties so that emissions (odour, noise or aerosols) from the unit do not create an environmental nuisance to the residents of those properties	Complies

Submission to Planning Authority Notice

Council Planning Permit No.	SA 2023 / 00038	**Council notice date**	23/11/2023
TasWater details			
TasWater Reference No.	TWDA 2023/01631-BTN	**Date of response**	29/11/2023
TasWater Contact	Timothy Carr **Phone No.**	0419 306 130	
Response issued to			
Council name	BRIGHTON COUNCIL		
Contact details	development@brighton.tas.gov.au		
Development details			
Address	5 GLEN LEA RD, PONTVILLE	**Property ID (PID)**	7763262
Description of development	Subdivision (2 Lots)		

Schedule of drawings/documents

Prepared by	Drawing/document No.	Revision No.	Date of Issue
D.G.J Potter	Site Subdivision Plan – Sheet No.1	-	07/11/2023

Conditions

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

CONNECTIONS, METERING & BACKFLOW

1. A suitably sized water supply with metered connections to each lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.

2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost.

FINAL PLANS, EASEMENTS & ENDORSEMENTS

3. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater as evidence of compliance with these conditions when application for sealing is made.
   Advice: Council will refer the Final Plan of Survey to TasWater requesting Consent to Register a Legal Document be issued directly to them on behalf of the applicant.

DEVELOPER CHARGES

4. Prior to TasWater issuing a Consent to Register a Legal Document, the applicant or landowner as the case may be, must pay a developer charge totalling $1,757.00 to TasWater for water infrastructure for 1.0 additional Equivalent Tenements, indexed by the Consumer Price Index All groups (Hobart) from the date of this Submission to Planning Authority Notice until the date it is paid to TasWater.

DEVELOPMENT ASSESSMENT FEES

5. The applicant or landowner as the case may be, must pay a development assessment fee of $234.64, and a Consent to Register a Legal Document fee of $248.30 to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date paid to TasWater.

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

Advice

General

For information on TasWater development standards, please visit https://www.taswater.com.au/building-and-development/technical-standards

For application forms please visit https://www.taswater.com.au/building-and-development/development-application-form

Developer Charges

For information on Developer Charges please visit the following webpage - https://www.taswater.com.au/building-and-development/developer-charges

Declaration

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

TasWater Contact Details

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

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Declaration

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

TasWater Contact Details

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

Brighton Council

POLICY NAME: INVESTMENTS **POLICY No: AP09**

PURPOSE OF POLICY:

To provide a framework for the investment of Council's surplus funds that seeks to maximise the return to the Council whilst having due consideration for the risk and security of each investment; and ensures that the Council's liquidity requirements are being satisfied.

SCOPE:

This policy applies to all the Council's investments that are surplus to immediate operational requirements and aligns with Council's risk appetite statement.

POLICY:

Investment Guidelines

- Investments are to be made in accordance with Section 75 of the *Local Government Act 1993.*
- Council investment will be limited to Authorised Deposit-taking Institutions (ADI's) either by investing directly with these institutions or through a fixed income specialist.
- Cash reserves to be managed to achieve the optimum investment and to ensure that cash is available when required.
- Council will ensure its investment portfolio maximises its return on investments while maintaining an acceptable level of risk and retaining flexibility in accessing funds.
- Investments may only be made in products where the underlying assets are cash. If there is an opportunity that aligns with Council's strategic plan in relation to the purchase of property for investment purposes, then this matter will be referred to Council for consideration.
- Where an ADI is a subsidiary of another, and has its own credit rating, the two institutions shall be treated as separate and subject to the exposure limits.
- If any investments are downgraded in such a way that they no longer fall within the investment policy, they will be divested into Council's account as soon as practicable.
- Funds will be reasonably accessible, and the maturity date will not exceed one year.

Prohibited Investments

This policy prohibits the use of leveraging (borrowing to invest) and investments carried for speculative purposes including:

- Derivative based instruments;

- Principal only investments or securities that provide potentially nil or negative cash flow; and
- Stand-alone securities issued that have underlying futures, options, forward contracts and swaps of any kind.

Risk Management guidelines

- Councils' main objective in investing funds is to preserve the capital while seeking to maximise the interest revenue with minimal risk.
- The amount invested with any one financial institution or managed fund should be diversified and not exceed the following percentages of funds invested:

Direct Deposits

Long Term Rating (Standard and Poors)	S&P Short Term Rating (or equivalent)	Maximum Percentage of Total Investments	Single Institution Maximum Percentage of Total Investments
AAA	A1+	100%	65%
AA	A1	100%	65%
A	A2	30%	30%

Managed funds

Long Term Rating (Standard and Poors)	S&P Short Term Rating (or equivalent)	Single Fund Maximum Percentage of Total Investment	Single Institution Maximum Percentage of Total Investments
AAA	A1+	30%	45%
AA	A1	30%	30%
A	A2	Nil	Nil

Where Council invests with an institution both directly and /or via a managed fund a single maximum will apply to the total invested (i.e. 45% not 90%)

- Council will be aware of the market risk and the fair value or future cash flows of an investment fluctuations due to changes in market prices.
- Liquidity risk will be taken into consideration and the risk an investor is unable to redeem the investment at fair price within a timely period.

Environment Consideration

Consistent with Councils sustainability initiatives where the rate of return on a green deposit is the same as a non-green deposit within a single institution for the same duration, council will preference these deposits.

Council may give preference to investing its funds in Green Deposits, providing that they meet all other investment criteria.

Benchmark

The performance of the investment portfolio shall be compared to the 90-day Bank Bill Swap Rate (BBSW) as quoted at the end of each month.

REPORTING:

A report will be provided to Council in conjunction with the quarterly Financial Report. The report will detail the investment portfolio in terms of performance, exposure of total portfolio and maturity date.

Documentary evidence must be held for each investment and details thereof maintained in an Investment Register.

Certificates must be obtained from the financial institutions confirming the amounts of investments held on the Council's behalf as at 30 June each year and reconciled to the Investment Register.

ROLES & RESPONSIBILITIES:

The authority is delegated to the Director Corporate Services to make investment decisions and sign investment lodgement and withdrawals.

Council's organisational values apply to all investment activities.

REFERENCES:

Local Government Act 1993

ADMINISTRATIVE DETAILS:

Policy compiled:	April 2009
Adopted by Council:	15/04/09
Reviewed:	April 2011, April 2013, April 2015; August 2018, November 2020; September 2024
To Be Reviewed:	September 2026
Responsibility:	Audit Panel

CHIEF EXECUTIVE OFFICER

Being the General Manager as appointed by Brighton Council
pursuant to Section 61 of the *Local Government Act 1993*

Brighton Council

POLICY NAME: INFRASTRUCTURE CONTRIBUTIONS

POLICY No: 1.7

1. PURPOSE:

1.1. The purpose of this *"Infrastructure Contributions Policy'* **('Policy')** is to set guidelines by which Brighton Council **('Council')** can make key infrastructure investments. Council will recoup these investments via the imposition of a charge on the creation of new lots or the intensification of land that benefits directly from these investments.

2. SCOPE:

2.1 This policy applies only to the Areas of land identified in the addendums to this Policy on the day following its adoption, as well as the Areas identified by all future addendums adopted by Council and forming part of this Policy.

3. COMMENCEMENT:

3.1 This Policy will apply from the day immediately following its adoption by Council.

4. DEFINITIONS:

Area	The geographical location within Council's municipal area to which each addendum to the Policy apply.
Equivalent Tenement	A calculation of the real effect of the load or demand on infrastructure for a particular use as a proportion of a typical dwelling.
Development	The meaning provided for within the *Land Use Planning and Approvals Act* 1993 or any other matter requiring a permit under that act.
Lot	Each individual area of land created by the subdivision of a parent title or strata scheme.
Investment	The monetary contribution made by Council towards the specific piece of infrastructure to which the Charge is to be applied.
Tenement	A single detached dwelling / residence.
Tenement capacity	The number of Tenements able to be serviced by an individual infrastructure investment when fully utilised.
Charge	The proportion of Council's investment to be recouped.

5. OBJECTIVE:

5.1 To ensure that strategically appropriate development is not unduly hindered by a lack of critical infrastructure or inhibitive upfront costs via the assistance of Council in investing in this infrastructure. Council will seek to recoup its investment as the development of land benefitting from that investment occurs.

5.2 Investments made by Council will:

(a) ensure that services and infrastructure are provided in a sustainable and coordinated manner, with the appropriate levels of service to residents, visitors and the environment;

(b) ensure a more equitable system for infrastructure costs for land development;

(c) ensure that fair and orderly development in accordance with endorsed strategies and plans can occur in the most efficient manner;

(d) ensure legislative requirements for provision of infrastructure and for infrastructure-related charges are met;

(e) ensure operational processes are identified and responsibility for administering this policy is allocated; and

(f) demonstrate transparent and responsible support for key infrastructure.

6. POLICY:

Introduction

6.1 Council is committed to facilitating strategic development that aligns with its endorsed strategies and plans. Council recognises that substantial up front infrastructure costs can often lead to ad hoc and inefficient development, or stifle development all together.

6.2 It is particularly difficult to ensure that efficient long-term infrastructure is installed, when there is multiple land owners who share the benefits but not the costs of the construction of that infrastructure.

6.3 Council as an intermediary can play a role in removing this blockage by in ensuring that infrastructure costs associated with growth are equitably carried by the beneficiaries.

Background

6.4 The situation often arises where the first to undertake development must incur major costs for critical infrastructure that then benefit all subsequent developers within that area. This is called the “first mover” problem and it can be a significant barrier to achieving strategic development outcomes.

6.5 The issue is more prevalent for infill development projects where land has recently been “upzoned” and there are multiple property owners. This can also result in development occurring in an ad-hoc manner that creates undesirable and inefficient outcomes.

6.6 Council can fill this void by acting as an intermediary and provide an investment in the upfront contribution to these infrastructure costs, or collect contributions to provide a coordinated approach to infrastructure delivery.

6.7 This policy will generally be applied to infrastructure that is the responsibility of Council, such as roads, bridges, stormwater, open space and the like. There may

be occasions where Council act as an intermediary to collect funds for other infrastructure authorities such as TasWater, TasNetworks, etc.

6.8 This proactive approach by Council in the investment in infrastructure is likely to encourage development to occur in line with Council's strategies and plans and be in a more efficient and equitable manner.

6.9 This Policy is consistent with and supports Council's Strategic Plan. The Policy specifically supports the Strategic Plan in that it can be harnessed to ensure Brighton's preferred future will have:

(a) a sustainable natural and built environment;

(b) infrastructure maintained at an appropriate level;

(c) a better image as a place where people want to live;

(d) an appropriate, affordable and accessible transport system; and

(e) practical and effective land use strategies.

6.10 A strategic approach to infrastructure investment and land use development will ensure that the Council delivers the highest appropriate opportunities for growth, whilst ensuring efficiency and amenity.

Principles

6.11 Council is not obliged to make infrastructure investments outside their normal responsibilities.

6.12 Council may consider investing in infrastructure where it is of the opinion there is a strong long-term benefit to the municipality and its community.

6.13 All relevant legislative requirements together with political, social and economic environments are to be taken into account when deciding to invest in infrastructure and recoup this investment via the imposition of a Charge on the benefitting land.

6.14 Any investments are to be consistent with Council's strategies, land use planning strategies and plans.

6.15 Investment agreements are to be appropriately structured so as to ensure that the relevant infrastructure will be completed to a satisfactory standard.

6.16 Charges for the recovery of Council's investment are to be calculated by reference to the total estimated benefit to an Area resulting from the infrastructure investment and is to be calculated by reference to the total sum of that investment, divided by the estimated number of Tenements that will ultimately share in the benefit of the investment.

Application

6.17 In applying the principles of this Policy to the individual investments made by Council, addendums to this Policy are to be made (**'Addendums'**). On adoption of these Addendums by Council, they are to be read as being part of this Policy.

6.18 The Addendums are to include the following detail:

(a) a description of the specific infrastructure invested in by Council;

(b) the Area of land to which the Policy has application;

(c) the initial Investment made by Council;

(d) the financial year in which the Investment was made;

(e) the Equivalent Tenement of additional capacity supported by the specific investment and infrastructure (if applicable);

(f) the formula by which the Charge is to be calculated and applied;

(g) the design assumptions and standards of the infrastructure invested in; and

(h) the equivalence factors to be applied for the relevant uses of the land and to be applied in calculating the Charge.

6.19 The infrastructure investments of Council may include but are not limited to the following general areas:

(a) roads and other transport;

(b) public open space and recreation infrastructure;

(c) stormwater drainage;

(d) carparking; or

(e) social infrastructure.(e.g. buildings for youth hubs, social services, etc.)

6.20 Under each Addendum, the sum of Council's investment in the infrastructure is to be calculated and indexed to account for the Hobart CPI increase each financial year.

6.21 Equivalent tenement factors are to be calculated by applying industry guidelines and actual data.

6.22 The calculation of each Charge is to be based on the recovery of the total amount of Council's investment as a proportion to the number of additional tenements that can be serviced by that piece of infrastructure (where applicable).

6.23 Conditions imposed by Council on planning permits for infrastructure contributions are to read principally as follows:

"The subdivider is to pay to the Council an infrastructure contribution of $XX per lot in the subdivision, with such payment being made prior to the sealing of the final plan."

6.24 Notwithstanding the above draft condition, developers can be given the opportunity to make an agreement with Council to allow payment at some other time.

6.25 The Charges under this Policy are to be indexed to the Hobart CPI and rounded to the nearest $5, calculated at the time of payment.

6.26 Lots may be excluded from an Area at the discretion of Council.

7. PAYMENT:

7.1 Payment of the Charge shall be made as follows unless otherwise authorised by the General Manager:

(a) Subdivision - prior to the sealing of the subdivision plans;

(b) Strata Scheme - prior to the issue of the Certificate of Approval; and

(c) Intensified Use - prior to the commencement of the intensified use.

8. ROLES & RESPONSIBILITIES

8.1 Councillors are to:

(a) ensure the Policy is applied consistently; and

(b) ensure this policy is utilised only for development that aligns to endorsed strategies and plans and that has significant long-term community benefits;

8.2 Senior Management Team is to:

(a) ensure the Policy is applied consistently.

(b) recommend additions or revisions to this policy.

8.3 Asset Services & Development Services is to:

(a) ensure this policy is reflected in relevant Development Applications and Planning Permit conditions.

9. REFERENCES:

Local Government Act 1993

Local Government (Building and Miscellaneous Provisions) Act 1993

Local Government (Highways) Act 1982

Land Use Planning and Approvals Act 1993

Urban Drainage Act 2013

Water and Sewerage Industry Act 2008

Strategic Plan 2023-2033

Brighton Structure Plan 2012

Brighton Town Centre Local Area Plan 2012

Asset Management Plans

Long Term Financial Management Strategy

Long Term Financial Management Plan

ADMINISTRATIVE DETAILS:

Policy compiled:	September 2018
Adopted by Council:	18/09/2018; 21/02/2023
Reviewed:	October 2024
To be reviewed:	October 2028
Responsibility:	Director Development Services

CHIEF EXECUTIVE OFFICER
Being the General Manager as appointed by Brighton Council
pursuant to Section 61 of the *Local Government Act 1993*

ATTACHMENT
AGENDA ITEM 13.3

Sorell Street Residential Masterplan

DRAFT

REALM studios

ACKNOWLEDGEMENT OF COUNTRY

As we develop conceptual thinking on lutruwita Aboriginal land, sea and waterways, we acknowledge, with deep respect the traditional owners of this land, the palawa people. The palawa people belong to the oldest continuing culture in the world. They cared for and protected Country for thousands of years. They knew this land, they lived on the land and they died on these lands. We honour them.

We pay our respects to elders past and present, to the many Aboriginal people that did not make elder status and to the Tasmanian Aboriginal community that continue to care for Country. We recognise a history of truth which acknowledges the impacts of invasion and colonisation upon Aboriginal people resulting in the genocide and forcible removal from their lands.

Our Island is deeply unique, with spectacular landscapes with our cities and towns surrounded by bushland, wilderness, mountain ranges and beaches. We stand for a future that profoundly respects and acknowledges Aboriginal perspectives, culture, language and history. And a continued effort to fight for Aboriginal justice and rights paving the way for a strong future.

PREPARED FOR

BRIGHTON CITY COUNCIL

October 2024

CONSULTANT TEAM

REALM studios

Hobart
L2, 89 Macquarie Street
Hobart TAS 7000
+61 4 31 454 492

Revision:	Status:	Date:	By:	Checked:
A	Draft Report	29/08/24	FD	AH
B	Draft Report	07/10/24	FD	AH

CONTENTS


INDUSTRIAL PARK
NORTH
URBAN GROWTH BOUNDARY
NORTHERN CHRISTIAN SCHOOL
BOYER ROAD PRECINCT AREA
MIDLAND HIGHWAY
THE STUDY AREA
BRIDGEWATER HIGH SCHOOL
BRIDGEWATER BRIDGE MASTERPLAN AREA
BRIGHTON CIVIC CENTRE
NEW BRIDGEWATER BRIDGE
URBAN GROWTH BOUNDARY

1.1 **INTRODUCTION**
THE PROJECT'S PURPOSE

This report presents a masterplan for the sustainable delivery of one of Brighton's proposed residential growth areas. The project focuses on the rezoning of the Sorell Street Precinct (The Site). The Site consists of approximately 30ha of land, bordering Boyer Road, and Weily Park Road, and including part of Cobbs Hill Road and Samuel Street.

The proposed rezoning of the Sorell Street Precinct Site, seeks to create a transformative residential development opportunity. The project aims to provide well-serviced land with increased residential dwellings, located in proximity to public and active transport infrastructure along Old Main Road. This approach supports the vision of Bridgewater as a liveable and connected community. It will assist in reinforcing Bridgewater as a liveable and connected community.

The sites rezoning aligns with the settlement strategy of Greater Hobart and Brighton Council. The project has a broader purpose to help address the anticipated population growth and housing needs in Brighton that will continue to be spurred by developments such as the New Bridgewater Bridge Project and Brighton Industrial Park.

The project builds on existing planning initiatives, notably the Bridgewater Waterfront Master Plan, which encourages increased density and mixed-use development along Old Main Road. This proposal further complements the strategic assessments of the Brighton Structure Plan 2018 and aligns with infill development considerations outlined in the Southern Tasmanian Regional Land Use Strategy (STRLUS).

This opportunity aims to provide well-serviced land, close to public and active transport infrastructure, reinforcing the centre of Bridgewater as a liveable and connected community.

This Masterplan is made up of:

- Site analysis and background research findings
- Local context analysis
- Planning and design principles
- Plans and sections that detail the proposed Masterplan structure
- Suggested steps for implementing the Masterplan

Timeline

FEB 2023 — Background Site Investigations and Options Report

↓

AUG 2023 — Community and Stakeholder consultation

↓

SEP 2024 — Development of Draft Masterplan

↓

OCT 2024 — Draft Masterplan Community and Stakeholder consultation

↓

NOV 2024 — Feedback review and Masterplan refinement

↓

DEC 2024 — Final Masterplan

1.2 **CONTEXT**
REGIONAL AND STRATEGIC POSITIONING

Growth and Change in Greater Hobart

The Brighton Council area has experienced growth in recent years, emerging as one of the fastest-growing regions in the state. Key factors contributing to the area's growth have included demand for more affordable housing options and proximity to employment and schools.

Brighton's population growth is forecast to continue, with the population projected to grow to 27,068 by 2053. With a current trend of smaller household sizes (approximately 2.6 persons) this growth will require around 3000 additional dwellings to be built.

The area's continued growth will also require new local services and amenities to support the local community. The Brighton Council has been proactive in managing population growth and development to-date. However, challenges remain, including the need for delivering continued investment in infrastructure, public transport, and social services to support the population.

Moving from Rural to Urban

The anticipated population growth over the coming years will see parts of Brighton shift from their current rural / peri-urban form to more suburban areas.

The Sorell Street Precinct represents a natural extension of Brighton LGA's urban area. The site has been identified as a location for residential development at a local and regional level. It is located within the Greater Hobart Urban Growth Boundary (UGB) and is designated as an urban zoned area in the Southern Tasmanian Regional Land Use Strategy (STRLUS).

To the west of The Site is the Boyer Road Precinct which is also identified as a key Greenfield Development Precinct. In future it is expected to form a new suburb.

Responding to Crisis

Tasmania's housing crisis has intensified over recent years, driven by a combination of factors, including population growth, smaller average household sizes, supply constraints. This demand has pushed property prices to record highs, making home-ownership increasingly unattainable for many Tasmanians. Overall, the housing crisis is particularly acute due to the state's small population and limited housing stock.

With its location in proximity to jobs, services and future transport, the Sorell Street Precinct is well-placed to help address Hobart's housing shortage. Its development aligns with the Greater Hobart Plan The plan and emphasises increasing housing diversity through medium-density typologies. There is a focus on urban consolidation and infill development rather than expanding into greenfield areas (70:30 split between infill and greenfield).

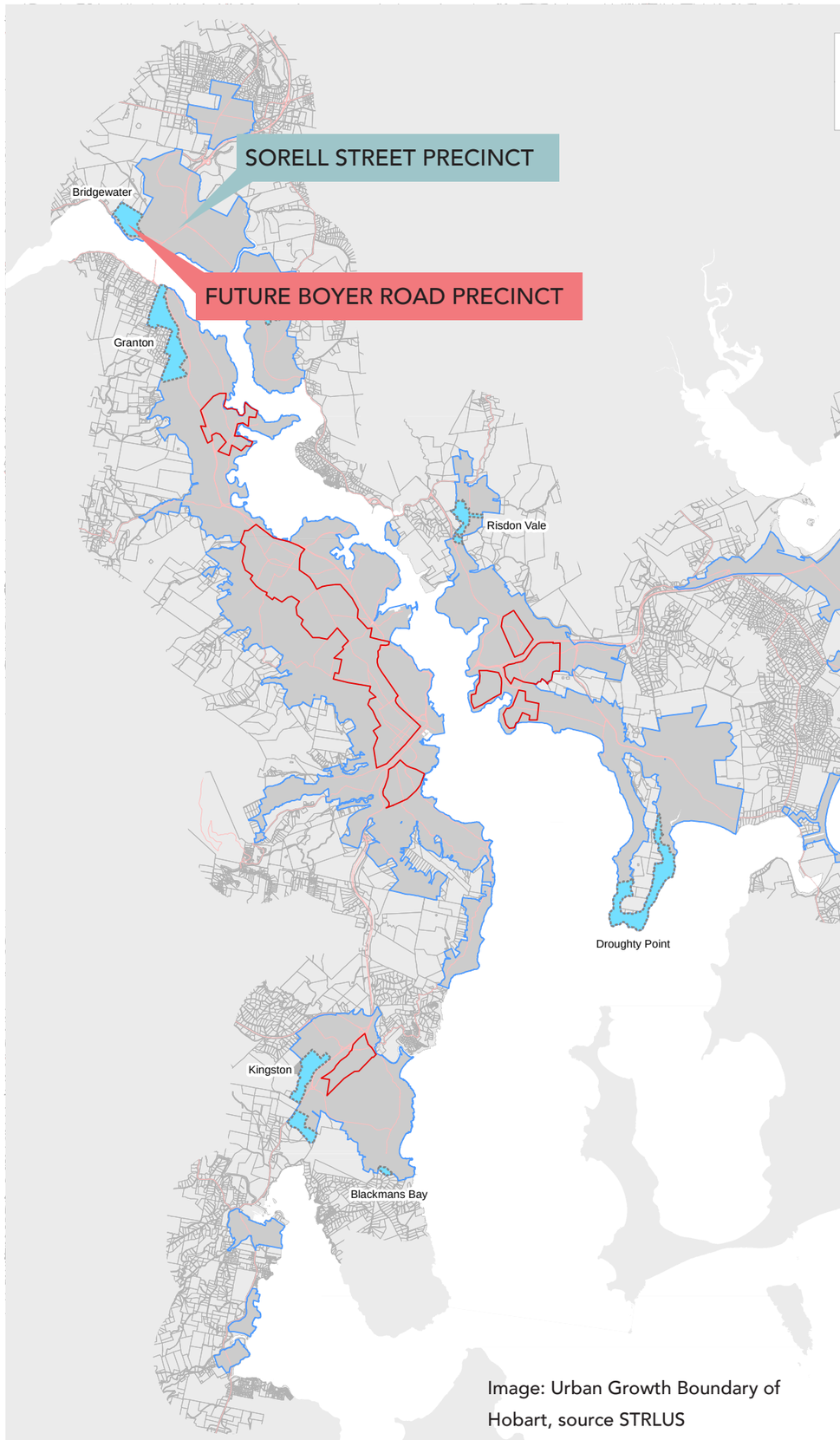


Image: Urban Growth Boundary of Hobart, source STRLUS

1.3 **ENGAGEMENT**
WHAT WE HEARD

A first round of community consultation was undertaken in July - August 2024. The general community was invited to provide feedback on three draft masterplan options for the site. Feedback was collected through a public workshop held on Wednesday 31st July and through written submissions.

Key infrastructure stakeholders were also contacted to provide feedback on the draft masterplan options.

Community feedback

Preferred ideas the community expressed support for:

- Street improvements with safe footpaths. Also a need for lighting in the area to encourage walking and improve safety at night.
- Increased street trees and greening.
- New community park and open space corridor along the Ashburton Creek.
- Protection of wildlife corridors and waterways from development.
- Protection of Aboriginal heritage.

Ideas that the community expressed opinions for:

- A number of residents of Tranquility Crescent and Serenity Drive expressed concern around the development. Particularly regarding the potential road connection of Tranquility Crescent and Samuel Street, using the existing road easement. Residents are also concerned of increased density in the area as they enjoy larger lifestyle lots. Also concerns were raised around any removal of existing gum trees in the easement.
- Some community voiced concern around increased noise pollution and traffic that will impact the areas character.
- There was some concern around any potential development happening during the construction of the New Bridgewater Bridge (noting that the project is not anticipated to intersect with the Bridgewater Bridge works).

Infrastructure Provider feedback

Department of State Growth

- Support for improved pedestrian infrastructure to provide access to future bus stops planned as part of the Bridgewater Bridge Project.
- Option 1 layout preferred as road network provides passive surveillance to the open space and shared path network.

Tas Rail

- TasRail will not permit the proposed pedestrian link (or any type of recreational pathway) to be located with a rail corridor.
- Any pedestrian link (or other type of recreational pathway) proposed to be built on land adjoining a rail corridor will need to be subject to a comprehensive risk assessment designed to control and eliminate/mitigate risk. Based on experience elsewhere in the State, an outcome of the risk assessment will likely require a robust physical barrier to separate the in-compatible activity from the operational railway. Typically this will be a robust fence that cannot be climbed or cut.

1.4 **ANALYSIS**
OPPORTUNITIES + CHALLENGES

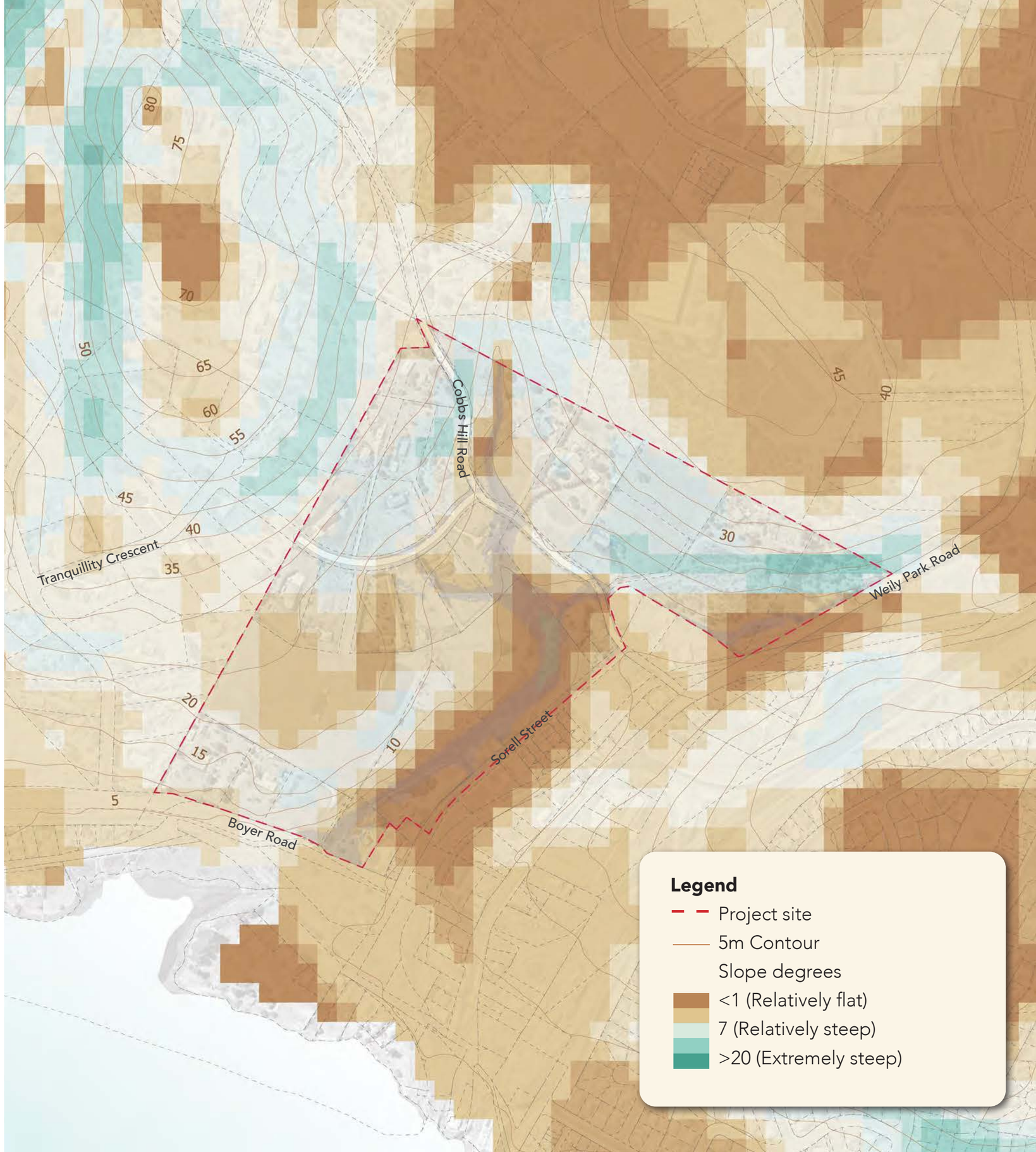
Site analysis undertaken of the Sorell Street Precinct revealed a number of opportunities and challenges for the Masterplan design. Managing these challenges requires a holistic approach, including an understanding of hydrology, land use planning and user requirements.

Topography and Aspect

The site is sloping with the highest points (40m) in the north and north east, sloping down towards Ashburton Creek (0-5m) in the south. The aspect of the site is largely south / south east with sweeping views of Mount Faulkner and kunanyi / Mt Wellington visible from Cobbs Hill Road and Samuel Street. The slopes move down to an area of flat, low lying ground along Sorell Street which is home to a freshwater wetland fed by Ashburton Creek. These low lying areas play a key role, dealing with runoff from the surrounding catchment.

The natural lines of Ashburton Creek and an unnamed tributary (from Weily Park Road) bisect the site with the Creek entering the area from the north, flowing under Cobbs Hill Road and down towards the River Derwent.

There is opportunity to respect the sites topography and ensure that development does not encroach upon the creek lines and ridgelines.



Aboriginal Heritage

An Aboriginal Heritage assessment of the site was undertaken by CHMA Pty Ltd and Rocky Sainty. Results of the field assessment were the recording of one Aboriginal Heritage Site. The recommendations of the assessment are mapped and outlined below.

Recommendation 1 - Location of the artefact to the west of the Creek.

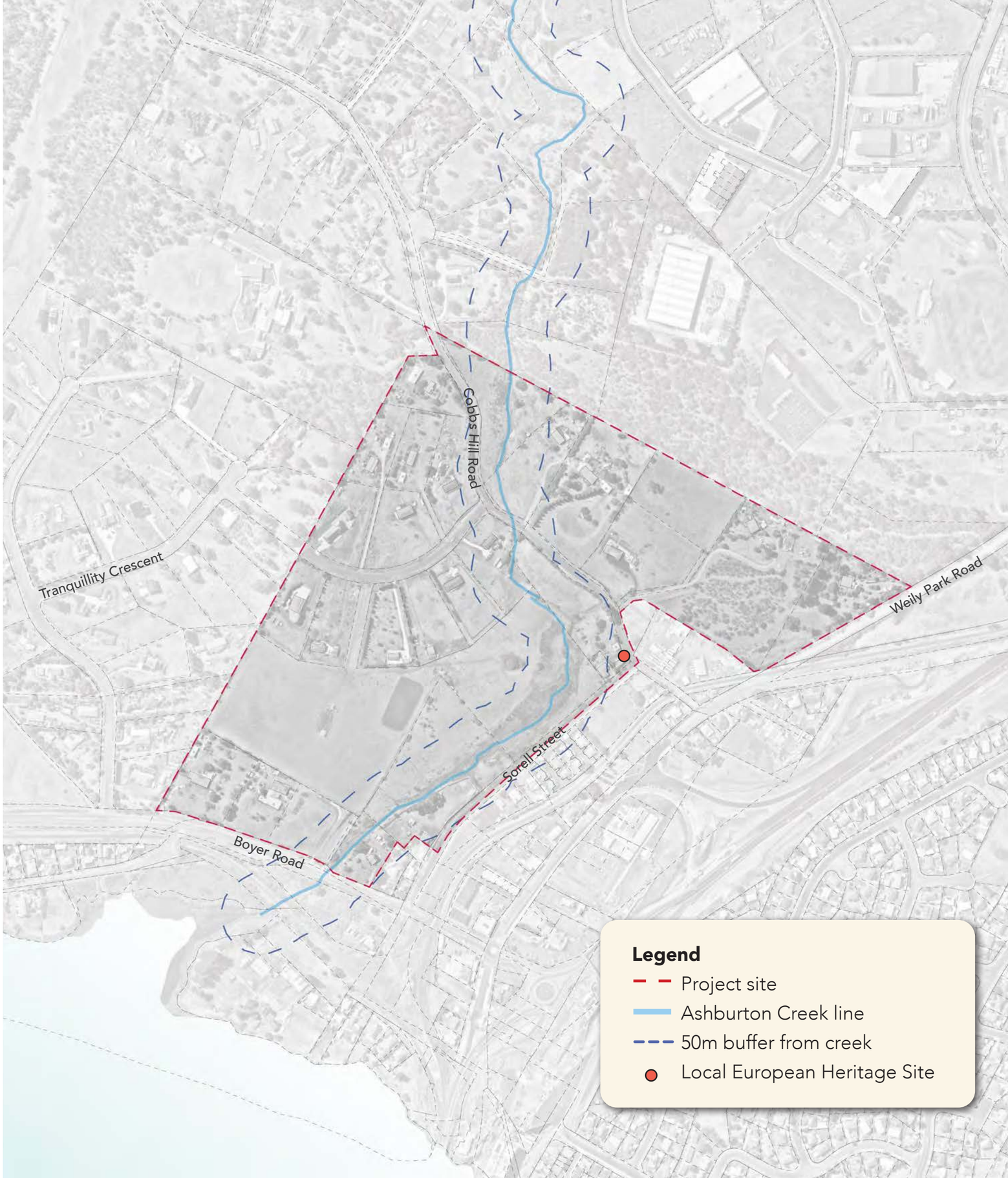
- Prior to any works commencing in this area, temporary high visibility protective barricading is to be erected around the identified boundaries of the site with a 5m buffer applied. There must be no soil disturbance within the barricaded zone.

Recommendation 2 - Ashburton Creek

- Ashburton Creek has been identified as a having an increased potential for undetected Aboriginal sites to occur along the margins of this creek. A preferred management option is to conserve the riparian margin (50m buffer) in open space. Any soil disturbances should be kept to a minimum.

Eurpoean Heritage

There is one site within the study covered by the Local Historical Heritage Code, Cottage - 25 Sorell Street



Hydrology

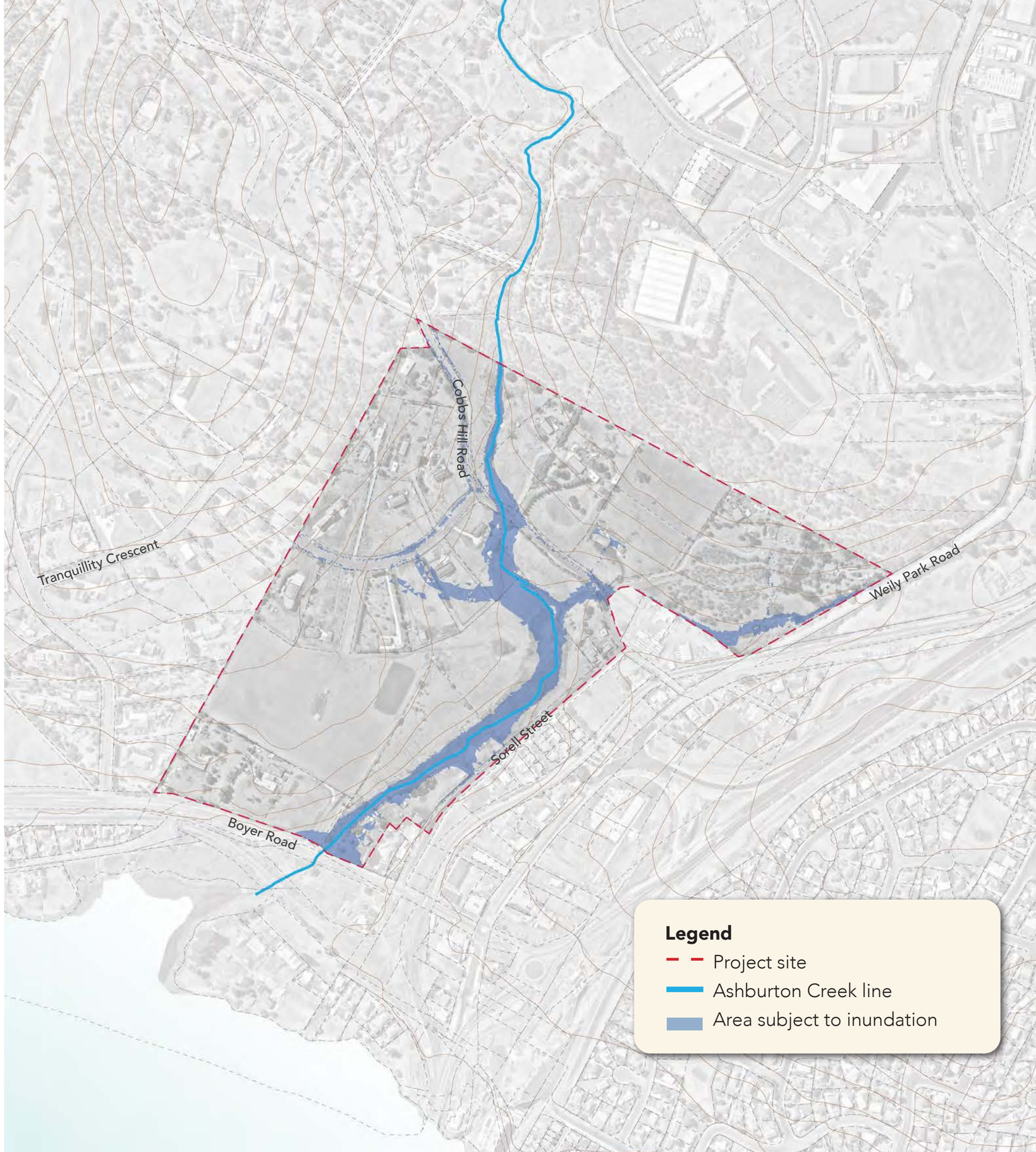
The Ashburton Creek and an unnamed tributary (from Weily Park Road) bisect the site from the north and east, flowing under Cobbs Hill Road and down towards the River Derwent.

The catchment area of the creek is large, encompassing 315ha. Areas of flatter terrain allow for freshwater wetlands fed by the Creek in the north and south. These wetland areas play a key role, dealing with runoff from the surrounding catchment.

Flood modelling indicates a significant portion of the site around Ashburton Creek is subject to inundation. There is potential to increase detention requirements from the industrial precinct in the north and/or convert part of the creek into a wider channel. However the benefit of these strategies may not be viable due to earthworks and civil requirements.

Due to degradation of the Creek from agriculture there is a key opportunity to improve the quality of the water corridors through the site and their flows into the Derwent.

Approximate project area subject to inundation - 30,491m2



Movement and Access

The site well connected, it is in close proximity to Old Main Road and the Midland Highway which provides access to Hobart and beyond. The area is accessed from Old Main Road via Boyer Road in the south and Sorell Street and Cobbs Hill Rd in the south east and north. Some challenges and opportunities relating to site access include:

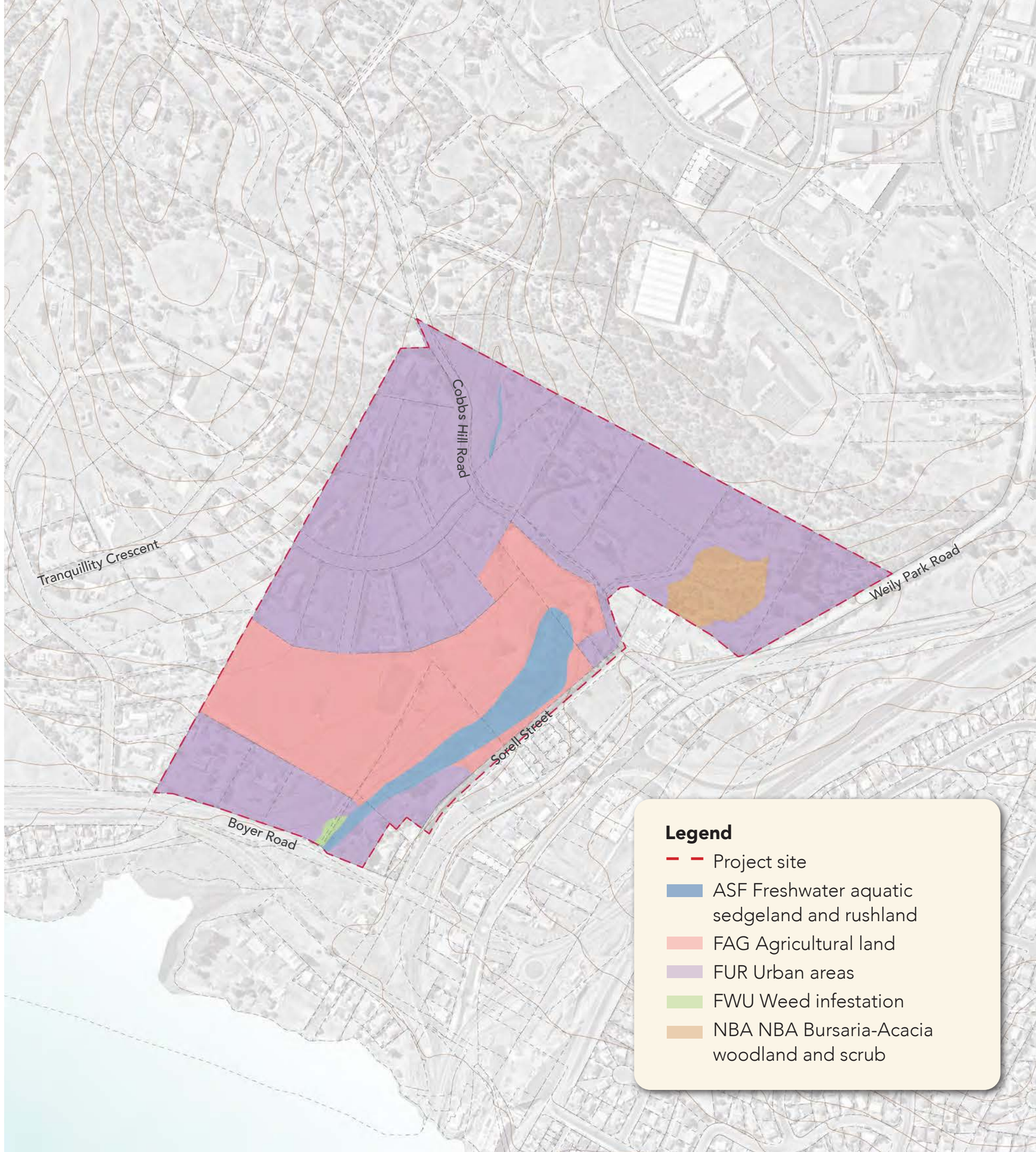
- TIA assessment by Hubble identified that the additional vehicle trips resulting from rezoning the land to general residential can be accommodated within the surrounding road networks.
- There are opportunities to connect the site into the future active and public transport network proposed in the New Bridgewater Bridge and Bridgewater Waterfront Masterplan.
- The slope of the site along Boyer Rd is steep and poses a challenge for vehicle access.
- There is opportunity to create pedestrian linkages and open space along Ashburton Creek for active transport use.

Ecology and Natural Values

The site is identified to contain natural values, detailed in the natural values report by North Barker. Vegetation communities identified on the site include ASF freshwater aquatic sedge land and rushland which is a state-listed threatened community.

Opportunities and challenges for rezoning the site include:

- To protect the natural values on the site there is opportunity to rezone the Ashburton Creek corridor and areas of threatened vegetation to Landscape Conservation Zone or Environmental Management Zone. Rezoning should incorporate areas of ASF and consider the extent of the waterway and coastal protection areas.
- Need to minimise erosion and sedimentation impacts and stormwater runoff impacts from any future development adjacent to the Creek.
- Opportunity for restoration of riparian and saltmarsh habitats to improve ecological conditions and provide linkages between the Derwent River to the south and the wetlands of the creek and riparian scrub to the north.



Utilities and Servicing

The site is fully serviced by water and sewer mains. No major constraints have been identified that would significantly inhibit any development of the land.

A portion of the site to the north east is partially covered by the Electricity Transmission Infrastructure Protection Code due to a substation facility buffer area from the adjacent Tas Networks land.

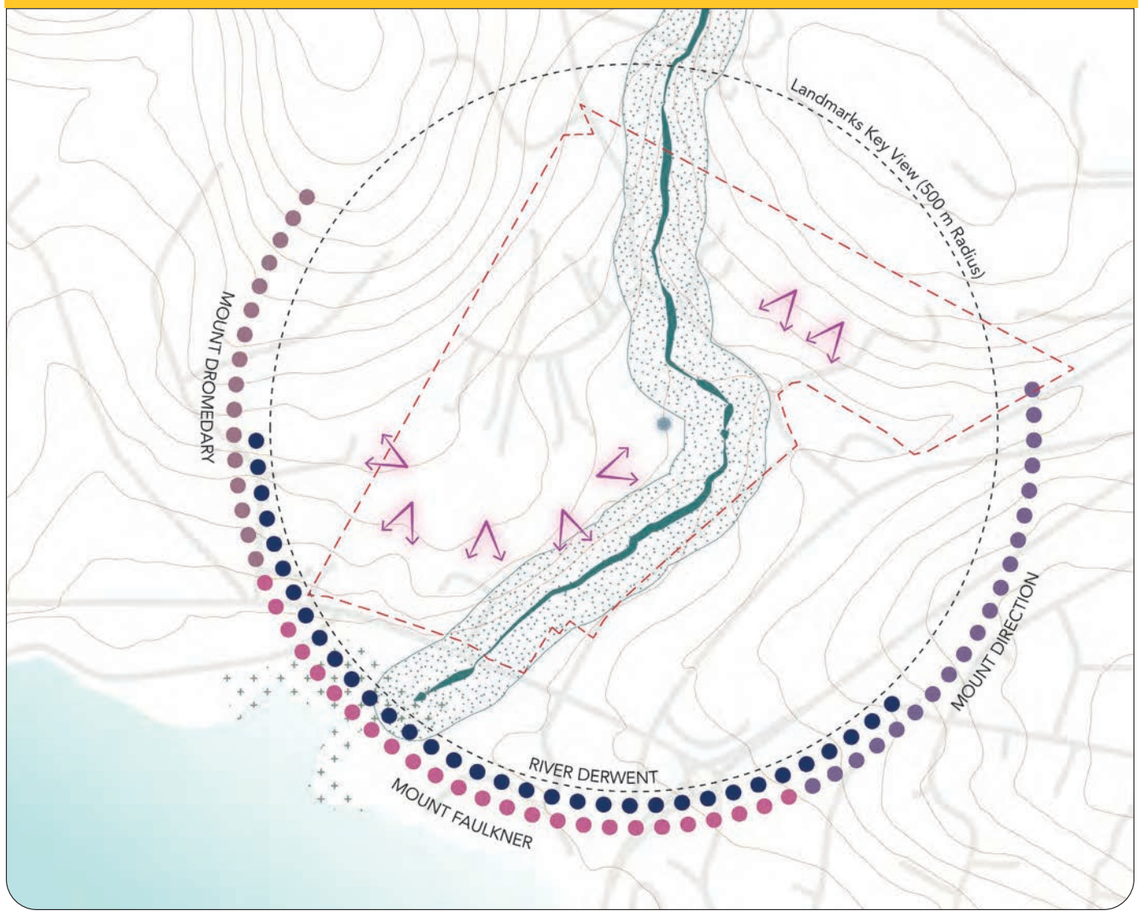
02 The Masterplan

2.1 **PRINCIPLES**
A WAY FORWARD

A series of principles has been developed to guide the masterplan development for the site, which consider the sites key features and constraints. The principles are intended to drive the best possible outcomes for future rezoning and the development of the site.

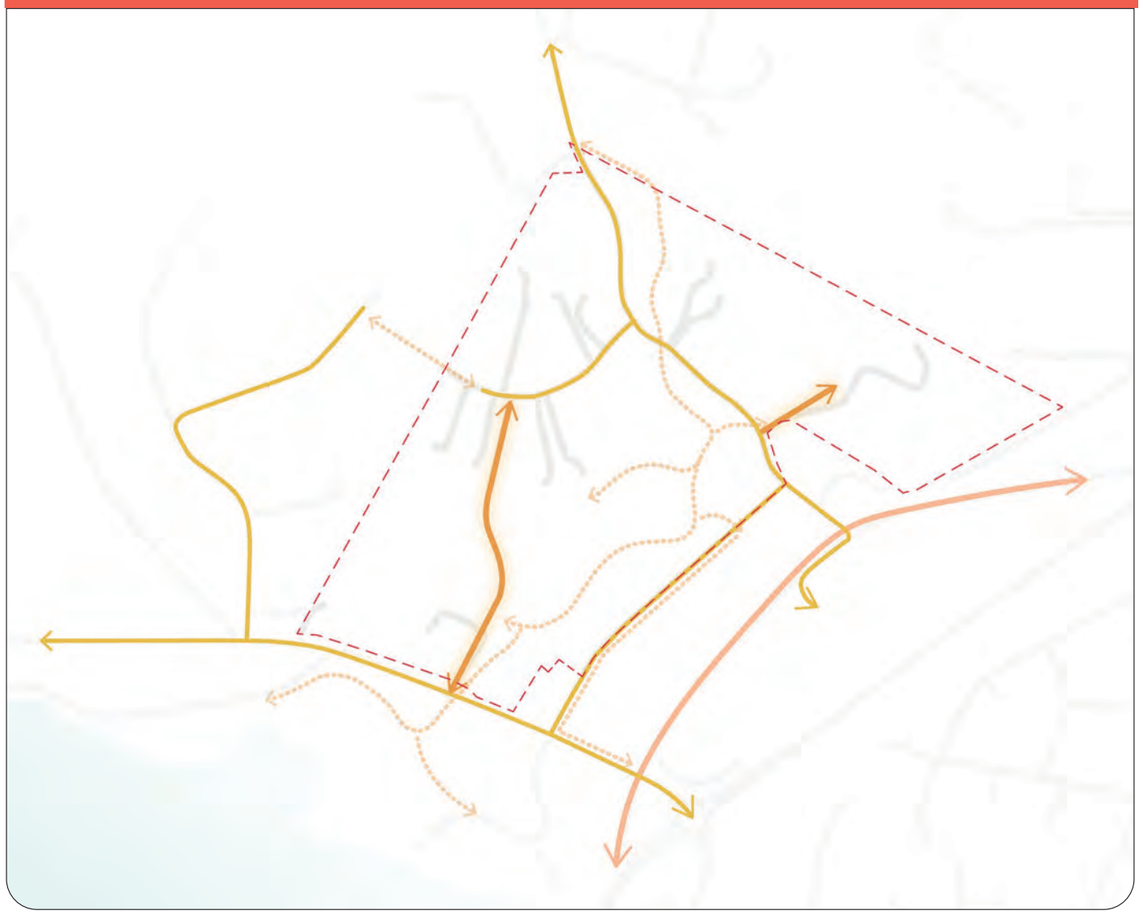
By integrating the following principles, Bridgewater will be resilient, livable, and sustainable for the growing community and future generations.

Principle1: Sensitivity to Site Context



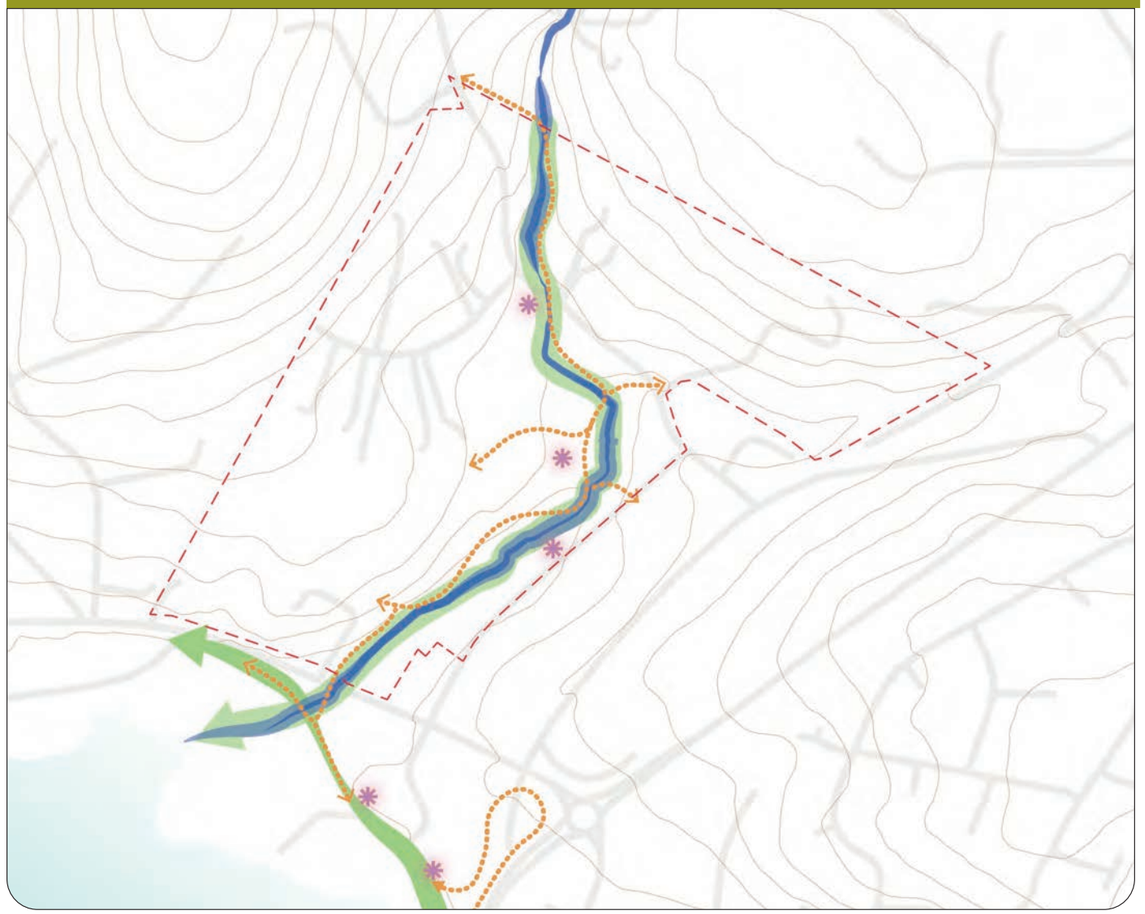
- Maintain views and visual linkages towards surrounding natural landmarks.
- Limit development intensity and encourage larger lot sizes towards the higher areas to maintain natural/rural character.
- Orient blocks to preserve site topography, allow for overland flows, and drainage to maintain wetland ecosystems.
- Preserve Aboriginal heritage on the site, and ensure creek connection is preserved and enhanced as a connection to Country.
- Preserve and enhance the Ashburton Creek's vegetation and ecology.

Principle 2: Accessible and Connected



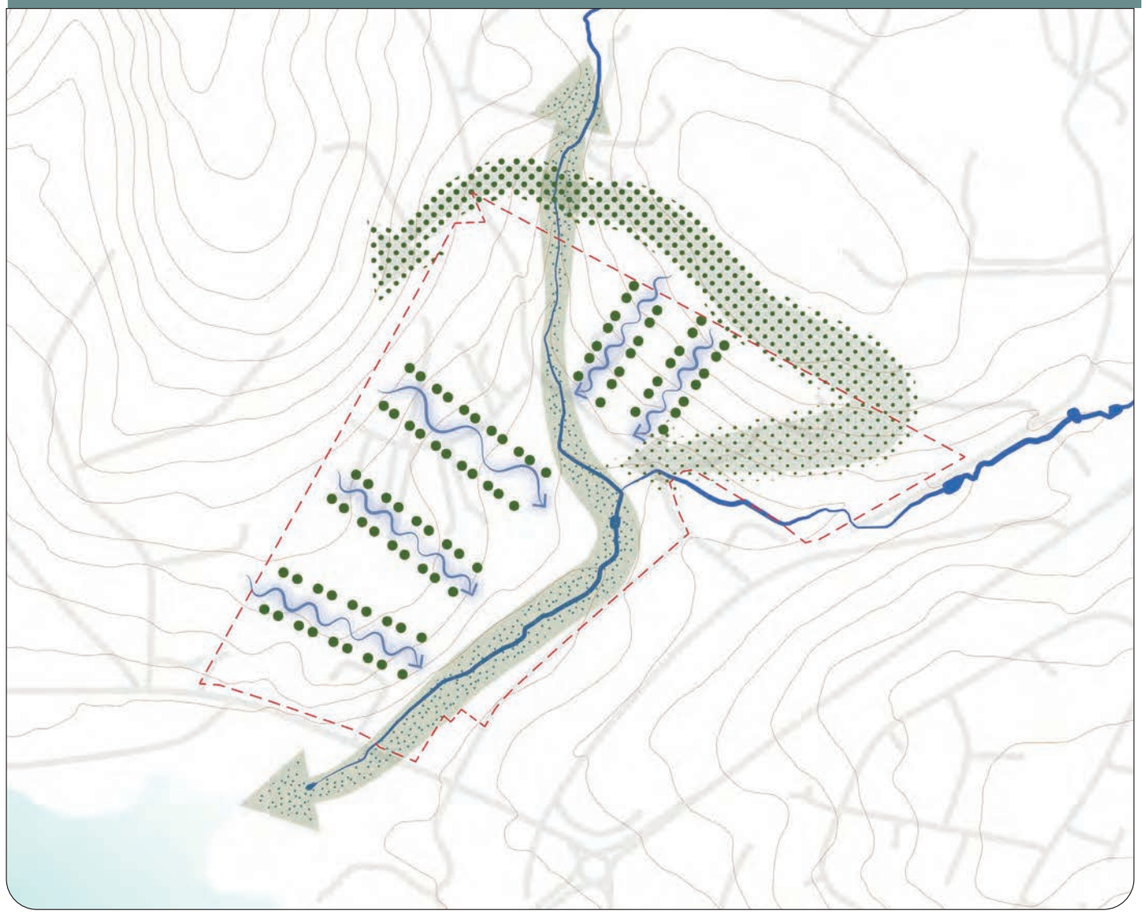
- Ensure access from the existing road network provides a safe and connected street network which avoids no-through roads and cul-de-sacs.
- Prioritise pedestrian access along the Creek and open space, and provide convenient connections to surrounding residential areas.
- Connect the new open space along Ashburton Creek to the Derwent River foreshore open space and trails proposed in the Bridgewater Bridge Masterplan.
- Ensure local streets within the site are traffic calmed and provided with safe footpaths, lighting (where appropriate) and street greening.

Principle 3: Healthy Neighbourhood



- Enhance the precinct's local identity by defining key moments along the Ashburton Creek Corridor for community amenities such as seating, play and exercise equipment.
- Ensure all new development has safe pedestrian accessibility to public open space.
- Provide moments of pause and play along the stream that contribute to health, recreational, educational, and cultural benefits.
- Encourage social opportunities by integrating an active recreation zone, and shared paths that connect to the open space along the Derwent River.

Principle 4: Restoring Green and Blue Ecology



- Enhance biodiversity by protecting the Ashburton Creek corridor as a biolinkage.
- Preserve and rehabilitate the Ashburton Creek with re-vegetation to restore natural hydro-processes and ecological processes of the wetlands and sedgelands.
- Provide street tree canopies and green verges to reduce heat and provide shade alongside all new roadways and footpaths.
- Ensure weed reduction and mitigation in all new development and in the open spaces.
- Integrate new bioretention areas along streets and public spaces, improving the transition between public and private spaces as well as reducing the dominance of grey infrastructure.

2.2 **MASTERPLAN**
A CONSIDERED APPROACH FOR RESIDENTIAL INFILL

The Sorell Street Residential Masterplan identifies a high-level plan for the site to inform future re-zoning.

Importantly it identifies the necessary community amenities, such as footpaths and public open space that are inclusive and contribute to the social and ecological harmony of the area. The Masterplan takes into consideration:

- A 5% public open space contribution to widen the creek corridor for community recreation and walking and cycling connections.
- Road frontage onto the public open space for improved safety, access and passive surveillance.
- A proposed road network utilising existing access and delivering lot legibility and feasibility.

SKETCH PLAN (1:5000 @ A3)

This plan has been prepared for demonstration purposes only.

The proposed masterplan seeks to create a precinct that has high community amenity, and is supported by a connected public green space along the Ashburton Creek that retains and supports wildlife, cultural heritage, recreation, the movement of people and stormwater management.

2.3 **ZONING**
FACILITATING SYMPATHETIC DEVELOPMENT

The Sorell Street Precinct Masterplan identifies a high-level future plan for the site.

The zoning layout seeks to uphold the four principles of sensitivity to site context, accessible and connected, healthy neighbourhoods, and restoring green and blue ecology.

A priority for future development within the site will be to protect and retain the Creek corridor as a place of biodiversity and heritage. Future development will also provide community amenities, such as footpaths and open space facilities that are inclusive and contribute to the social and ecological harmony of the area.

SKETCH PLAN (1:5000 @ A3)

This plan has been prepared for demonstration purposes only.

03 Design Recommendations

3.1 **STREETS**
A SAFE STREET HIERARCHY FOR ALL

A well-planned street hierarchy will facilitate traffic flow, enhance safety, and improve the overall functionality of the site and its connections to the local area and region.

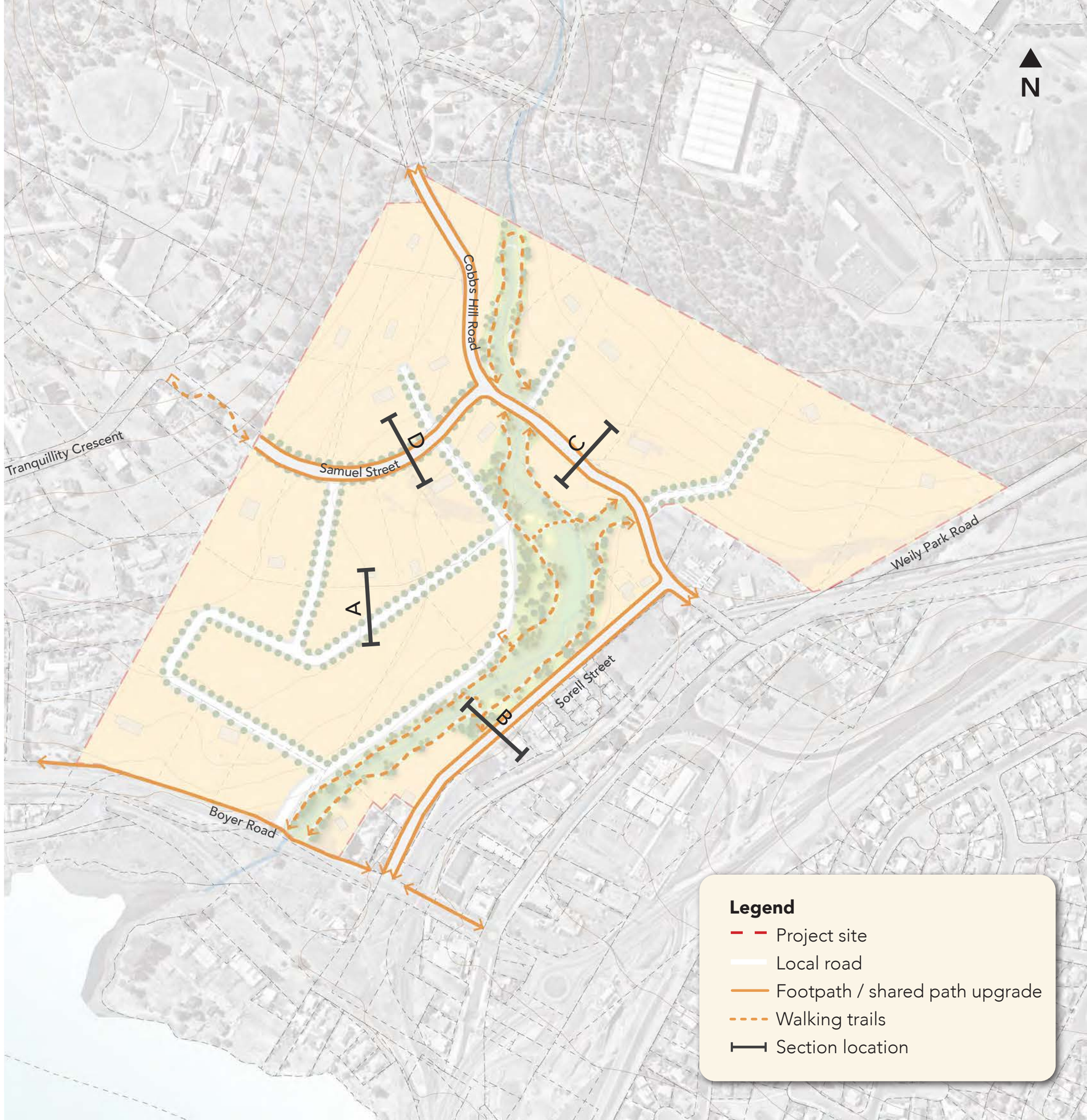
The local road network should focus on efficient movement, minimises congestion, and safe, accessible routes for all users. Future developments should avoid the creation of cul-de-sac's and no through roads. By planning for an additional site access point from Boyer Road, the street network will ensure efficient movement and access and reduce impact on the Cobbs Hill Road and Main Road intersection.

Shared paths and walking trails will support the street network making walking and cycling a enjoyable way of getting around locally.

This structured approach helps balance the needs of pedestrians, cyclists, and vehicles, contributing to a more livable and connected community where people can move easily and safely throughout their neighbourhoods.

SKETCH PLAN (1:5000 @ A3)

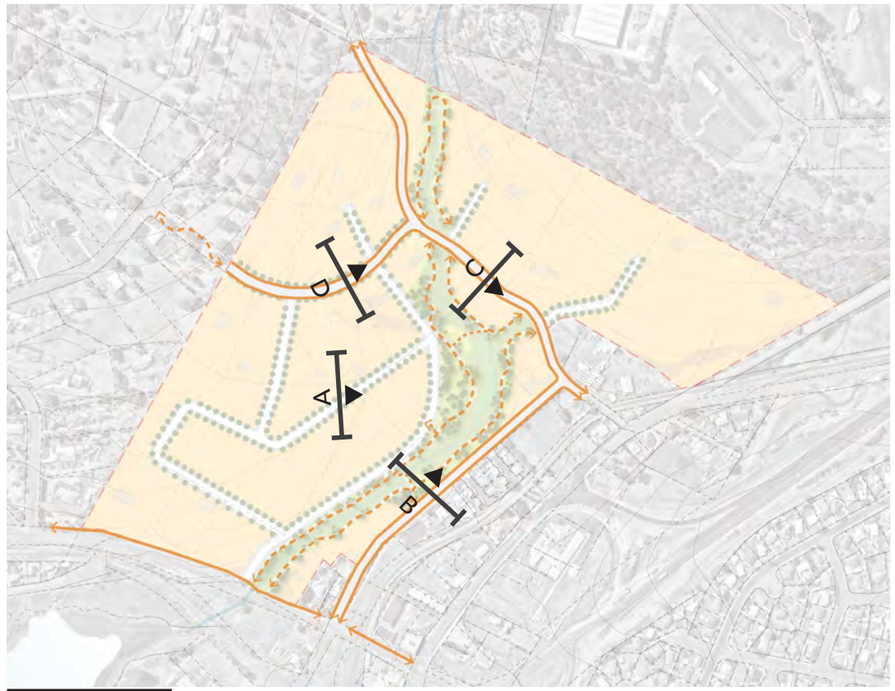
This plan has been prepared for demonstration purposes only.



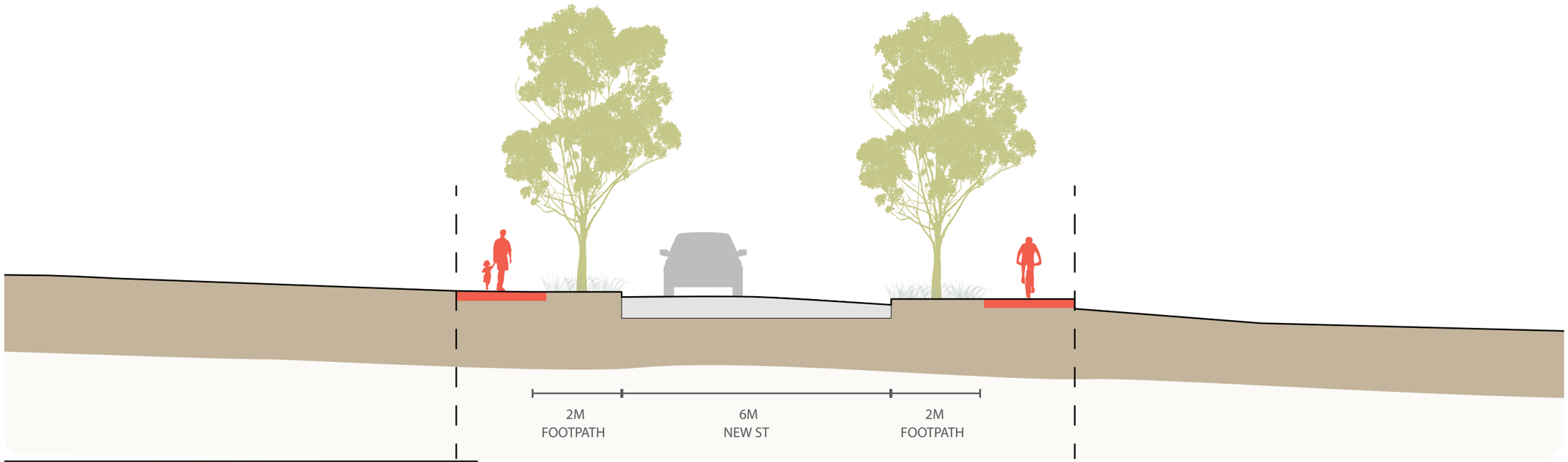
STREET SECTIONS

Safe and accessible streets are vital for supporting communities. They foster social connections, promote physical activity, and ensure equitable access for all abilities and modes including walking, cycling and driving.

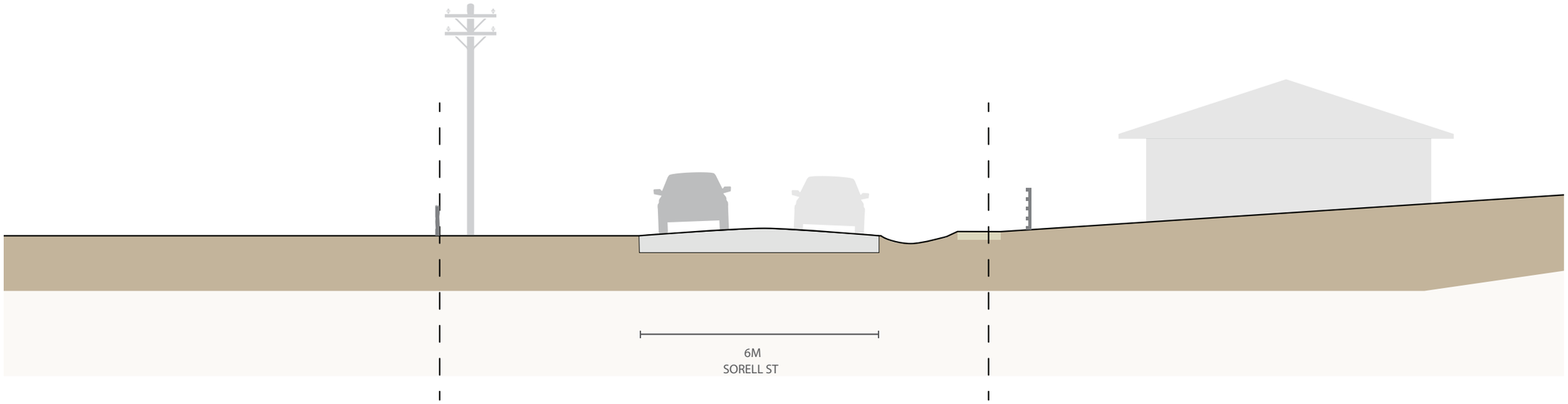
Existing streets will require upgrades and new streets will be required. These will improve the accessibility, character and environmental performance by introducing trees, planting and footpaths to strengthen the social fabric of the growing community.



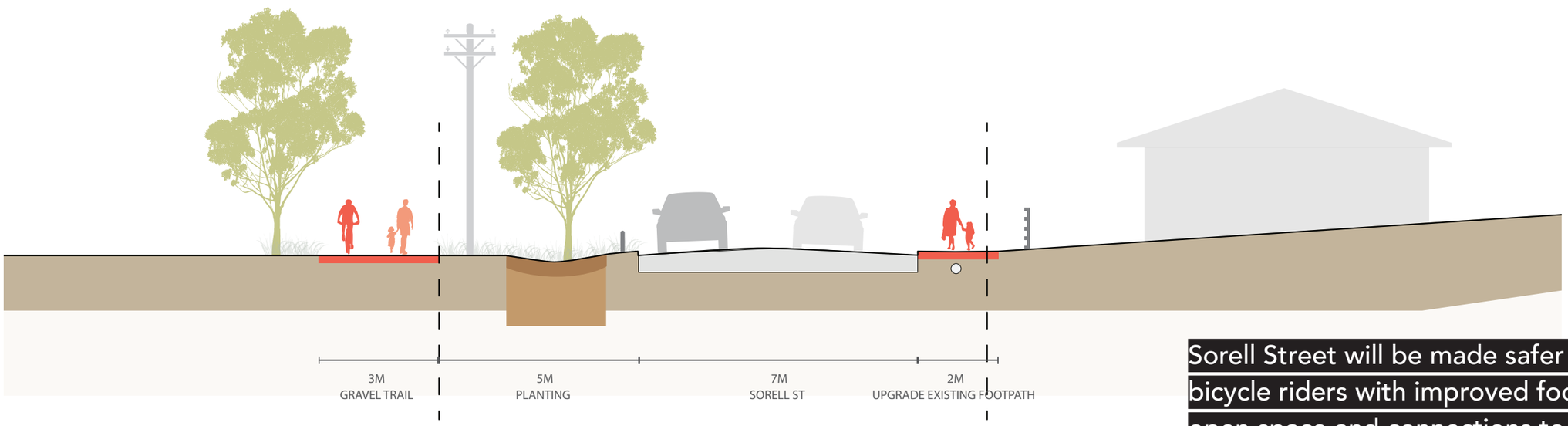
KEY PLAN



SECTION A - New Local Street Proposed

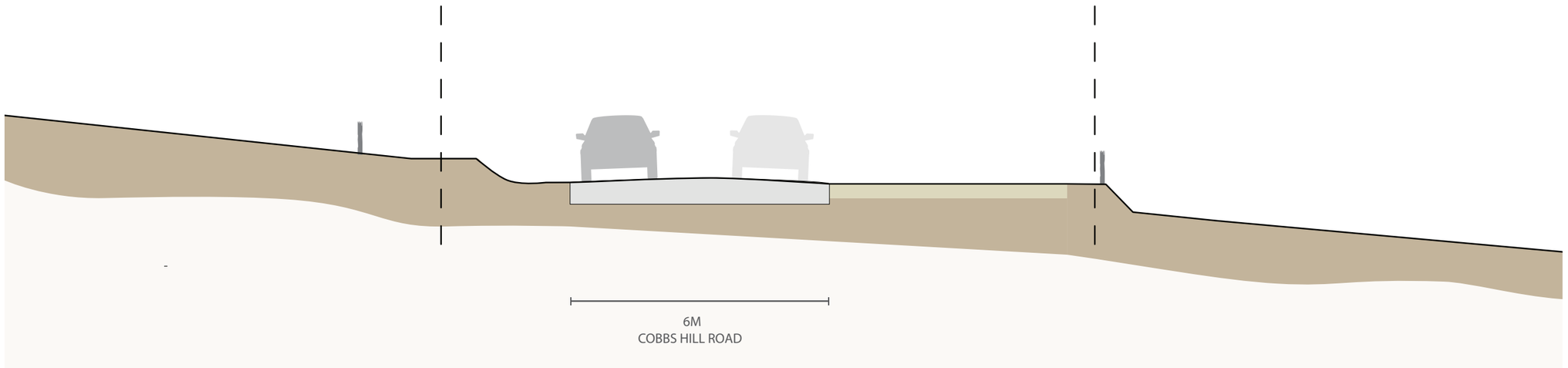


SECTION B - Sorell Street Existing

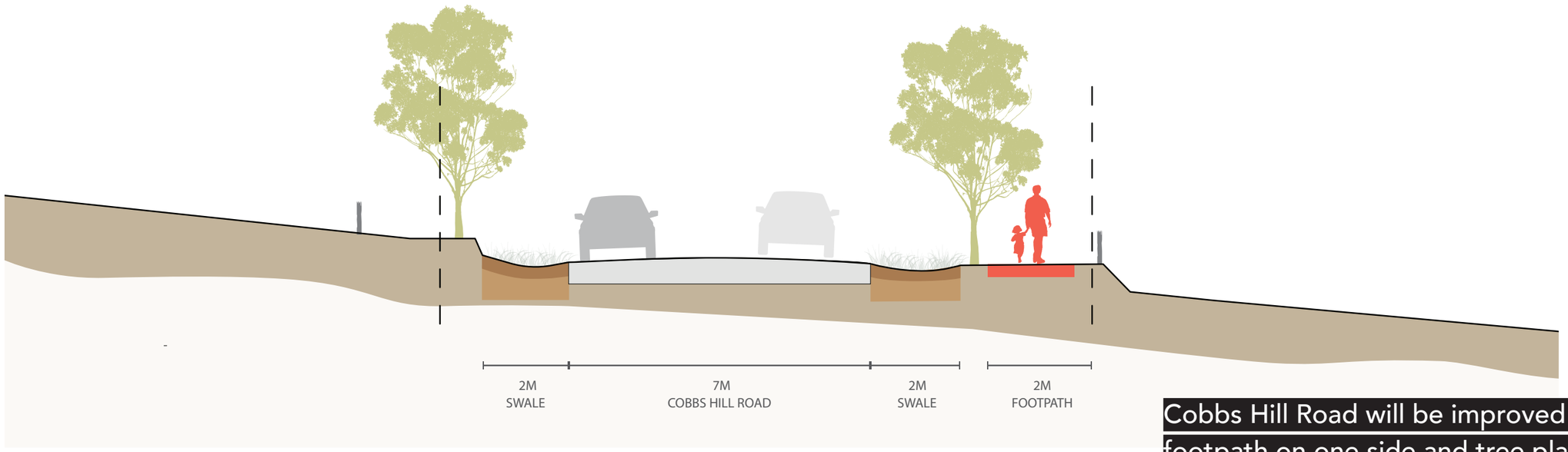


SECTION B - Sorell Street Proposed

Sorell Street will be made safer for pedestrians and bicycle riders with improved footpaths, frontage to open space and connections to a 3m wide gravel trail along the linear park corridor.

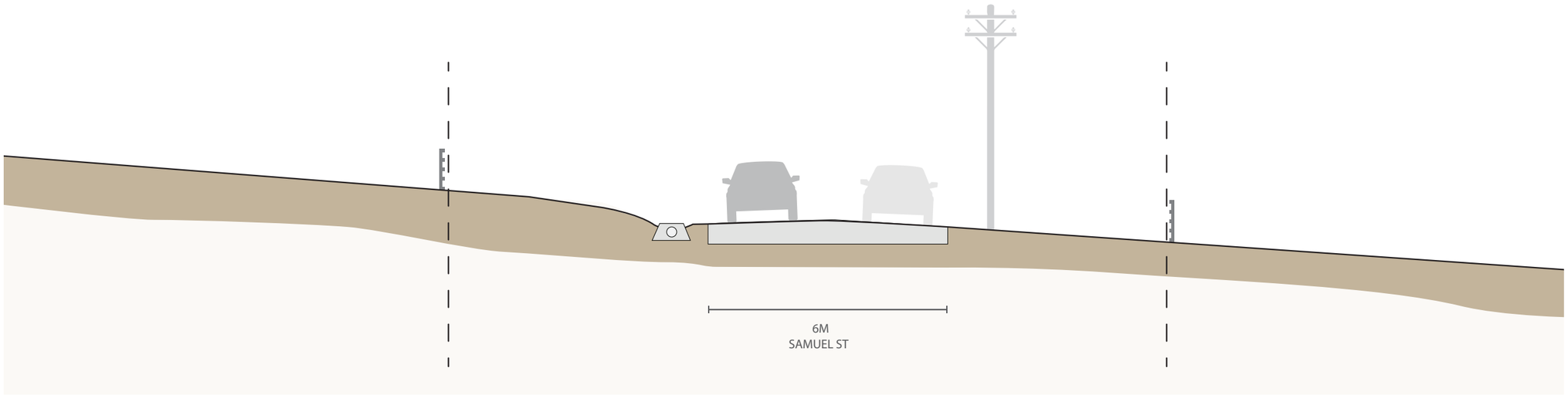


SECTION C - Cobbs Hill Road Existing

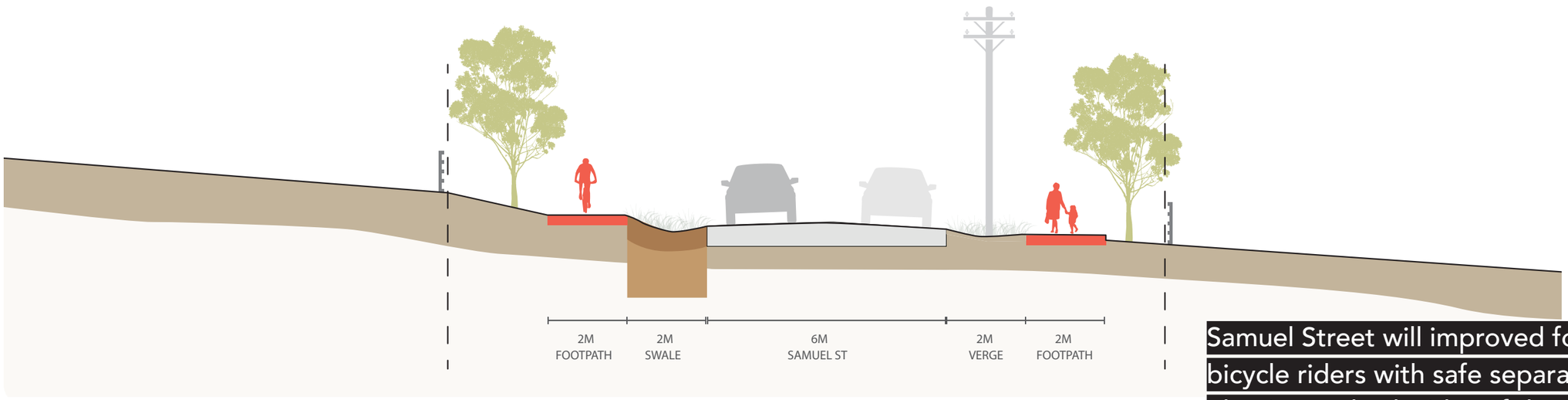


Cobbs Hill Road will be improved with a separated footpath on one side and tree planting to provide shade and slow traffic.

SECTION C - Cobbs Hill Road Proposed



SECTION D - Samuel Street Existing



Samuel Street will improved for pedestrians and bicycle riders with safe separated footpaths and tree planting on both sides of the street.

SECTION D - Samuel Street Proposed

3.2 **OPEN SPACE**
PLACES FOR PEOPLE AND NATURE TO FLOURISH

Open space is crucial for supporting communities as they provide essential areas for recreation, social interaction, and connection to nature.

Ashburton Creek provides the foundation for open space across the site offering residents a place to relax, exercise, and engage in community activities, promoting physical and mental well-being.

As a linear park the Creek will enhance the environmental quality of the area by providing native plantings that support biodiversity, improve air quality, and help manage stormwater.

The linear park will offer opportunities for exercise, play, dog walking, bike riding, picnicking, and socialising contributing significantly to the livability of the community.

Image top: improved biodiversity values of the creek providing connections to nature.

Image middle: areas for play and socialising that reference the local character and tell stories.

Image bottom: Active walking trails and shared paths for access and recreation.

3.3 **HOUSING**
SUPPORT HOUSING OPTIONS IN A PERI-URBAN SETTING

The General Residential Zone permits a minimum lot size of 450m², with most dwellings consisting of detached or semi-detached housing. In select areas, such as those adjacent to open space, terrace housing may be allowed. The following recommendations aim to ensure high-quality residential outcomes:

- Well-Designed: Encourage high-quality, attractive architecture that enhances the residential character. Focus on well-scaled, articulated dwellings with appropriate building separation and clearly visible entries.
- Coherent: In multi-dwelling developments, create a sense of individual identity for each dwelling.
- Quality Materials: Use durable, natural, and familiar materials to provide continuity with existing buildings. Favour textures and colours that align with a residential palette, such as bricks and durable timber cladding.
- Residential Setting: Preserve large front and rear garden areas to maintain continuous green streetscapes and consistent rear yards within street blocks.
- Canopy Trees and Greenery: Maximise the retention and planting of canopy trees and extensive soft landscaping.
- Access and Parking: Minimise the visual impact of vehicle access ways, garages, and parking on streetscapes.
- Managing Overlooking: Design building layouts to reduce opportunities for overlooking neighbouring properties.
- Universal Design: Create dwellings that are accessible and functional for a wide range of household types and physical abilities.
- Environmental Sustainability: Incorporate design strategies to minimise the environmental impact of new dwellings.
- Interfaces: Minimise the visual impact of double-storey dwellings when located near existing single-storey homes. Avoid tall back fences facing public streets or open spaces.
- Slope: Work with the land's natural topography to minimise extensive earthworks, preserve the site's natural drainage patterns, maintain soil stability, and reduce the need for engineering solutions like retaining walls. Use terracing and incorporate plantings to screen retaining walls where level changes are needed.

Image left: Rocklily Way, Kingston - design variety utilising coherent materials.

Image middle: simple, quality materials responding to a rural setting. Managing levels through terracing.

Image right: meet contemporary universal design standards whilst referencing local housing typologies.

04 Next Steps

4.1 **NEXT STEPS**
A ROAD MAP FORWARD

The Masterplan is be a culmination of community and stakeholder inputs, and an early step towards seeing development occur.

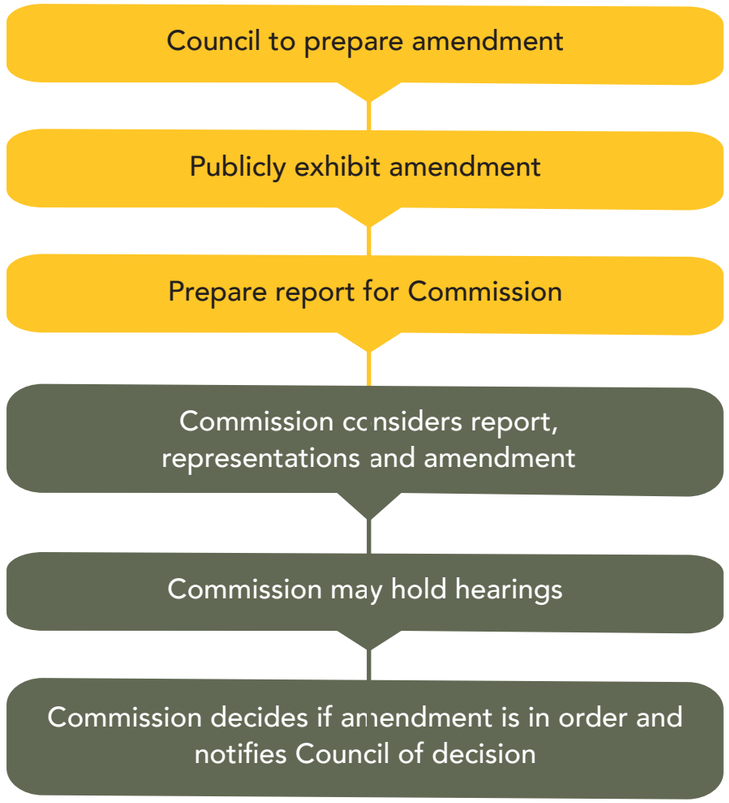
Draft to Final Masterplan

To complete the Masterplan, engagement with the community to seek feedback. The final Masterplan will be presented to Council for endorsement.

Planning Scheme Amendment

Following Council endorsement, Council will lodge a planning scheme amendment as per the process illustrated.

- Brighton Council
- Tasmania Planning Commission



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LAND REZONING FOR NEW RESIDENTIAL SUBDIVISION, BRIDGEWATER

TRAFFIC ASSESSMENT

Hubble Traffic

April 2024

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Version	Date	Reason for Issue
Draft	April 2024	Draft issued

Table of Contents

1. Introduction

Brighton Council (Council) has engaged Hubble Traffic to undertake an independent traffic assessment, to consider the traffic impact of additional residential traffic generated from rezoning of land, which is situated around Sorell Street and Cobbs Hill Road, Bridgewater.

The purpose of this traffic assessment is to quantify the current Level of Service on the surrounding local road network and determine the traffic capacity for the network to absorb additional traffic flow generated by the land rezoning. This assessment considers the change in road layout caused by the construction of the new Bridgewater Bridge.

This traffic assessment considers the traffic impact from rezoning land from Rural Living Zone A to General Residential, with the development using existing road infrastructure it can be considered as an infill residential project.

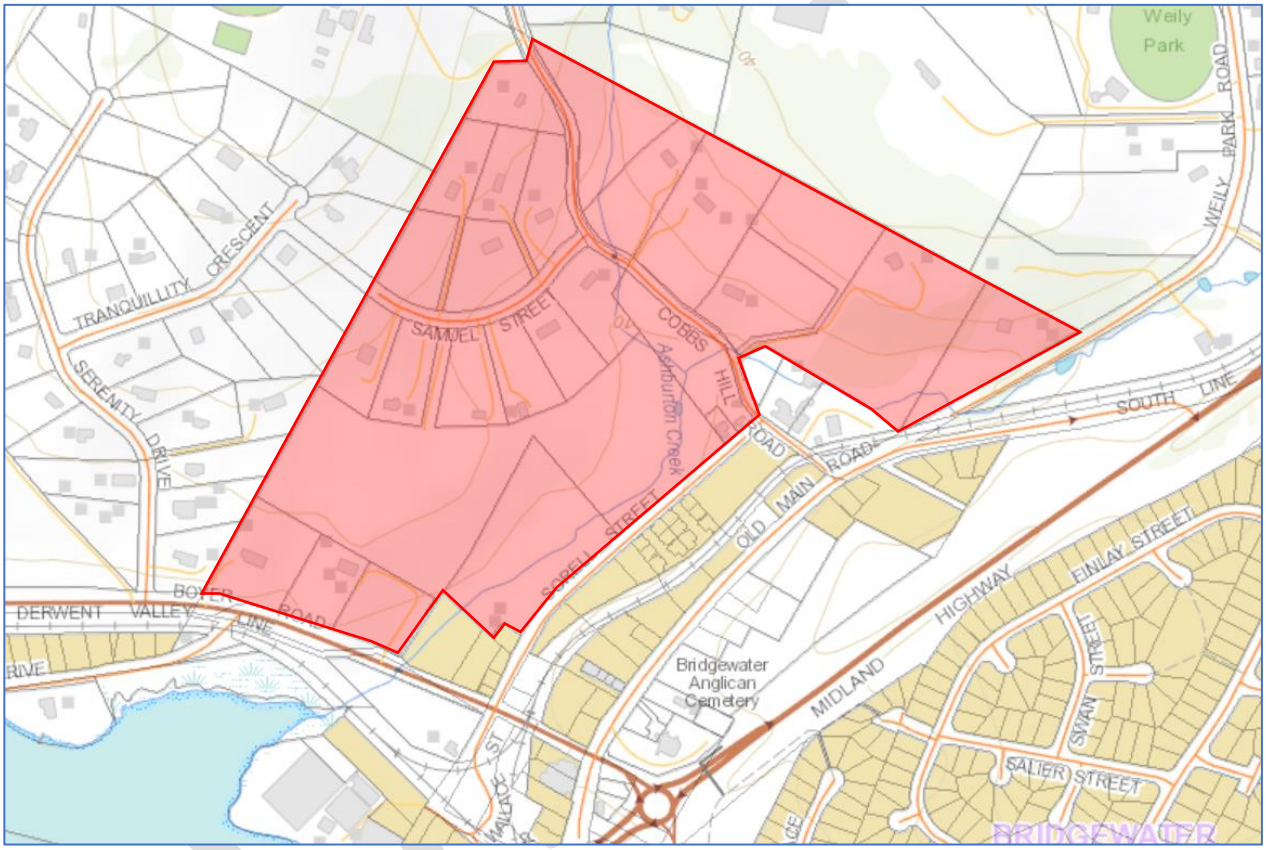
The State Government has advised that land located outside the Urban Growth Boundary, which shares a common boundary with the Urban Growth Boundary can be considered for rezoning. Stipulations of the extension of the urban growth boundary include; a logical extension, can be accommodated by the existing transport system, does not reduce the level of service of the existing road network, and would provide for an efficient and connected extension of the existing passenger and active transport services network.

2. Project site and description

The land under consideration for rezoning is highlighted red in diagram 2, and includes areas west of Sorell Street, north of Boyer Road, and north of Cobbs Hill Road and Samuel Street. For the purpose of this assessment this area will be the development site.

This development site is situated within undulating terrain, with existing rural residential properties, and vacant land that is mostly cleared of trees.

Diagram 2.0 – Development site



3. Traffic terminology used within this analysis

Austroads Guide to Traffic Management Part 12 – Traffic Impacts of Developments (Published 2020), defines the contents of traffic impact assessments, and recognises the Roads and Traffic Authority RTA Guideline for Traffic Generating Developments (RTA Guide), as a comprehensive reference guide on traffic generation within Australia.

The RTA Guide is the primary document used in this traffic impact assessment and specifies that traffic assessments are based on evaluating the traffic performance during the weekday peak hour periods.

Traffic performance at junctions, intersections, and roundabouts, can be quantified using traffic modelling software, with SIDRA the recommended software package in Australia.

3.1 Level of service for road links

Traffic performance of mid-block road links can be quantified by Level of Service (LOS), which is a qualitative measure describing operational conditions within a traffic stream, including perception by road users. The RTA Guide contains six levels from A to F, with LOS A representing the best operating conditions and LOS F the worst, with table 3.1 providing a brief description of each level.

Table 3.1 – Level of service for links

LOS A	Level of service A is a condition of free flow in which individual drivers are virtually unaffected by the presence of others in the traffic stream. Freedom to select desired speeds and to manoeuvre within the traffic stream is extremely high, and the general level of comfort and convenience provided is excellent.
LOS B	Level of service B is in the zone of stable flow and drivers still have reasonable freedom to select their desired speed and to manoeuvre within the traffic stream, although the general level of comfort and convenience is a little less than with level of service A.
LOS C	Level of service C is also in the zone of stable flow, but most drivers are restricted to some extent in their freedom to select their desired speed and to manoeuvre within the traffic stream. The general level of comfort and convenience declines noticeably at this level.
LOS D	Level of service D is close to the limit of stable flow and is approaching unstable flow. All drivers are severely restricted in their freedom to select their desired speed and to manoeuvre within the traffic stream. The general level of comfort and convenience is poor, and small increases in traffic flow will generally cause operational problems.
LOS E	Level of service E occurs when traffic volumes are at or close to capacity, and there is virtually no freedom to select their desired speeds and to manoeuvre within the traffic stream. Flow is unstable and minor disturbances within the traffic stream will cause flow breakdown.
LOS F	Level of service F is in the zone of forced flow. Flow breakdown occurs, and excessive queuing and delays result.

3.2 Performance criteria for urban links

Traffic performance of urban roads can be assessed using directional peak hour traffic flows, with the RTA Guide providing a table of LOS performance based on peak hour traffic flow, as shown in extract 3.2. For the surrounding local road network, there is one traffic lane in each direction, which means directional hourly flow under 200 vehicles per hour, represents the highest level of traffic performance, at LOS A.

Extract 3.2 – RTA Guide for urban roads

Urban road peak hour flows per direction

Level of Service	One Lane (veh/hr)	Two Lanes (veh/hr)
A	200	900
B	380	1400
C	600	1800
D	900	2200
E	1400	2800

3.3 Performance criteria for highway links

Boyer Road between the Midland Highway and Sorell Street is part of the State Road network, and for the purpose of this assessment will be assessed as being a highway link. For non-urban roads, the RTA Guide quantifies the traffic performance based on two-way peak hour flows, with lane capacity effected by the terrain and presence of heavy vehicles.

For the purpose of this analysis, Boyer Road terrain is considered flat, and a maximum heavy vehicle content is assumed, with columns highlighted red representing the LOS to be used for this road.

Extract 3.3 – RTA Guide for non-urban links

Table 4.5
peak hour flow on two-lane rural roads (veh/hr)
(Design speed of 100km/hr)

Terrain	Level of Service	Percent of Heavy Vehicles			
		0	5	10	15
Level	B	630	590	560	530
	C	1030	970	920	870
	D	1630	1550	1480	1410
	E	2630	2500	2390	2290
Rolling	B	500	420	360	310
	C	920	760	650	570
	D	1370	1140	970	700
	E	2420	2000	1720	1510
Mountainous	B	340	230	180	150
	C	600	410	320	260
	D	1050	680	500	400
	E	2160	1400	1040	820

3.4 Performance criteria for multi-lane road links

Austroads Guide to Road Design part 3 on Transport Study and Analysis Methods (AGRD), provides information on traffic capacity for multi-lane roads.

Multi-lane roads have two or more lanes for use by traffic in each direction, the lanes can either be divided by a physical barrier, or undivided where there is no physical separation. Intersections are generally controlled, with roundabouts or traffic signals, and have typical lane width of 3.6 metres.

A freeway is a divided road with two or more lanes for traffic travelling in each direction, with no at-grade intersections, and full control access from abutting property.

The traffic performance of Bridgewater Bridge will be assessed as part of this analysis, as the bridge has a relatively short length of road it will be assessed as a multi-lane road and not a freeway.

Traffic capacity is strongly influenced by flowing traffic conditions, as the Bridgewater Bridge will operate with grade separated interchanges, the highest traffic flow conditions can be expected. For the purposed of this analysis, the highest lane capacity will be used, as shown in red in Extract 3.4. The flow rate in the table represents the flow for each individual traffic lane.

Extract 3.4 – Lane capacity for multi-lane links with uninterrupted flow

Table 5.5: LOS criteria for multi-lane highways

Free-flow speed	Criteria	A	B	C	D	E
100 km/h	Maximum density (pc/km/ln)	7	11	16	22	25
	Average speed (km/h)	100.0	100.0	98.4	91.5	88.0
	Maximum volume to capacity ratio (v/c)	0.32	0.50	0.72	0.92	1.00
	Maximum service flow rate (pc/h/ln)	660	1080	1550	1980	2200
90 km/h	Maximum density (pc/km/ln)	7	11	16	22	26
	Average speed (km/h)	90.0	90.0	89.8	84.7	80.8
	Maximum volume to capacity ratio (v/c)	0.30	0.47	0.68	0.89	1.00
	Maximum service flow rate (pc/h/ln)	600	990	1430	1850	2100
80 km/h	Maximum density (pc/km/ln)	7	11	16	22	27
	Average speed (km/h)	80.0	80.0	80.0	77.6	74.1
	Maximum volume to capacity ratio (v/c)	0.28	0.44	0.64	0.85	1.00
	Maximum service flow rate (pc/h/ln)	550	900	1300	1710	2000
70 km/h	Maximum density (pc/km/ln)	7	11	16	22	28
	Average speed (km/h)	70.0	70.0	70.0	69.6	67.9
	Maximum volume to capacity ratio (v/c)	0.26	0.41	0.59	0.81	1.00
	Maximum service flow rate (pc/h/ln)	290	810	1170	1550	1900

3.5 Traffic performance for interchange ramps

Traffic performance of interchange ramps is assessed as an uninterrupted flow, where traffic is not impacted by abutting properties. While interrupted flow is significantly lower, as it takes in to consideration the impact generated from properties that have direct road frontage, such as vehicles entering and leaving driveways, on-street parking or unparking, with both causing inconvenience to through traffic.

The flow rate of ramps is influenced by the geometric configuration, with curved ramps reducing the operating speed and lane capacity. The AGRD provides flow rates for free flowing ramps based on the operating speed and represents maximum capacity. With both the southbound on-ramp and northbound off-ramp having a curved alignment, the operating speed is expected to be in the range of 30 to 50 km/h, with Extract 3.5 indicating the maximum flow rate is expected to be 1900 vehicles per hour for a single ramp.

Extract 3.5 – AGRD flow rate for interchange ramps

Table 5.7: Approximate capacity of ramp roadways in passenger cars/hour

Free-flow speed of ramp, SFR (km/h)	Capacity (pc/h)[1]	
	Single-lane ramps	Two-lane ramps
> 80	2200	4400
> 65–80	2100	4200
> 50–65	2000	4000
≥ 30–50	1900	3800
< 30	1800	3600

Extract 3.5 provides a maximum flow capacity for ramps but does not provide a level of service for the ramps. Therefore, the lane flows within Extract 3.4 for a 70 km/h operating speed will be used.

For the purpose of assessing the traffic performance (LOS) of the ramps, the single lane ramp flows in the table below will be used.

Table 3.5 – Estimated flow rates for single lane ramps

Level of service	A	B	C	D	E
Flow rate	290	810	1170	1550	1900

3.6 Traffic performance of ramp junctions

Section 5.4.2 of AGRD provides advice on evaluating the traffic performance of both off and on-ramp junctions, in respect to diverge and merge areas. The traffic performance (LOS) can be quantified by using density of the merge area, which is calculated using a linear relationship with the peak 15 minute ramp flow (V_R), with the flow in the two kerb-side lanes (V_{12}), and the acceleration lane length (L_A).

Merge density is calculated as $D_R=3.402 + 0.00456V_R + 0.0048V12 – 0.01278L_A$

The merge density relates to LOS, as specified in table 3.6, which will be used in this analysis.

Table 3.6 – LOS for freeway merge and diverges

Table 5.9: LOS criteria for freeway merge and diverge segments

LOS	Density (pc/km/ln)
A	≤ 6
B	> 6–12
C	> 12–17
D	> 17–22
E	> 22
F	Demand exceeds capacity

3.7 Traffic performance at junctions, intersections, and roundabouts

The traffic performance of junctions, intersections, and roundabouts can be estimated using a variety of analytical and computational techniques, with this assessment using the SIDRA software package. The performance of intersections is commonly described by the Degree of Saturation (DOS) of the critical traffic movements, a measure of the volume/capacity ratio or degree, to which the available intersection capacity is utilised. Other terms used, Level of service (LOS) which is based on the average stopped delay in seconds, and maximum queue length in metres. The table below provides a reference to the level of service for the various traffic controls based on the RTA Guide.

Table 3.7 - Level of service for intersections and roundabouts

Level of service	Average delay per vehicle (secs/vehicle)	Traffic Signals and Roundabouts	Give Way and Stop controls
A	<14	Good operation	Good operation
B	15 to <28	Good with acceptable delays and spare capacity	Acceptable delays and spare capacity
C	29 to <42	Satisfactory	Satisfactory, but crash study required
D	43 to <56	Operating near capacity, acceptable for State Roads	Near capacity and crash study required
E	57 to <70	At capacity for signals, will cause excessive delays. Roundabouts require other control mode	At capacity, requires other control modes

*Average delay per vehicle exceeding 70 seconds indicates traffic exceeds the site capacity.

3.8 Impact to residential amenity

A new development, or extension to residential development in urban areas can be concerning to local residents, and it can be difficult to argue that a traffic increase is reasonable. The RTA Guide has considered this matter and provided an environmental performance standard, which can be used to evaluate the likely impact on residential amenity. The extract below is from the RTA Guide and relates to urban environments, providing acceptable and maximum peak hour goals, based on two-way peak hour flows.

Extract 3.8 – RTA Guide on residential amenity

Environmental capacity performance standards on residential streets

Road class	Road type	Maximum Speed (km/hr)	Maximum peak hour volume (veh/hr)
Local	Access way	25	100
	Street	40	200 environmental goal
			300 maximum
Collector	Street	50	300 environmental goal
			500 maximum

Note: Maximum speed relates to the appropriate design maximum speeds in new residential developments. In existing areas maximum speed relates to 85th percentile speed.

3.9 Preferred level of service for safe and efficient traffic performance

Road authorities generally design new road projects to open and be operational at LOS A or B, with traffic performance reducing as incremental traffic growth occurs.

As new road infrastructure is expensive, it is important to maximise the available road capacity, and it is acceptable for State Roads to operate at LOS C and D during weekday peak periods.

LOS A and B at give way control junctions provides for acceptable delays, with the junctions operating with spare capacity.

4. Existing traffic flows on the surrounding local road network

It is important to understand the traffic performance of the surrounding road network, this is best achieved by undertaking peak hour traffic surveys at key junctions and intersections. Peak hour traffic surveys were conducted during January 2024, to determine the current level of service for the links and intersections of the surrounding road network, likely to be affected by traffic generated by the proposed rezoning.

In addition to manual peak hour surveys collected, traffic data was collected from other resources including the Traffic Impact Assessment for the Bridgewater Bridge upgrade, and Department of State Growth (Department) State Road network traffic database. Data obtained from these sources, provided traffic flow at each of the key junctions and intersections for both the morning and evening weekday peak hours, and is available in appendix A.

From this data directional traffic flows for links within the network was established for both peak hour periods. The link data indicates the local streets (Sorell, Samuel, and Cobbs Hill Road) are lightly trafficked, with less than 50 two-way vehicle movements in the peak hour periods.

During the manual surveys, it was observed:

- MacDonalds fast food outlet located on the northeast corner of the intersection of Old Main Road and Boyer Road roundabout generated significant traffic movements in both the peak hour periods, estimated between 100 and 140 trips in each peak hour period.
- The temporary office and works depot for the Bridgewater Bridge is located off Old Main Road north of Boyer Road and generated a moderate number of vehicle movements. Although these movements will cease once the bridge is completed, the traffic flows have not been adjusted for this reduced activity.
- The bottle Shop located on the southwest corner of the Old Main Road and Boyer Road roundabout, was a moderate traffic generator in the evening peak hour period, estimated to generate 80 two-way trips in the evening peak hour period.

All these traffic generators increased the traffic flow using the Old Main Road and Boyer Road roundabout.

5. Analysis of the traffic performance of the local road network

The traffic performance of the links on the surrounding road network has been quantified using the RTA Guide for urban links (extract 3.2), with the results provided in table 5.0A.

Traffic analysis determined the local roads are lightly trafficked during the peak periods, operating at the highest level of traffic performance LOS A. While traffic flows on Boyer Road (State Road) are slightly higher, they are still providing a high level of traffic performance. The section of Boyer Road between Old Main Road and the Midland Highway has the highest traffic flows, and is operating at LOS B.

This analysis demonstrates that the surrounding road network has spare traffic capacity to accommodate an increase in traffic from future developments. LOS A and B means the traffic flow is stable, motorists are virtually unaffected by the presence of others in the traffic flow, and there are sufficient gaps for vehicles to enter and leave the road, without impacting other vehicles. This level of service provides motorists with excellent driving conditions.

Table 5.0A – Level of Service of the surrounding links

Road owner	Road	Criteria	Morning peak hour			Evening Peak hour		
			EB or NB	WB or SB	Two-way	EB or NB	WB or SB	Two-way
Local road network	Sorell Street	Flow	**10**	**13**	**23**	**26**	**16**	**42**
		LOS	A	A		A	A	
	Cobbs Hill Road	Flow	**2**	**5**	**7**	**3**	**4**	**7**
		LOS	A	A		A	A	
	Old Main Road (north of Boyer Road)	Flow	**151**	**101**	**252**	**108**	**157**	**265**
		LOS	A	A		A	A	
	Old Main Road (south of Boyer Road)	Flow	**2**	**1**	**3**	**38**	**40**	**78**
		LOS	A	A		A	A	
State Road	Boyer Road (west of Sorell Street)	Flow	**193**	**91**	**284**	**135**	**261**	**396**
		LOS	A			A		
	Boyer Road (east of Sorell Street)	Flow	**207**	**106**	**320**	**169**	**289**	**458**
		LOS	A			A		
	Boyer Rd (Old Main Rd to Highway)	Flow	**317**	**260**	**577**	**287**	**383**	**670**
		LOS	B			B		

SIDRA traffic modelling has been used to quantify the traffic performance of intersections, junctions, and roundabouts within the surrounding road network. Modelling has not been provided for the junctions of Cobbs Hill Road with Sorell Street, and Old Main Road with Cobbs Hill Road, as both are very lightly trafficked and assumed to be operating at the highest level of traffic performance, LOS A.

Traffic modelling demonstrates all junctions, intersections and roundabouts are providing motorists with the highest level of traffic performance, with all movements operating at LOS A. This demonstrates there is spare traffic capacity to absorb additional traffic movements from future development.

Table 5.0B – Traffic modelling of the State Road junctions

Junction intersection roundabout	Period	Total	DOS	Worst Delay	Worst LOS	Max queue length
Sorell Street with Boyer Road	Morning	311	0.100	6.9 secs	A	0.5 metres
	Evening	448	0.151	7.8 secs	A	1.4 metres
Old Main Rd and Boyer Road roundabout	Morning	550	0.180	8.9 secs	A	6.6 metres
	Evening	760	0.268	9.8 secs	A	11.5 metres
Boyer Road with Midland Highway	Morning	2085	0.385	12.5 secs	A	16.5 metres
	Evening	2102	0.417	12.2 secs	A	18.2 metres

The third method to quantify traffic performance is residential amenity of local streets, using the RTA Guide extract 3.5. The RTA Guide indicates that a local street carrying less than 300 two-way traffic movements in the peak hour, is not considered to be causing adverse amenity to the surrounding residential properties.

Table 5.0C demonstrates the two-way traffic flow on the current local streets is well below the threshold to cause adverse impact, with spare traffic capacity. State Roads are not considered a local street and have been excluded from this part of the assessment.

Table 5.0C – Level of traffic flow for residential amenity for local roads

Road and link	Road type	Maximum	Morning	Evening	Comment
Sorell Street	Local	300 two-way vehicles per peak hour	23	42	All local roads comply with RTA environment standards
Cobbs Hill Road			7	7	

This analysis demonstrates motorists are currently receiving a high level of traffic performance, with all nodes and links operating at LOS A or B. This traffic performance is shown in a diagrammatic format in diagrams 5.0A and 5.0B.

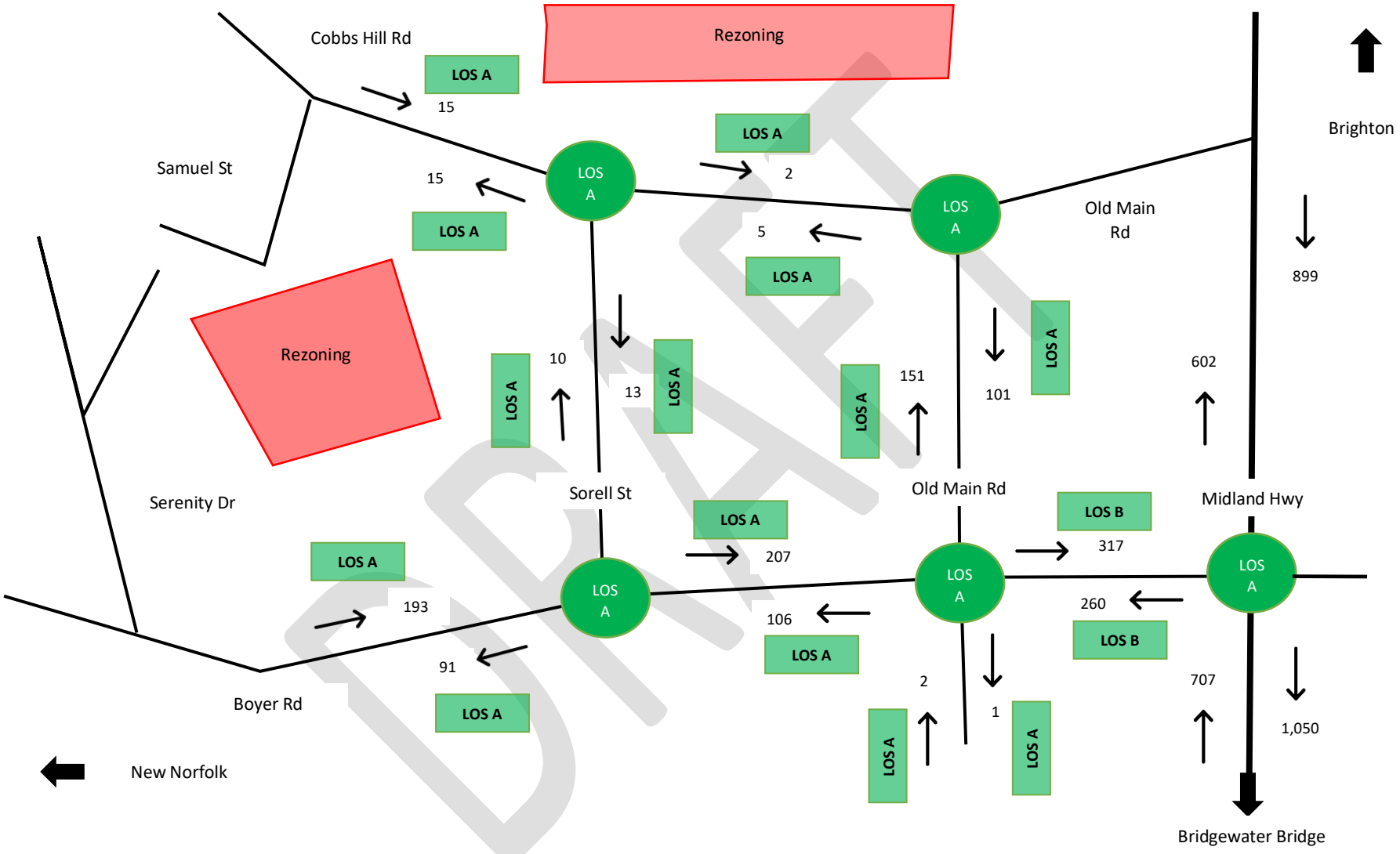


Diagram 5.0A – Morning peak hour traffic performance

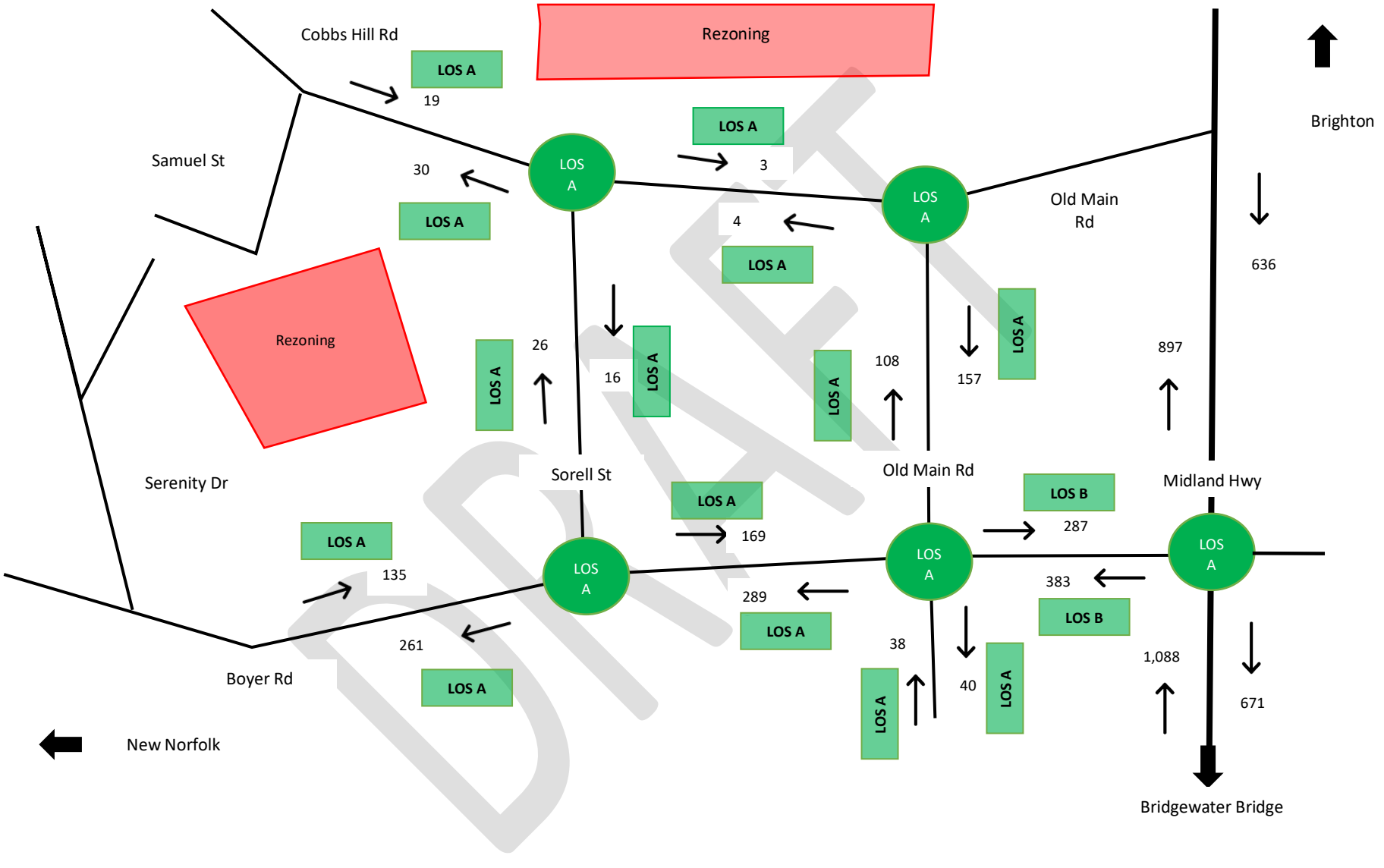


Diagram 5.0B – Evening peak hour traffic performance

6. Alternative transport modes

The surrounding road network east of Sorell Street has footpaths that connect to the Midland Highway and a pedestrian overpass to the residential area east of the highway. As the land has a relatively flat terrain, walking and cycling are a viable transport option.

Public transport services operate within the Bridgewater and Brighton area, with the closest bus stops to the development site located along Midland Highway, opposite McDonalds. High frequency bus services are provided along this bus route, making public transport an alternative transport option, reducing the reliance on private vehicles.

Diagram 6.0A – Public transport service

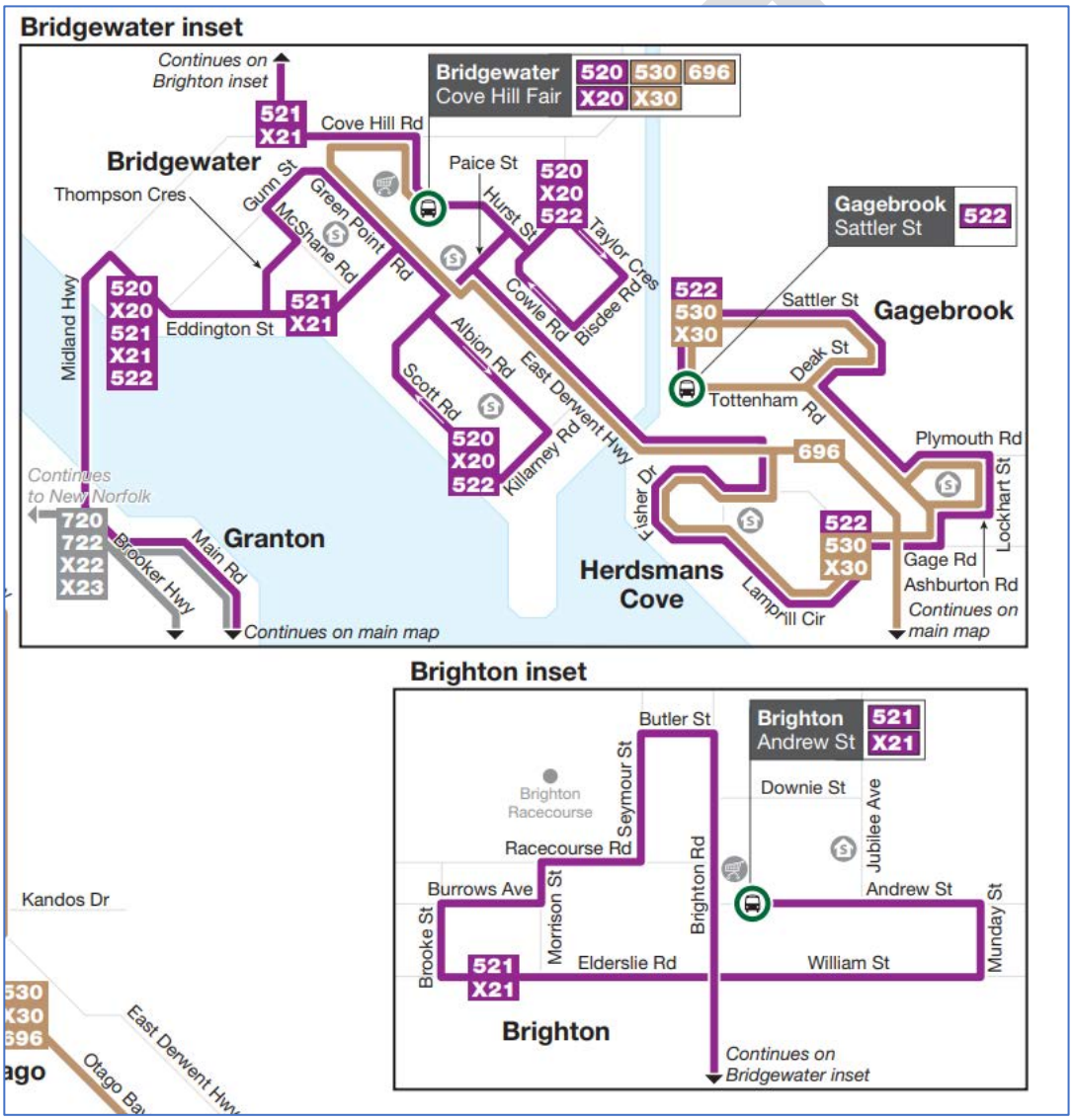


Diagram 6.0B – Timetable of services

MONDAY TO THURSDAY																			
ROUTE NUMBER	522	X20	520	X21	X20	X21	X20	X21	X20	521	X20	X20	521	X20	521	X20	X20	521	X20
	am	am	am	am	am	am	am	am	am	am	am	am	am	am	am	am	am	am	pm
BRIGHTON TERMINUS (ANDREW ST)	-	-	-	6:39	-	7:06	-	7:39	-	8:45	-	-	9:45	-	10:45	-	-	11:45	-
BURROWS AVE / BROOKE ST IN	-	-	-	6:46	-	7:13	-	7:46	-	8:51	-	-	9:51	-	10:51	-	-	11:51	-
BRIGHTON CENTRAL	-	-	-	6:52	-	7:19	-	7:52	-	8:56	-	-	9:56	-	10:56	-	-	11:56	-
GAGEBROOK TERMINUS IN	5:30	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
LAMPRILL CIRCLE/FISHER DR	5:38	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BRIDGEWATER (COVE HILL SHOPS)	5:43	6:28	6:43	6:59	7:11	7:26	7:42	7:59	8:09	9:02	9:01	9:31	10:02	10:31	11:02	11:01	11:31	12:02	12:01
COWLE RD/BISDEE RD	5:45	6:31	6:46	-	7:14	-	7:45	-	8:12	-	9:04	9:34	-	10:34	-	11:04	11:34	-	12:04
SCOTT RD/KILLARNEY RD	5:49	6:36	6:51	-	7:19	-	7:50	-	8:17	-	9:09	9:39	-	10:39	-	11:09	11:39	-	12:09
BRIDGEWATER PLAZA GREENPOINT RD	5:51	6:39	6:54	7:01	7:22	7:28	7:53	8:01	8:20	x9:06	9:12	9:42	x10:06	10:42	x11:06	11:12	11:42	x12:06	12:12
GUNN ST/FINLAY ST	5:52	6:40	6:56	-	7:23	-	7:55	-	8:22	-	9:13	9:43	-	10:43	-	11:13	11:43	-	12:13
GRANTON (MAIN RD)	6:01	6:48	7:05	7:09	7:31	7:36	8:06	8:11	8:32	-	9:22	9:52	-	10:52	-	11:22	11:52	-	12:22
CLAREMONT, MAIN RD/AMBER ST	6:09	6:58	7:14	7:18	7:41	7:46	8:16	8:21	8:40	-	9:30	10:00	-	11:00	-	11:30	12:00	-	12:30
GLENORCHY STOP H	6:20	-	7:28	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
GLENORCHY STOP J	-	7:08	-	-	7:54	-	8:31	-	8:55	-	9:44	10:14	-	11:14	-	11:44	12:14	-	12:44

7. Construction of the new Bridgewater Bridge

The Bridgewater Bridge is currently being replaced with a dual divided carriageway structure that provides a higher river clearance, situated slightly east of the existing alignment. The new road layout will include a grade separated interchange to accommodate vehicles leaving and entering from the surrounding area. The new road layout incorporates the following ramps:

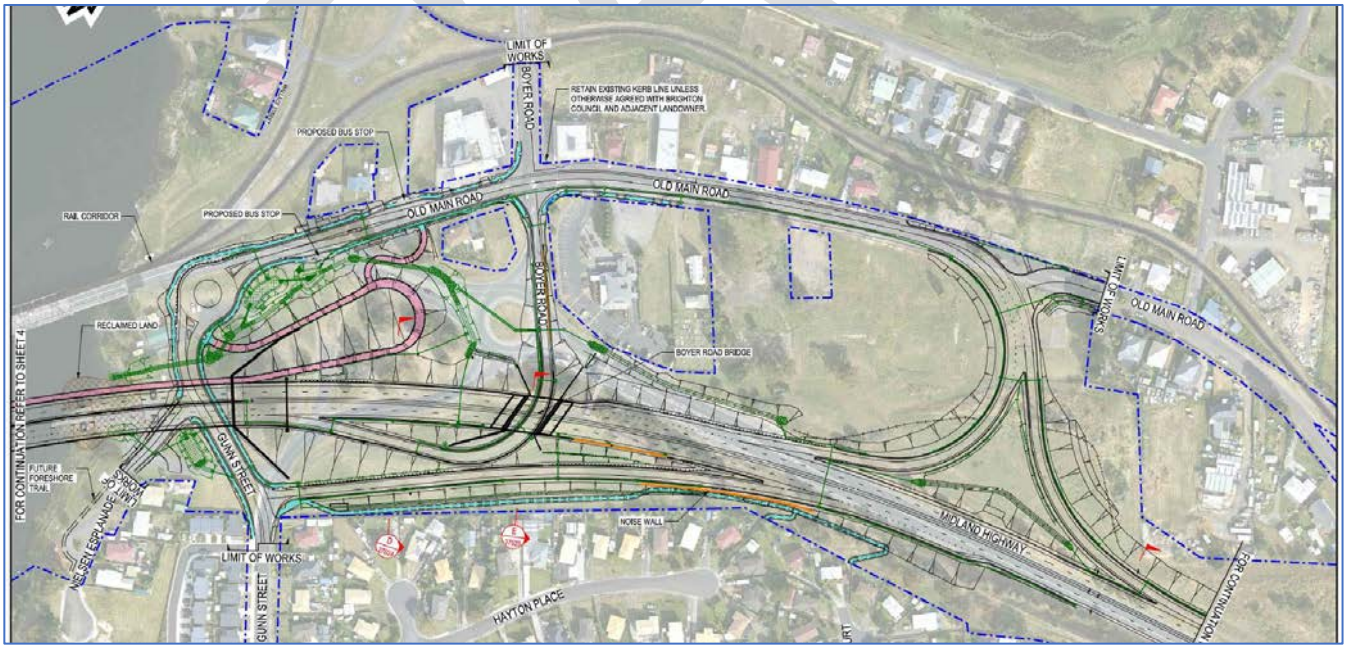
- northbound off-ramp connecting to Old Main Road,
- southbound off-ramp connecting to Gunn Street, with Gunn Street extended underneath the bridge to connect to the current Old Main Road cul-de-sac, and
- southbound on-ramp from Boyer Road joining the southbound carriageway as a merge lane.

These ramps form an integral part of the grade separated interchange and will significantly alter the traffic flows on the surrounding road network, particularly on Old Main Road. It would be logical for the roads forming the grade separated interchange to be become part of the State Road network. For example, Old Main Road and the extension of Gunn Street, commencing at the southbound off-ramp to Old Main Road.

The current traffic flow has been reassigned to the new Bridgewater Bridge layout, based on the layout shown in diagram 7.0, with the level of traffic performance for each of the links and nodes recalculated.

For the purpose of this traffic assessment, the reassigned traffic flows on the new road layout are considered as the base model. The predicted traffic flows, level of traffic performance for the links, and nodes is provided in diagrams 7.0A and 7.0B.

Diagram 7.0 – Department of State Growth proposed road layout for the new Bridgewater Bridge



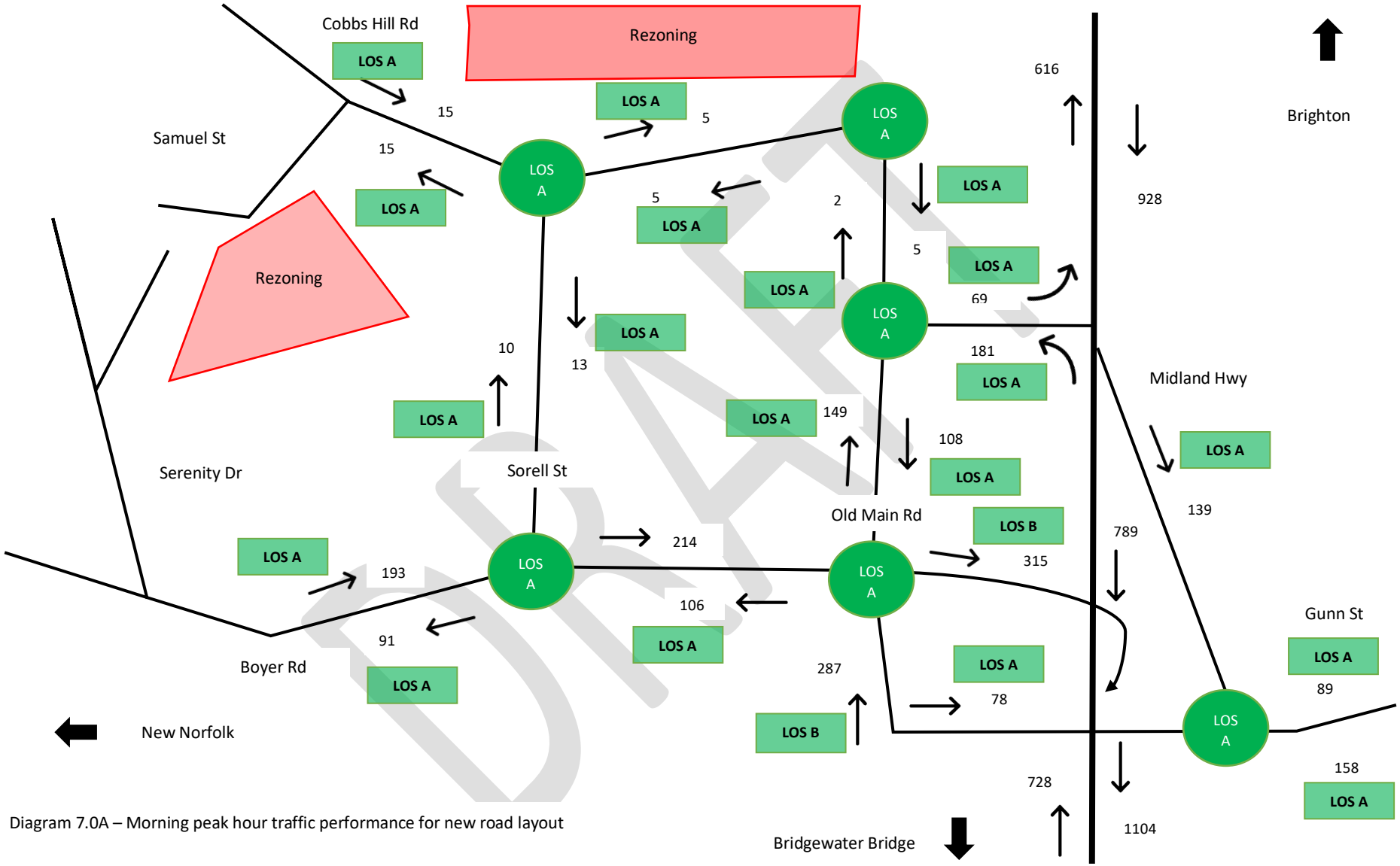


Diagram 7.0A – Morning peak hour traffic performance for new road layout

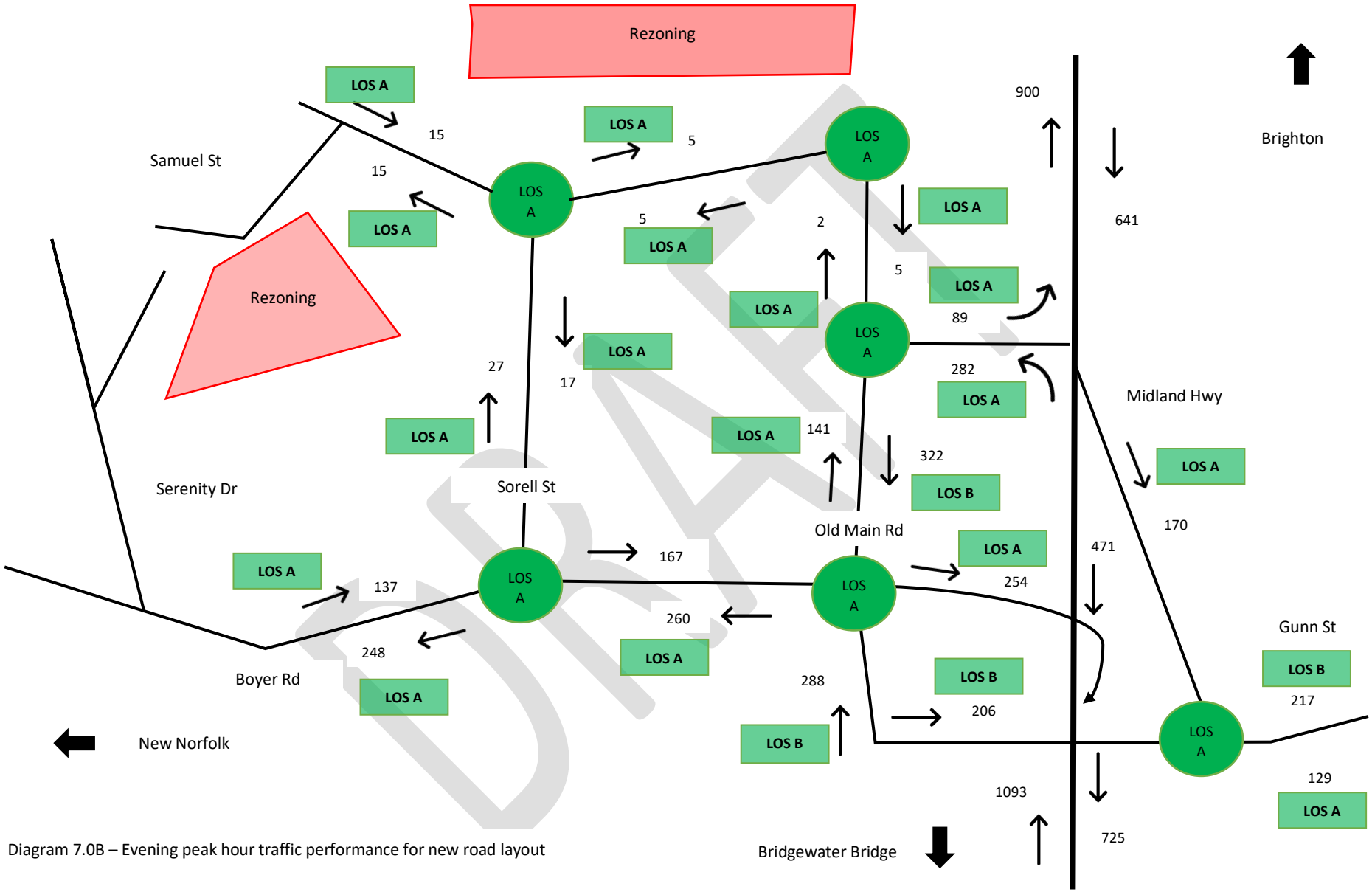


Diagram 7.0B – Evening peak hour traffic performance for new road layout

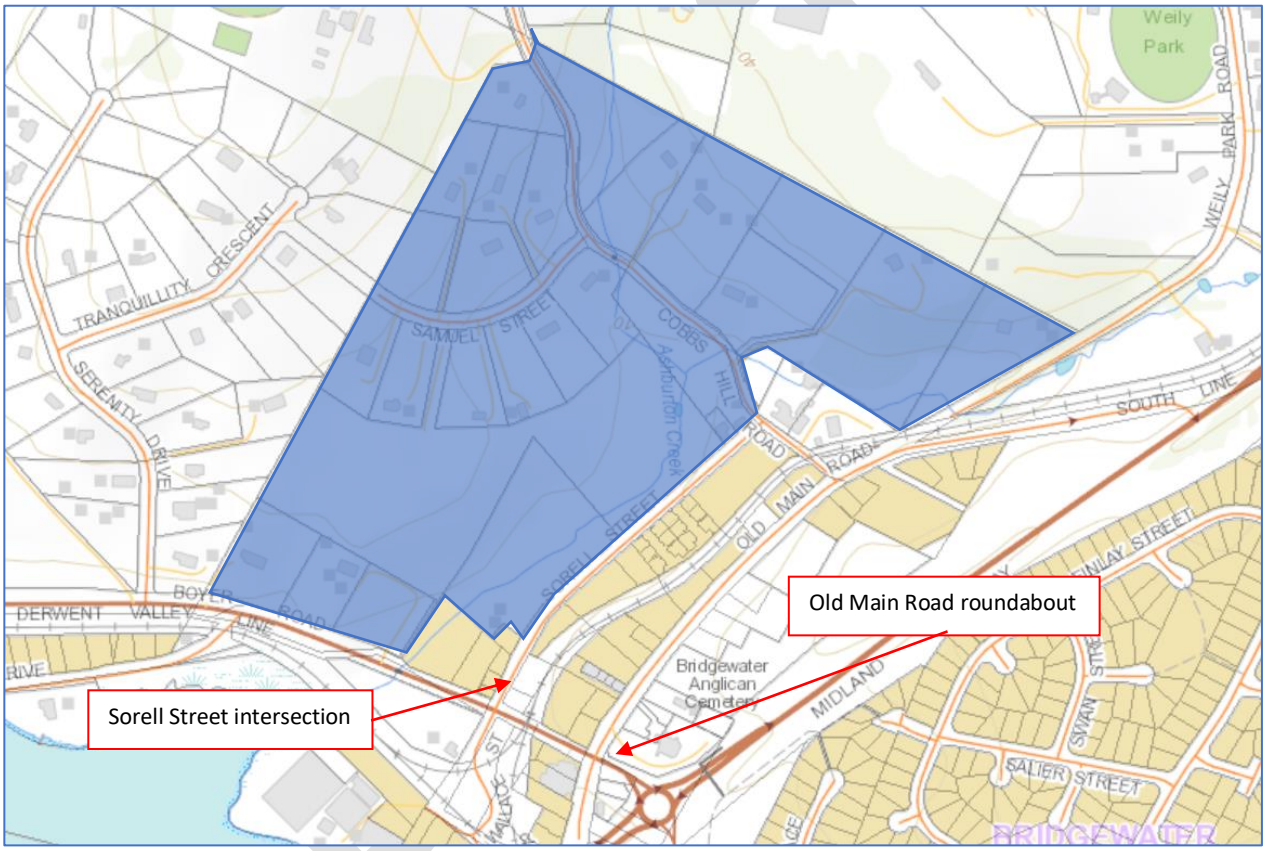
8. Traffic assessment of rezoning the development site

This section analyses the impact from additional traffic generated from rezoning of land within the development site, as shown in the diagram below.

There is approximately 28 hectares of land, which is expected to generate 10 urban dwellings per hectare, providing a total of 280 dwellings. This takes into consideration the land constraints, topography, current dwellings, and the need for future internal road infrastructure to service the new lots.

Additional traffic generated by the development will use the existing local street network and State Roads to connect to the Midland Highway, which includes the Bridgewater Bridge.

Diagram 8.0 – Development site, with connection to the surrounding road network



8.1 Traffic generation rate

The RTA Guide provides traffic generation rates for a residential dwelling, where section 3.3.1 indicates each urban residential property is likely to generate 7.4 daily vehicle trips, with 0.78 of these trips expected in each of the weekday peak hour periods. An additional 280 residential dwellings are predicted to generate 2,072 daily trips, with 218 of these trips expected in each of the weekday peak hour periods.

Table 8.1 – Prediction of vehicular trips

Type	Number of dwellings	Generation rate	Daily trips	Weekday peak hour trips
Residential	280	7.4 daily trips, with 0.78 trips in the peak hour periods	2,072	218

8.2 Assignment of peak hour trips to the surrounding road network

It is common with urban residential dwellings that 90 percent of trips leave the property in the morning peak, with the opposite occurring in the evening. The new trips have been assigned to the surrounding local road network, based on the new road layout associated with the new Bridgewater Bridge.

With the new road layout, the function of Old Main Road will change from a local road to a collector road, as an integral part of the grade separated interchange. The proximity of the northbound off-ramp to Cobbs Hill Road will reduce travel distance for local residents, which is expected to make Cobbs Hill Road the preferred route for motorists from Samual Street, Cobbs Hill Road, and a portion of Sorell Street. This assessment predicts that 56 percent of the additional traffic from the development site is likely to use Cobbs Hill Road in the morning peak, with a higher portion of 70 percent in the evening peak.

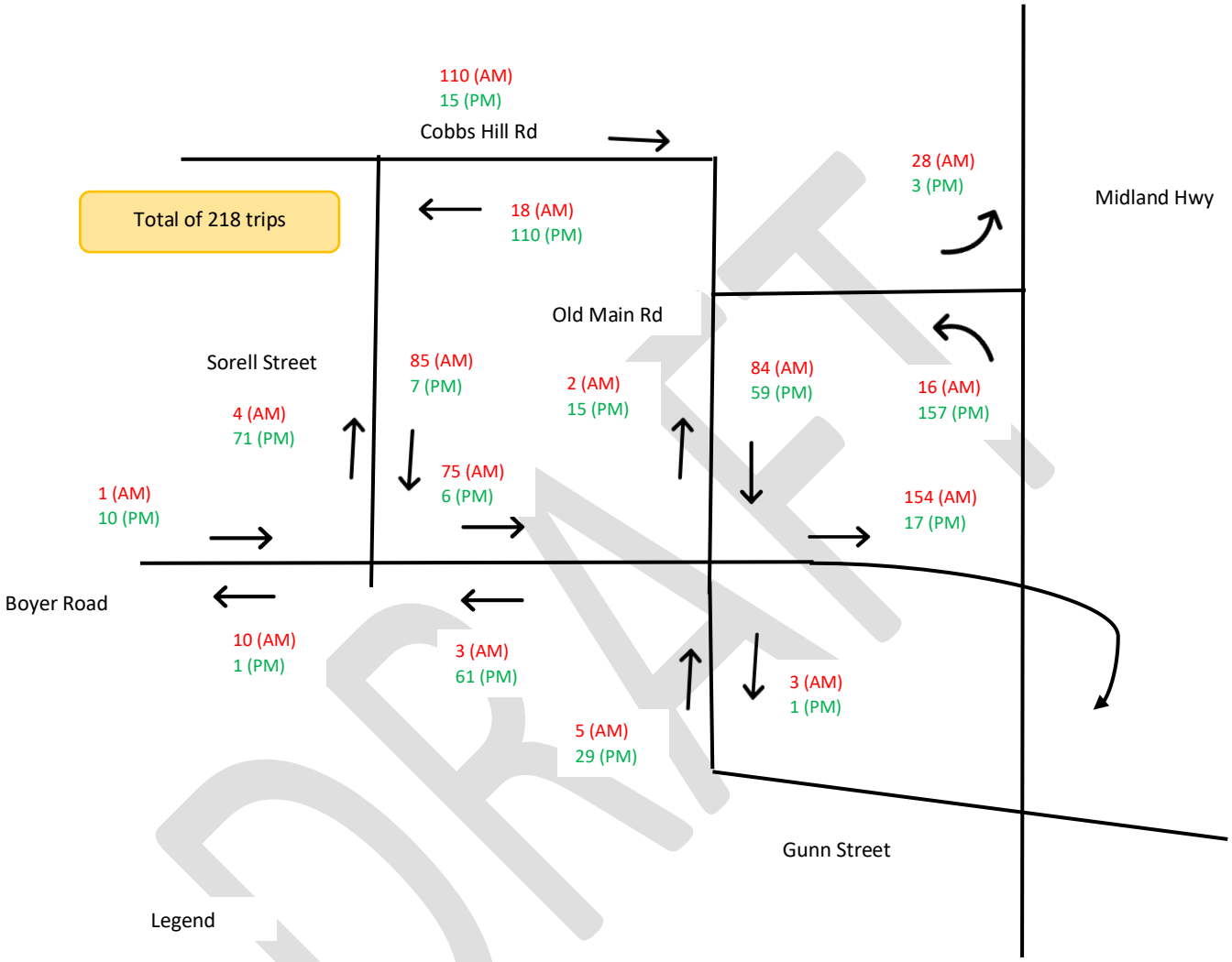
Based on the current trip distribution, the majority or 85 percent of the additional trips are likely to commute to the south, five percent of trips to the west towards New Norfolk, and ten percent to the north (which includes East Derwent Highway), as shown in Table 8.2A.

Table 8.2A – Predicted trip distribution to surrounding road network

Peak hour period	Sorell Street (56%)				Cobbs Hill Road				Total
	Leaving (56%)		Arriving		Leaving		Arriving		
	West	East	West	East	South	North	South	North	
Morning	10	76	1	3	84	26	16	2	218
Evening	1	6	10	61	12	3	15	110	218

Predicted trip distribution is also demonstrated in Diagram 8.2, with figures in red representing the morning peak hour and green the evening peak hour.

Diagram 8.2 – Assignment of additional trips from rezoning



108 (AM) - Number of trips in morning peak hour
109 (PM) – Number of trips in the evening peak hour

8.3 Impact of new trips on the local road network

The increase in traffic flow on the new road layout has been analysed using the same traffic methodology, including traffic modelling at the nodes. Tables 8.3A and 8.3B demonstrate the increase in directional traffic flow, and the predicted level of traffic performance for the links, and table 8.3C demonstrates traffic modelling results for the nodes.

In the morning peak hour, the two-way traffic flow on Cobbs Hills Road is predicted to have the highest increase from 7 to 138, however the road will continue to operate LOS A. Similarly, the two-way traffic flow in Sorell Street is predicted to increase from 23 to 112, and continue to operate at LOS A.

Due to Old Main Road being an integral part of the grade separation, there will be an increase in traffic flow, with predicted two-way flow to increase from 252 to 344, with the road predicted to continue to operate at LOS A, based on directional flows being under 200 vehicles per hour.

The southbound off-ramp will not adversely impact the traffic flow along Gunn Street east of the ramp, which will continue to operate at LOS A in the morning and LOS B during the evening.

For the State Road network, the two-way traffic flow on Boyer Road between Sorell Street and Old Main Road is predicted to increase from 320 to 398, but not cause a reduction in traffic efficiency. The southbound on-ramp is predicted to carry 469 vehicles in the morning, with motorists provided with an efficient flow with this ramp expected to operate at LOS B.

Table 8.3A – Comparison of traffic conditions - existing with rezoning (morning)

Road	Criteria	Existing traffic conditions			Future traffic conditions		
		EB or NB	WB or SB	Two-way	EB or NB	WB or SB	Two-way
Sorell Street	Flow	10	13	23	**14**	**98**	**112**
	LOS	A	A		A	A	
Cobbs Hill Road	Flow	2	5	7	**115**	**23**	**138**
	LOS	A	A		A	A	
Old Main Road	Flow	152	101	252	**152**	**192**	**344**
	LOS	A	A		A	A	
Boyer Rd (Sorell to Old Main)	Flow	214	106	320	**289**	**109**	**398**
	LOS	A			A		
Boyer On-ramp	Flow	315			**469**		
	LOS	A			B		
Gunn Street (SB off-ramp to Boyer Rd)	Flow	287	78	365	**292**	**80**	**372**
	Los	B	A		B	A	

Table 8.3B – Comparison of traffic conditions - existing with rezoning (evening)

Road	Criteria	Existing traffic conditions			Future traffic conditions		
		EB or NB	WB or SB	Two-way	EB or NB	WB or SB	Two-way
Sorell Street	Flow	17	27	40	**98**	**74**	**172**
	LOS	A	A		**A**	**A**	
Cobbs Hill Road	Flow	5	5	10	**20**	**115**	**135**
	LOS	A	A		**A**	**A**	
Old Main Road	Flow	141	322	463	**156**	**381**	**537**
	LOS	A	B		A	B	
Boyer Rd (Sorell to Old Main)	Flow	169	276	445	**220**	**337**	**557**
	LOS	A			**B**		
Boyer On-ramp	Flow	254			**356**		
	LOS	A			B		
Gunn Street (SB off-ramp to Boyer Rd)	Flow	288	206	494	**302**	**208**	**510**
	Los	B	B		B	B	

Tables 8.3A and 8.3B compare the traffic flow and performance when the additional 218 vehicular trips are generated by the development site, demonstrating no adverse traffic impact is expected on the surrounding road links during the weekday peak hour periods. This analysis demonstrates the surrounding road network has spare traffic capacity.

Traffic modelling of the surrounding nodes demonstrates the additional 218 trips in the peak hour periods is not expected to cause any reduction in traffic performance, with motorists to continue to receive the highest level of traffic performance, LOS A.

Table 8.3C – Summary of traffic modelling with rezoning

Junction intersection roundabout	Period	Total	DOS	Worst Delay Delay	Worst LOS	Max queue length
Sorell Street with Boyer Road	Morning	399	0.100	7.3 secs	A	2.1 metres
	Evening	525	0.185	8.3 secs	A	4.3 metres
Old Main Rd and Boyer Road new layout	Morning	789	0.340	8.3 secs	A	11.4 metres
	Evening	945	0.301	10.3 secs	A	9.1 metres
Old Main Road and highway off-ramp	Morning	465	0.129	7.7 secs	A	3.6 metres
	Evening	612	0.172	9.6 sec	A	3.2 metres
Gunn Street and southbound off-ramp	Morning	380	0.132	6.7 Secs	A	3.2 metres
	Evening	531	0.206	7.3 secs	A	5.2 metres

8.4 Impact on residential amenity from new trips

The RTA Guide for residential amenity on locals streets indicates two-way traffic flow of less than 300 vehicles per peak hour is acceptable, from a residential amenity perspective. Table 8.4 compares the two-way trips between the existing conditions and when the rezoning is generating additional traffic trips.

Although the existing traffic flow on Gunn Street east of the southbound off-ramp is predicted to exceed 300 vehicles in the evening peak, the rezoning is not expected to increase the traffic flow on this road, and therefore will not cause adverse impact to residential amenity.

Table 8.4 demonstrates new trips from the rezoning is not expected to cause a deterioration in residential amenity to the surrounding local roads.

Table 8.4 – Comparison of two-way traffic flow between existing and future trips

Road and link	Maximum	Morning peak hour		Evening peak hour	
		Existing	Future	Existing	Future
Sorell Street	300	23	**112**	26	**172**
Cobbs Hill Road		7	**137**	7	**135**
Gunn Street east of the off-ramp		247	**249**	346	**350**

8.5 Summary of peak hour traffic performance of rezoned area

Results of the traffic analysis of the surrounding road network is provided in the following diagrams 8.5A and 8.5B.

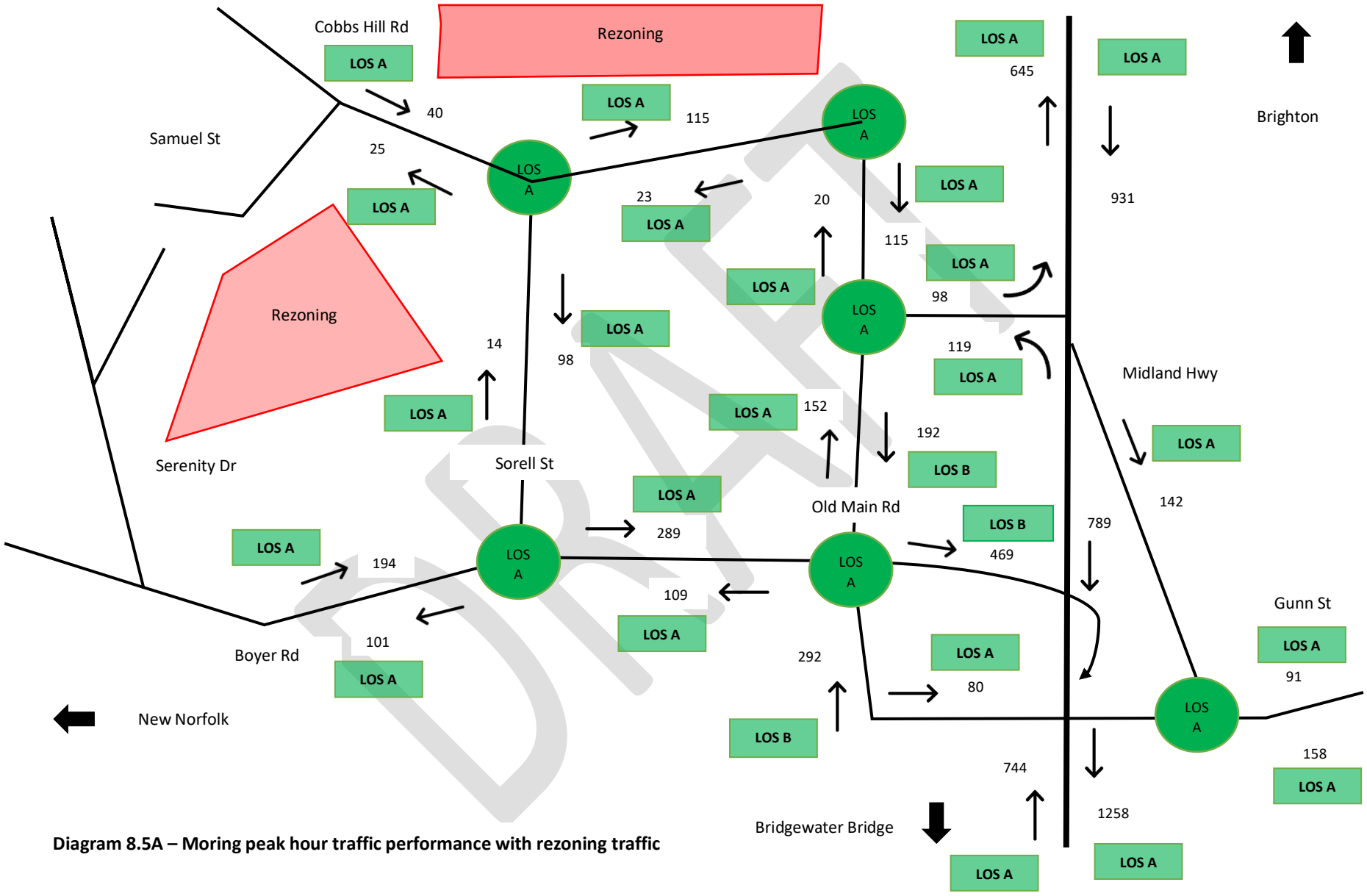


Diagram 8.5A – Moring peak hour traffic performance with rezoning traffic

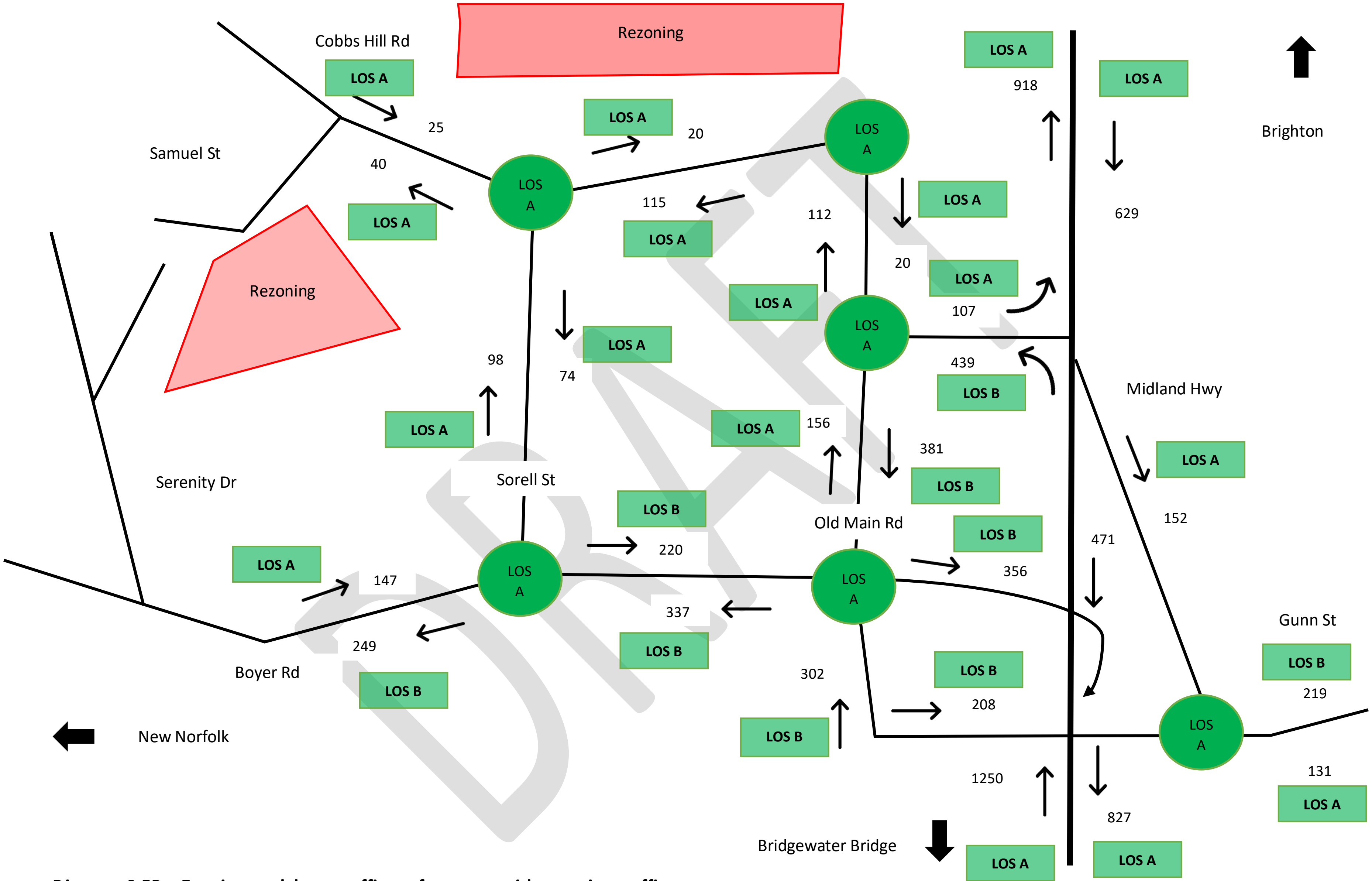


Diagram 8.5B – Evening peak hour traffic performance with rezoning traffic

9. Traffic efficiency impact to the State Road network

Rezoning of the land will intensify the traffic flow on the State Road network, along Boyer Road between the highway and Sorell Street and the Bridgewater Bridge. Table 9.0A demonstrates Boyer Road has sufficient spare traffic capacity to absorb the additional traffic, without adversely impacting traffic efficiency, with motorists continuing to receive an acceptable level of performance of LOS A or B.

Table 9.0A – Comparison of traffic conditions on Boyer Road

Peak hour period	Link	Existing traffic conditions		Future traffic conditions	
		Two-way flow	LOS	Two-way flow	LOS
Morning	Highway to Sorell St	313	A	398	A
	West of Sorell St	284	A	295	A
Evening	Highway to Sorell St	458	A	557	B
	West of Sorell St	396	A	396	A

Traffic capacity on the new Bridgewater Bridge will significantly increase, with the single traffic lane being replaced with dual lanes, all lanes will operate with uninterrupted traffic flow. The traffic performance on the bridge is expected to operate at LOS A, with sufficient spare traffic capacity to accommodate significant future traffic growth.

Table 9.0B – Comparison of traffic conditions on Bridgewater Bridge

Peak hour period	Existing conditions		Future traffic conditions with rezoning			
			Northbound carriageway		Southbound Carriageway	
	Northbound	Southbound	Flow	LOS	Flow	LOS
Morning	707	1058	744	A	1258	A
Evening	1088	671	1250	A	827	A

Density of traffic within the diverge and merge areas has been calculated using the formula in section 3.6, with the density ratio being less than 6. This means the merge and diverge areas are expected to operate at LOS A, providing motorists with the highest level of traffic performance.

10. Road standard of the surrounding local road network

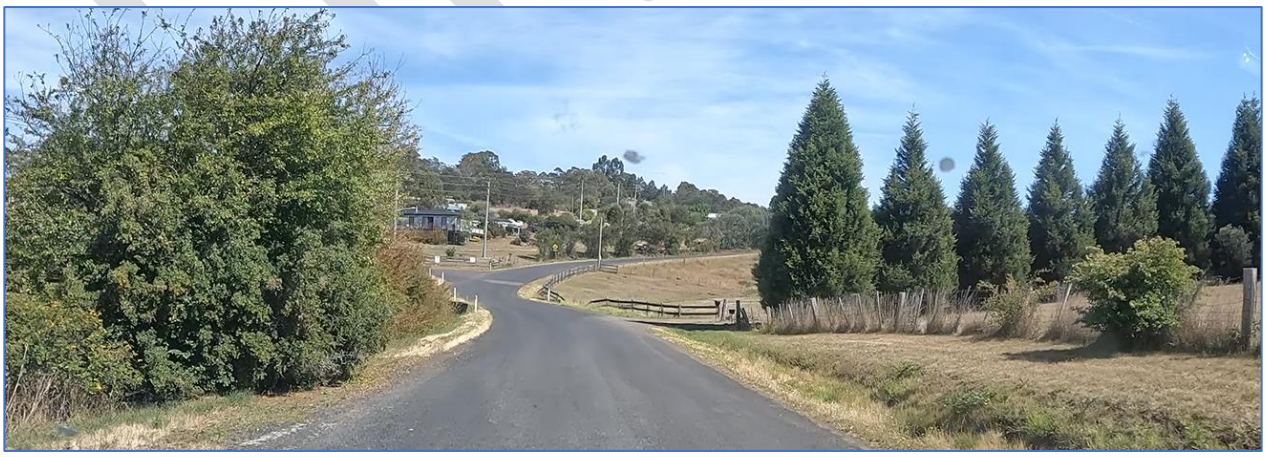
Sorell Street is built to a rural standard, with sealed pavement of sufficient width to accommodate two-way traffic, grassed verges, and gravel footpath along the eastern side. The road has a generally straight alignment and is situated on a mostly flat gradient. A posted speed limit of 50 km/h applies.

Along the eastern side of the road, where urban residential development has already occurred, the street has been upgraded to an urban standard, with concrete kerb and channelling, and a concrete footpath.

Photograph 10.0A – Sorell Street standard

Cobbs Hill Road has a rural road construction standard, and sealed bitumen surface of sufficient width to accommodate two-way traffic. The road has a generally straight alignment, with some long sweeping horizontal curves, and is situated within undulating terrain. A posted speed limit of 50 km/h applies.

Photograph 10.0B – Cobbs Hill Road standard



The road reserve of the section of Cobbs Hill Road between Sorell Street and Old Main Road is quite constrained, with established development along both sides. The road crosses a railway line that is controlled by flashing lights, there is no kerb and gutter, with the bitumen road surface in poor condition in some locations. The road alignment is generally straight, on relatively flat terrain.

Photograph 10.0C – Cobbs Hill Road between Sorell Street and Old Main Road

At the time of the site inspection, Old Main Road was undergoing road works to accommodate the infrastructure changes associated with the Bridgwater Bridge. At the completion of infrastructure changes, the road is expected to be constructed to an urban standard, with a sealed bitumen surface, concrete kerb and channel, concrete footpath, and sufficient road width to accommodate two-way traffic and on-street parking.

Photograph 10.0D – Old Main Road

Overall, the site inspection found no impediment with the surrounding local road network to prevent the rezoning to occur. It is assumed that the rezoning will include upgrading the local road network to urban standard, complying with LGAT standard drawings for an urban environment.

11. Road standard of Boyer Road

Boyer Road is part of the State Road Network and is classified as a Category 5 – Other Roads, which are primarily used as access roads for private properties and as low frequency heavy vehicle transport routes.

The road has been constructed to an urban standard from the signalised railway crossing to the Midland Highway, while between the signalised railway crossing to Sorell Street the road is or a rural standard.

Photograph 11.0A - Boyer Road standard between Midland Highway and Sorell Street

The site inspection found the road infrastructure no impediment to prevent the rezoning to occur. The intersection of Sorell Street and Boyer Road is controlled by give way signs and there is sufficient sight distance at the intersection for vehicles to turn in a safe and efficient manner. The intersection is covered by a 60 km/h speed limit.

Photograph 11.0B – Intersection of Sorell Street and Boyer Road

12. Conclusion

Rezoning the 28 hectares of land to general residential is predicted to generate an additional 218 vehicle trips in the weekday peak hour periods.

Extensive traffic analysis has demonstrated these additional peak hour trips can be accommodated within the surrounding road network, without causing a reduction in traffic performance, or adverse impact to residential amenity for the existing residential properties. The local road network will continue to operate at LOS A, which provides the highest level of traffic efficiency, with minimal traffic delays and queues. The State Highway network will also provide motorists with a high level of traffic efficiency of LOS A or B.

The traffic analysis has taken into consideration the road infrastructure changes that will occur with the completion of the new Bridgewater Bridge, and demonstrated the new traffic layout will have sufficient capacity to absorb the traffic increase. The dual traffic lanes on the bridge are expected to provide motorists will a high level of traffic efficiency, and there will be ample traffic capacity to accommodate significant future traffic growth.

The Bridgewater Bridge project includes grade separated interchanges, which will intensify the traffic flow at the Old Main Road and Boyer Road intersection, and its critical this intersection is managed by appropriate traffic control. As Old Main Road will become an integral part of the grade interchange, and be extended to Gunn Street, this road should become part of the State Road network.

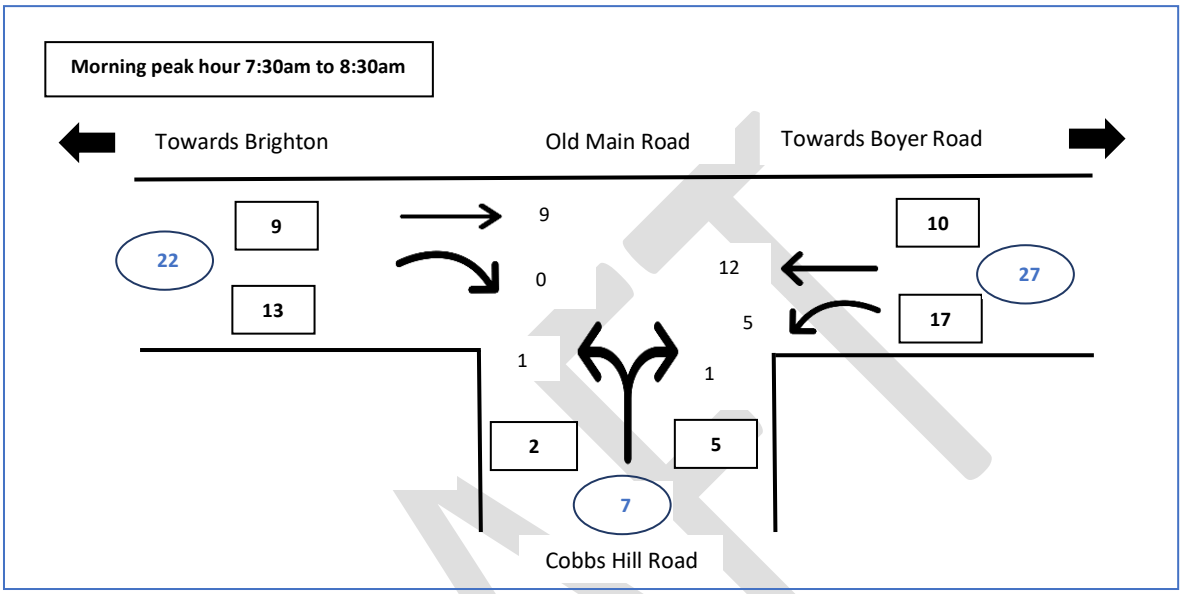
The Bridgewater Bridge project includes grade separated interchanges, which will intensify the traffic flow at the Old Main Road and Boyer Road intersection, with appropriate traffic control management necessary. Old Main Road will become an integral part of the grade interchange, which will be extended to Gunn Street, and it is recommended that this road become part of the State Road network.

This traffic assessment found no traffic engineering reason rezoning should not proceed.

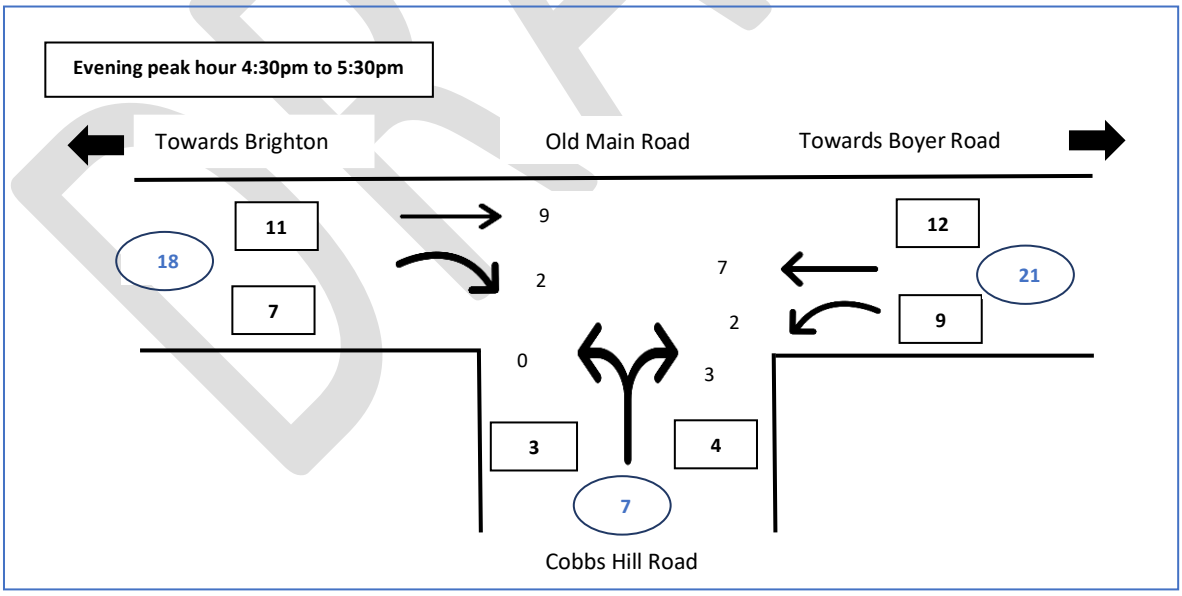
13. Appendix A – Existing traffic flows on surrounding road network

13.1 Old Main Road and Cobbs Hill Road

Morning peak hour traffic flow (7:30am to 8:30am)

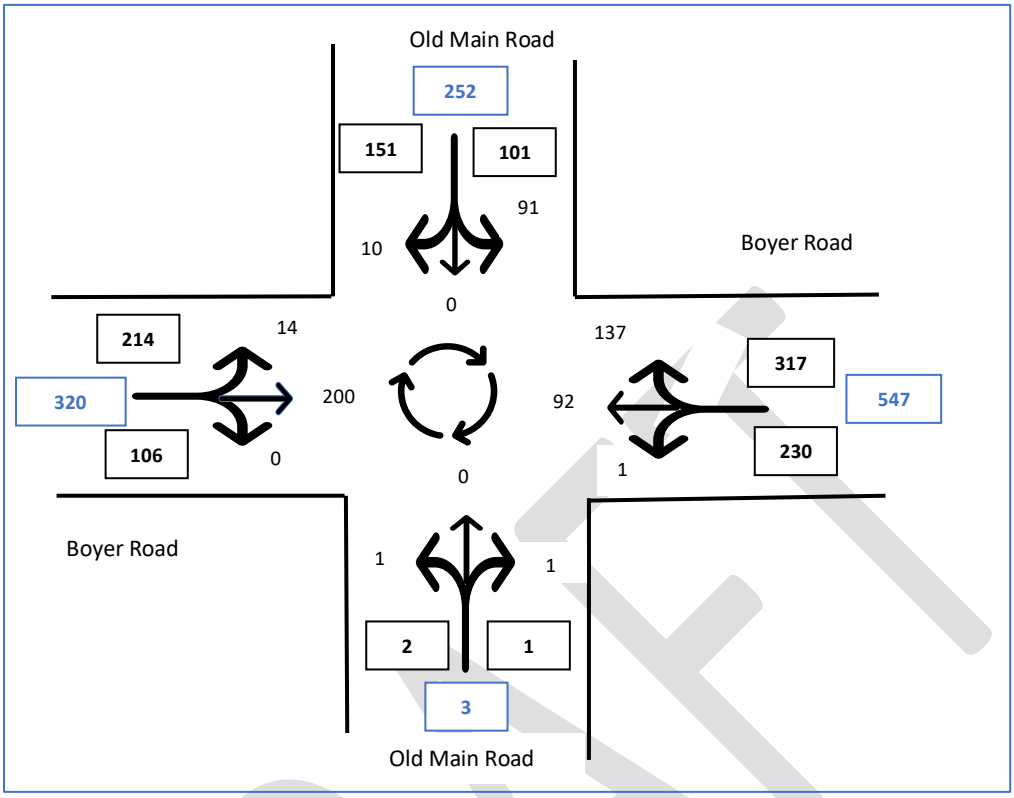


Evening peak hour traffic flow (4:30pm to 5:30pm)

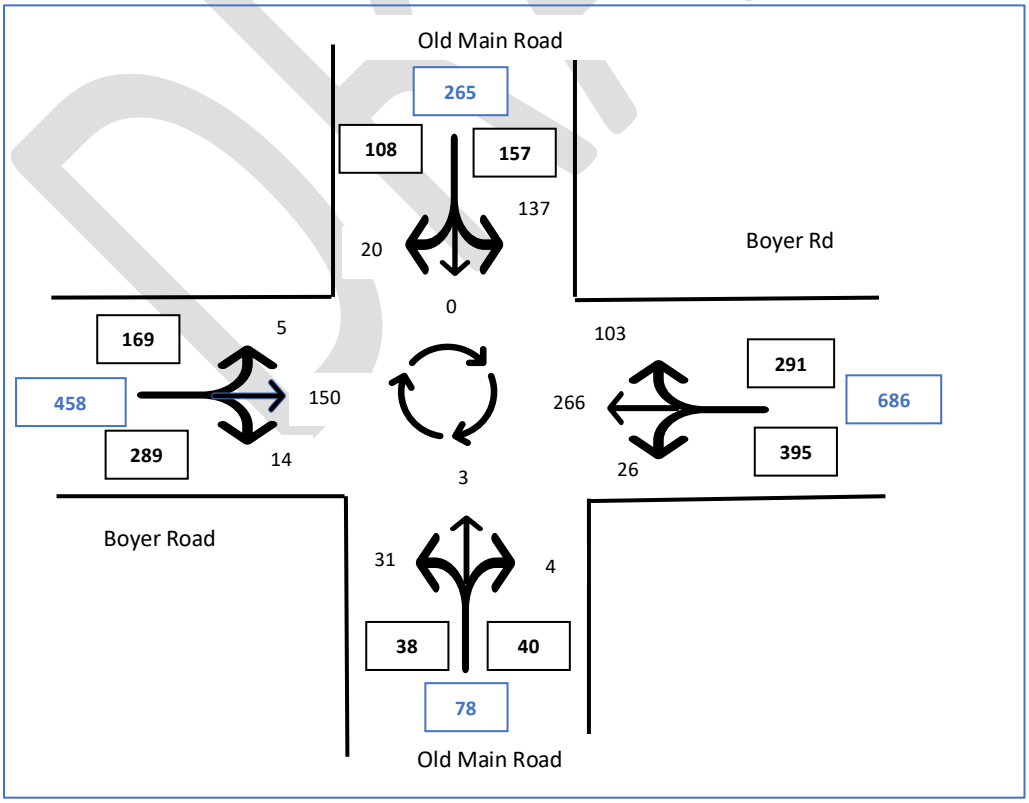


13.2 Boyer Road and Old Main Road adjusted

Morning peak hour traffic flow (7:45am to 8:45am)

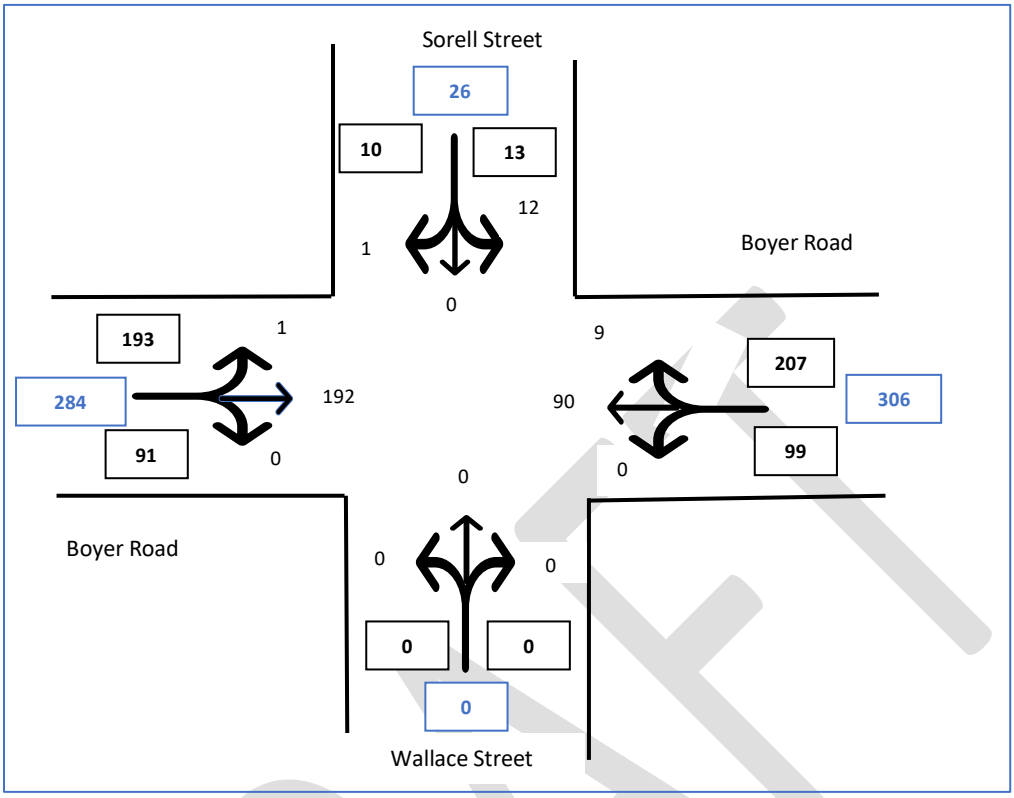


Evening peak hour traffic flow (4:30pm to 5:30pm)

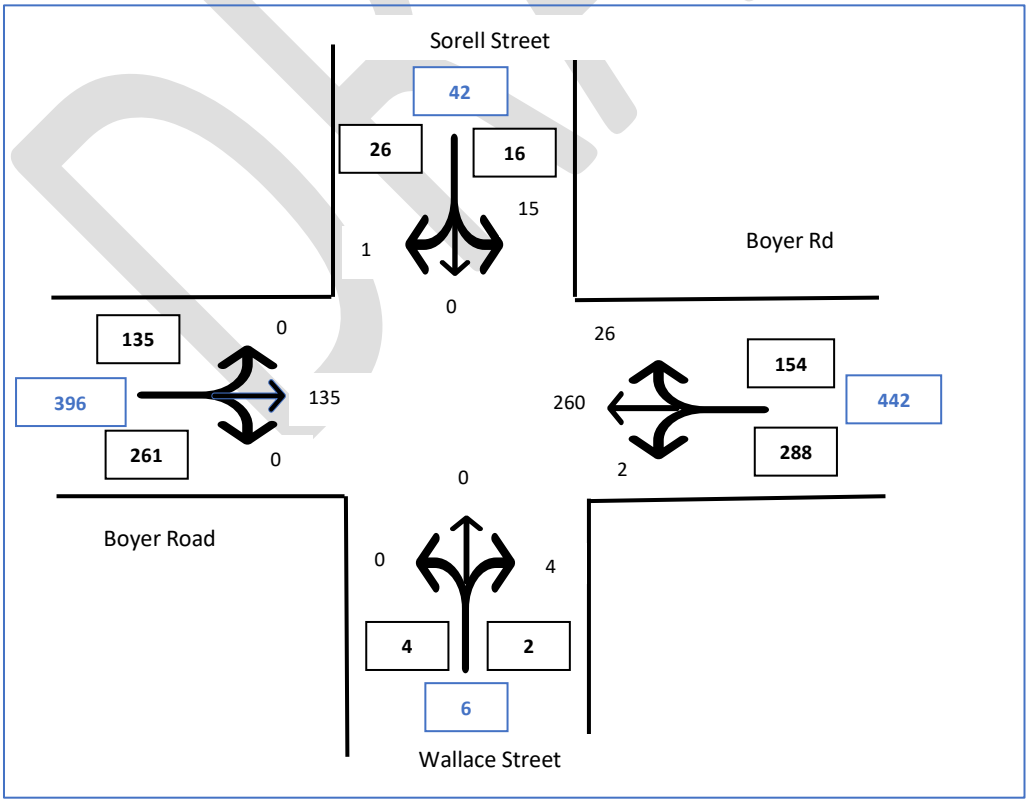


13.3 Boyer Road, Sorell Street and Wallace Street adjusted

Morning peak hour traffic flow (7:45am to 8:45am)

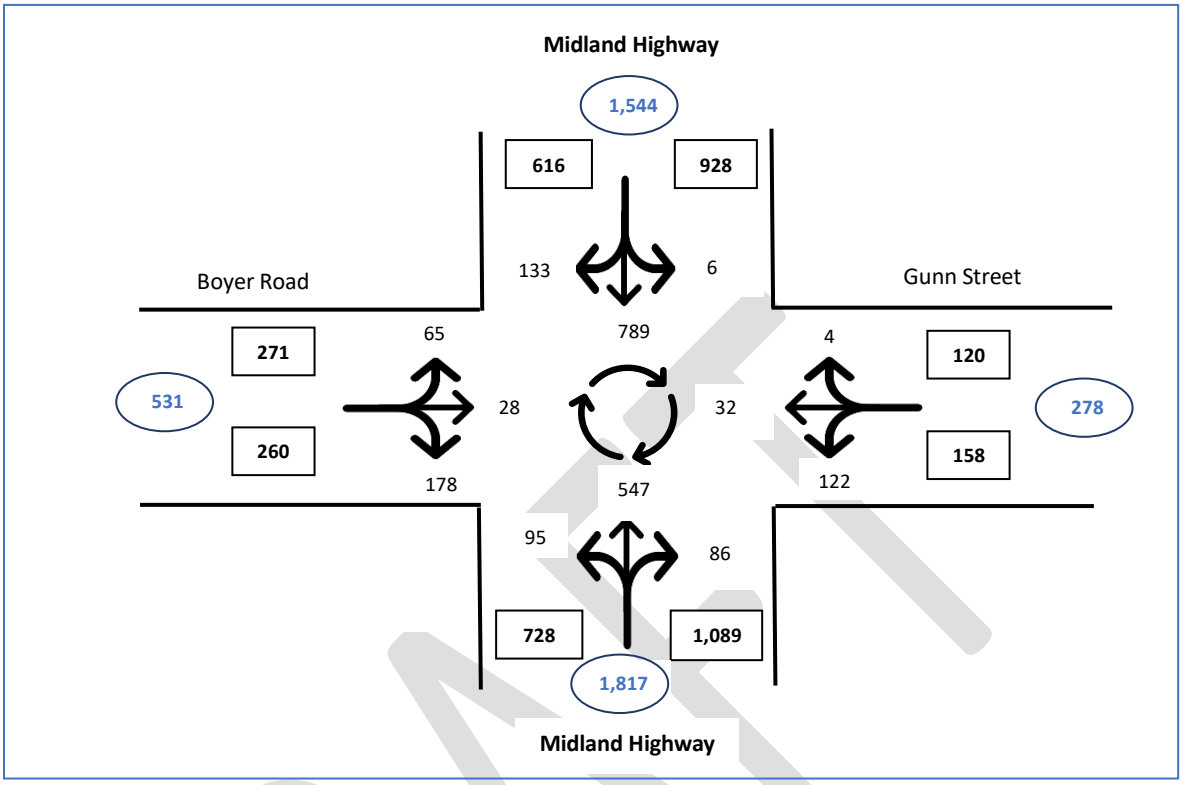


Evening peak hour traffic flow (4:30pm to 5:30pm)

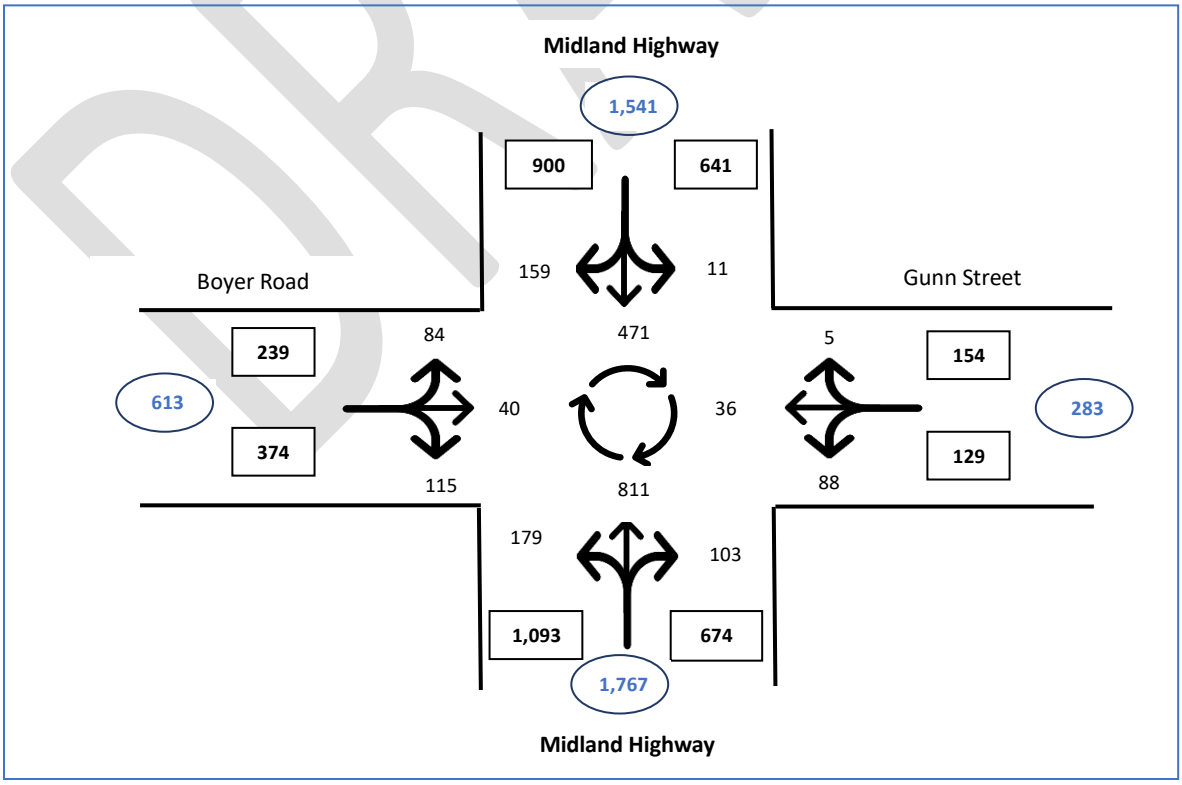


13.4 Midland Highway, Boyer Road and Gunn Street adjusted

Morning peak hour traffic flow (7:45am to 8:45am)



Evening peak hour traffic flow (4:30pm to 5:30pm)



14. Appendix B – Traffic modelling with rezoning traffic operating

Intersection of Sorell Street and Boyer Road

MOVEMENT SUMMARY

Site: 101 [Boyer Rd and Sorell St - Morning existing - with rezoning]

New Site
Site Category: (None)
Giveway / Yield (Two-Way)

Movement Performance - Vehicles

Mov ID	Turn	Demand Flows Total veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m
South: Wallace Street								
1	L2	1	0.0	0.003	5.8	LOS A	0.0	0.1
2	T1	1	0.0	0.003	5.2	LOS A	0.0	0.1
3	R2	1	0.0	0.003	7.3	LOS A	0.0	0.1
Approach		3	0.0	0.003	6.1	LOS A	0.0	0.1
East: Boyer (Highway)								
4	L2	1	0.0	0.055	6.1	LOS A	0.1	0.6
5	T1	90	0.0	0.055	0.1	LOS A	0.1	0.6
6	R2	12	0.0	0.055	6.1	LOS A	0.1	0.6
Approach		103	0.0	0.055	0.9	NA	0.1	0.6
North: Sorell								
7	L2	87	0.0	0.076	6.1	LOS A	0.3	2.1
8	T1	1	0.0	0.076	5.4	LOS A	0.3	2.1
9	R2	10	0.0	0.076	7.0	LOS A	0.3	2.1
Approach		98	0.0	0.076	6.2	LOS A	0.3	2.1
West: Boyer (New Norfolk)								
10	L2	2	0.0	0.100	5.6	LOS A	0.0	0.1
11	T1	192	0.0	0.100	0.0	LOS A	0.0	0.1
12	R2	1	0.0	0.100	5.7	LOS A	0.0	0.1
Approach		195	0.0	0.100	0.1	NA	0.0	0.1
All Vehicles		399	0.0	0.100	1.8	NA	0.3	2.1

MOVEMENT SUMMARY

Site: 101 [Boyer Rd and Sorell St - Evening with rezoning]

New Site
Site Category: (None)
Giveway / Yield (Two-Way)

Movement Performance - Vehicles

Mov ID	Turn	Demand Flows Total veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m
South: Wallace Street								
1	L2	1	0.0	0.008	6.3	LOS A	0.0	0.2
2	T1	1	0.0	0.008	6.3	LOS A	0.0	0.2
3	R2	4	0.0	0.008	8.3	LOS A	0.0	0.2
Approach		6	0.0	0.008	7.6	LOS A	0.0	0.2
East: Boyer (Highway)								
4	L2	2	0.0	0.185	6.1	LOS A	0.6	4.3
5	T1	247	0.0	0.185	0.2	LOS A	0.6	4.3
6	R2	87	0.0	0.185	6.0	LOS A	0.6	4.3
Approach		336	0.0	0.185	1.8	NA	0.6	4.3
North: Sorell								
7	L2	21	0.0	0.019	6.0	LOS A	0.1	0.5
8	T1	1	0.0	0.019	6.4	LOS A	0.1	0.5
9	R2	2	0.0	0.019	8.3	LOS A	0.1	0.5
Approach		24	0.0	0.019	6.2	LOS A	0.1	0.5
West: Boyer (New Norfolk)								
10	L2	11	0.0	0.082	5.6	LOS A	0.0	0.1
11	T1	147	0.0	0.082	0.0	LOS A	0.0	0.1
12	R2	1	0.0	0.082	6.3	LOS A	0.0	0.1
Approach		159	0.0	0.082	0.4	NA	0.0	0.1
All Vehicles		525	0.0	0.185	1.6	NA	0.6	4.3

MOVEMENT SUMMARY

Site: 101 [New layout Old Main and Boyer - Morning with rezoning]

New Site
Site Category: (None)
Giveway / Yield (Two-Way)

Movement Performance - Vehicles

Mov ID	Turn	Demand Flows Total veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m
South: Gunn Street								
1	L2	62	0.0	0.166	6.0	LOS A	0.8	5.6
2	T1	106	0.0	0.166	0.4	LOS A	0.8	5.6
3	R2	122	0.0	0.166	6.2	LOS A	0.8	5.6
Approach		290	0.0	0.166	4.0	NA	0.8	5.6
North: Old Main Road								
7	L2	89	0.0	0.108	5.8	LOS A	0.4	2.7
8	T1	54	0.0	0.108	0.3	LOS A	0.4	2.7
9	R2	49	0.0	0.108	6.0	LOS A	0.4	2.7
Approach		192	0.0	0.108	4.3	NA	0.4	2.7
West: Boyer (New Norfolk)								
10	L2	48	0.0	0.340	6.2	LOS A	1.6	11.4
11	T1	230	0.0	0.340	7.1	LOS A	1.6	11.4
12	R2	29	0.0	0.340	8.3	LOS A	1.6	11.4
Approach		307	0.0	0.340	7.1	LOS A	1.6	11.4
All Vehicles		789	0.0	0.340	5.3	NA	1.6	11.4

MOVEMENT SUMMARY

Site: 101 [New layout Old Main and Boyer - Evening with rezoning]

New Site
Site Category: (None)
Giveway / Yield (Two-Way)

Movement Performance - Vehicles

Mov ID	Turn	Demand Flows Total veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m
South: Gunn Street								
1	L2	144	0.0	0.182	6.0	LOS A	0.8	5.6
2	T1	73	0.0	0.182	0.6	LOS A	0.8	5.6
3	R2	100	0.0	0.182	6.4	LOS A	0.8	5.6
Approach		317	0.0	0.182	4.9	NA	0.8	5.6
North: Old Main Road								
7	L2	40	0.0	0.228	6.3	LOS A	1.2	8.4
8	T1	162	0.0	0.228	0.7	LOS A	1.2	8.4
9	R2	180	0.0	0.228	6.3	LOS A	1.2	8.4
Approach		382	0.0	0.228	3.9	NA	1.2	8.4
West: Boyer (New Norfolk)								
10	L2	85	0.0	0.301	5.9	LOS A	1.3	9.1
11	T1	120	0.0	0.301	8.4	LOS A	1.3	9.1
12	R2	41	0.0	0.301	10.3	LOS A	1.3	9.1
Approach		246	0.0	0.301	7.9	LOS A	1.3	9.1
All Vehicles		945	0.0	0.301	5.3	NA	1.3	9.1

Northbound off-ramp, Old Main Road and Cobbs Hill Road

MOVEMENT SUMMARY

▽ Site: 101 [NB Off-ramp -Old Main Rd - Morning with rezoning]

New Site
Site Category: (None)
Giveway / Yield (Two-Way)

Movement Performance - Vehicles

Mov ID	Turn	Demand Flows Total veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m
South: Interchange off-ramp								
1a	L1	183	0.0	0.096	5.3	LOS A	0.0	0.0
3a	R1	14	0.0	0.008	5.0	LOS A	0.0	0.2
Approach		197	0.0	0.096	5.3	NA	0.0	0.2
NorthEast: RoadName								
24a	L1	26	0.0	0.129	5.5	LOS A	0.5	3.6
26	R2	89	0.0	0.129	7.7	LOS A	0.5	3.6
Approach		115	0.0	0.129	7.2	LOS A	0.5	3.6
NorthWest: RoadName								
27	L2	1	0.0	0.086	5.6	LOS A	0.4	2.9
29a	R1	152	0.0	0.086	4.8	LOS A	0.4	2.9
Approach		153	0.0	0.086	4.8	NA	0.4	2.9
All Vehicles		465	0.0	0.129	5.6	NA	0.5	3.6

MOVEMENT SUMMARY

▽ Site: 101 [NB Off-ramp -Old Main Rd - Evening with rezoning]

New Site
Site Category: (None)
Giveway / Yield (Two-Way)

Movement Performance - Vehicles

Mov ID	Turn	Demand Flows Total veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m
South: Interchange off-ramp								
1a	L1	329	0.0	0.172	5.3	LOS A	0.0	0.0
3a	R1	110	0.0	0.061	5.0	LOS A	0.3	2.0
Approach		439	0.0	0.172	5.2	NA	0.3	2.0
NorthEast: RoadName								
24a	L1	4	0.0	0.023	5.4	LOS A	0.1	0.6
26	R2	12	0.0	0.023	9.6	LOS A	0.1	0.6
Approach		16	0.0	0.023	8.5	LOS A	0.1	0.6
NorthWest: RoadName								
27	L2	1	0.0	0.096	5.9	LOS A	0.5	3.2
29a	R1	156	0.0	0.096	5.1	LOS A	0.5	3.2
Approach		157	0.0	0.096	5.1	NA	0.5	3.2
All Vehicles		612	0.0	0.172	5.3	NA	0.5	3.2

Southbound off-ramp with Gunn Street

MOVEMENT SUMMARY

▽ Site: 101 [SB Off-ramp - Gunn St - Morning with rezoning]

New Site
Site Category: (None)
Giveway / Yield (Two-Way)

Movement Performance - Vehicles

Mov ID	Turn	Demand Flows Total veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m
East: Gunn Street								
5	T1	158	0.0	0.081	0.0	LOS A	0.0	0.0
Approach		158	0.0	0.081	0.0	NA	0.0	0.0
North: SB off-ramp								
7	L2	11	0.0	0.132	5.8	LOS A	0.5	3.2
9	R2	131	0.0	0.132	6.7	LOS A	0.5	3.2
Approach		142	0.0	0.132	6.6	LOS A	0.5	3.2
West: Old Main Rd Extension								
11	T1	80	0.0	0.041	0.0	LOS A	0.0	0.0
Approach		80	0.0	0.041	0.0	NA	0.0	0.0
All Vehicles		380	0.0	0.132	2.5	NA	0.5	3.2

MOVEMENT SUMMARY

▽ Site: 101 [SB Off-ramp - Gunn St - Evening with rezoning]

New Site
Site Category: (None)
Giveway / Yield (Two-Way)

Movement Performance - Vehicles

Mov ID	Turn	Demand Flows Total veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m
East: Gunn Street								
5	T1	131	0.0	0.067	0.0	LOS A	0.0	0.0
Approach		131	0.0	0.067	0.0	NA	0.0	0.0
North: SB off-ramp								
7	L2	11	0.0	0.206	6.3	LOS A	0.7	5.2
9	R2	188	0.0	0.206	7.3	LOS A	0.7	5.2
Approach		199	0.0	0.206	7.2	LOS A	0.7	5.2
West: Old Main Rd Extension								
11	T1	207	0.0	0.106	0.0	LOS A	0.0	0.0
Approach		207	0.0	0.106	0.0	NA	0.0	0.0
All Vehicles		537	0.0	0.206	2.7	NA	0.7	5.2

northbarker
ECOSYSTEM SERVICES

Samuel St/Sorell St Rezoning, Bridgewater
NATURAL VALUES CONSIDERATIONS

16th February 2024

For Brighton Council

BCC001

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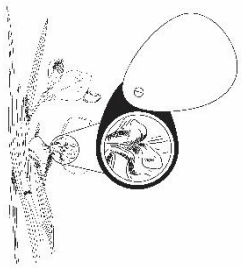
ACKNOWLEDGEMENTS

Project	Samuel St/Sorell St Rezoning
Location	Bridgewater
Proponent	Brighton Council
Client Contact	Jo Blackwell
Report and Photos	Ian Jenkinson
NBES Project Manager	Grant Daniels (gdaniels@northbarker.com.au
Mapping	Eric Hong
NBES Job Code	BCC001

Version	Date	Author & Comments	Position
V0.1	10/01/2024	Drafted by Ian Jenkinson	Graduate Ecologist
V0.2	1/02/2024	Reviewed by Jared Parry*, Kelly Simpson* and Sabine Borgas (editorial)	*Senior Ecologists
V1.0	2/02/2024	Delivered to client by Grant Daniels	Managing Director
V1.1	16/02/2024	Minor mapping edits. Delivered to client by Grant Daniels	Managing Director



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1. PROJECT DETAILS

1.1. BACKGROUND

Brighton Council (the Council) is investigating potential options to rezone an area approximately 30 ha in size, around Samuel Street and Sorell Street in Bridgewater (Figure 1).

The project area, the area defined by the Council to be rezoned, is currently zoned entirely as Rural Living (Zone 11) under the Tasmanian Planning Scheme (Figure 2). The project area consists of a mixture of rural-living blocks and agricultural land. The agricultural land runs through the middle of the project area and is presently used for livestock (sheep) grazing. The project area is intersected by Ashburton Creek, for which the Council is also investigating options to rezone it separately to the rest of the project area.

The Council is considering two options with regards to the potential rezoning of the project area:

1. Rezone the entirety of the area to General Residential (Zone 8); or
2. Rezone the area as a mixture of General Residential (Zone 8) and Low Density Residential (Zone 10).

Council have indicated that Ashburton Creek will be rezoned as Open Space (Zone 29) due to the high level of catchment flows which can occur along the creek. Rezoning the creek as Open Space will prevent future unsuitable development, such as residential dwellings, within the creek corridor.

Brighton Council have engaged North Barker Ecosystem Services (NBES) as part of the planning process to provide information on any constraints associated with existing natural values in the area and the implications any changes to the zoning would have if the area around Samuel and Sorell streets, Bridgewater, were to be rezoned. As part of this process, NBES has completed a natural values assessment (NVA) of the project area (Figure 1) to inform the Council of existing values and potential implications of the rezoning.

1.2. METHODS

The assessment was informed by the *Guidelines for Natural Values Surveys*[1]. Field surveys were undertaken by NBES on the 18th of December, 2023.

Native and non-native vegetation (including modified land) was mapped in accordance with units defined in TASVEG 4.0[2]. The site was surveyed using a meandering area search technique[3]. All location data was recorded with a handheld GPS and/or GPS mobile app (± 5 m accuracy).

Additional survey effort was applied to habitats suitable for threatened species and/or vegetation communities (listed under the Tasmanian *Threatened Species Protection Act 1995* [TSPA], the Tasmanian *Nature Conservation Act 2002* [NCA], and/or the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* [EPBCA]), and to 'declared' weeds listed under the Tasmanian *Biosecurity Act 2019* (BA) and associated *Biosecurity Regulations 2022*, and Weeds of National Significance (WoNS) under the *Australian Weed Strategy 2017–2027.*

Botanical nomenclature follows the current census of Tasmanian plants[4].

The Natural Values Atlas (NVA) database was consulted for records of threatened species and vegetation types within a 5 km radius. The possibility of the project area supporting threatened natural values known from within this radius has been considered in the interpretation of results and discussion.

[1] DPIPWE (2015)
[2] Kitchener and Harris (2013)
[3] Goff *et al.* (1982)
[4] de Salas and Baker (2023)

1.3. LIMITATIONS

The field survey was undertaken in early summer. Values that are seasonal or require specific germination triggers may have been absent or undetectable. Fauna habitat, including the presence of hollows and nests, was assessed from ground level only.

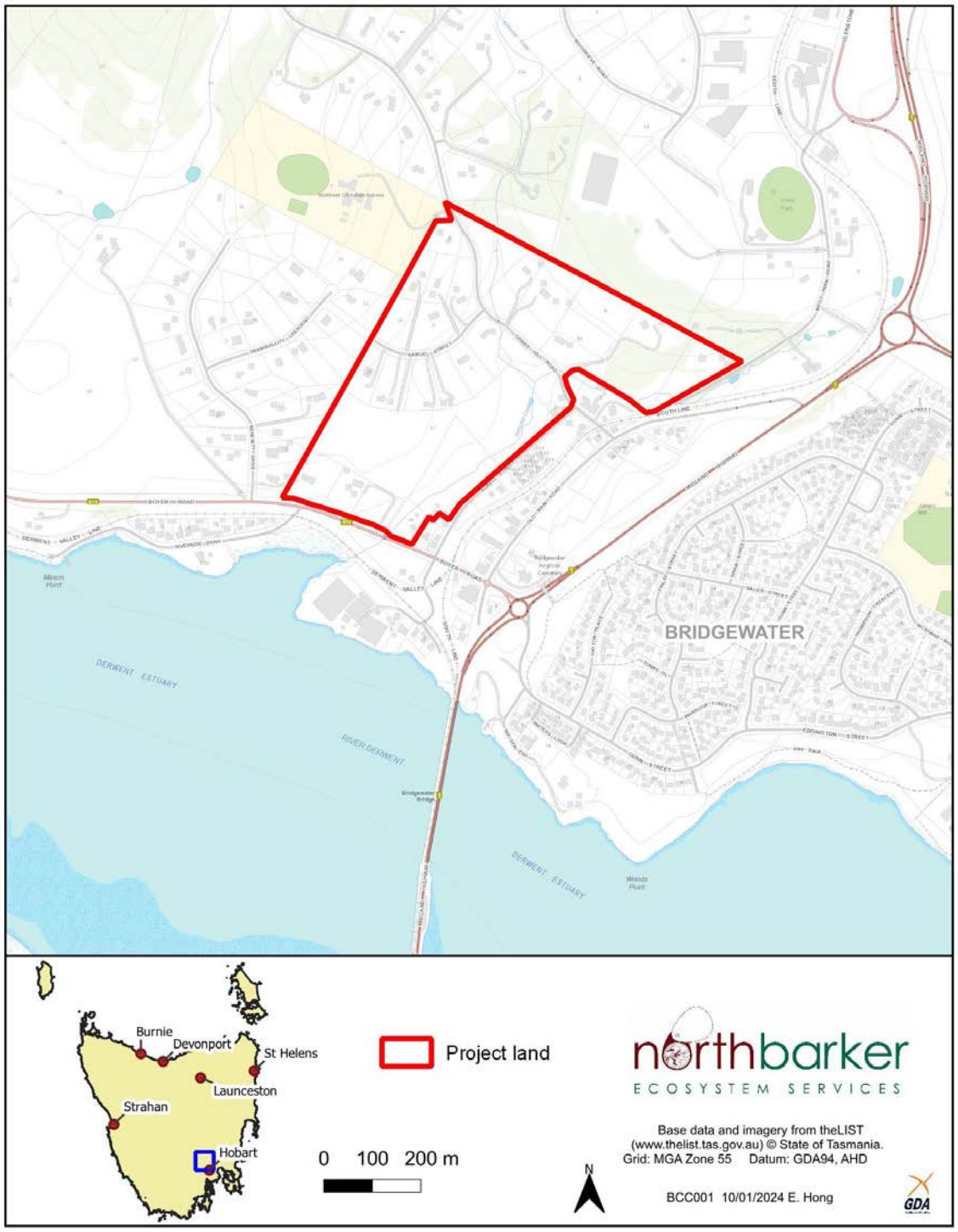

Figure 1: Locality of the project area

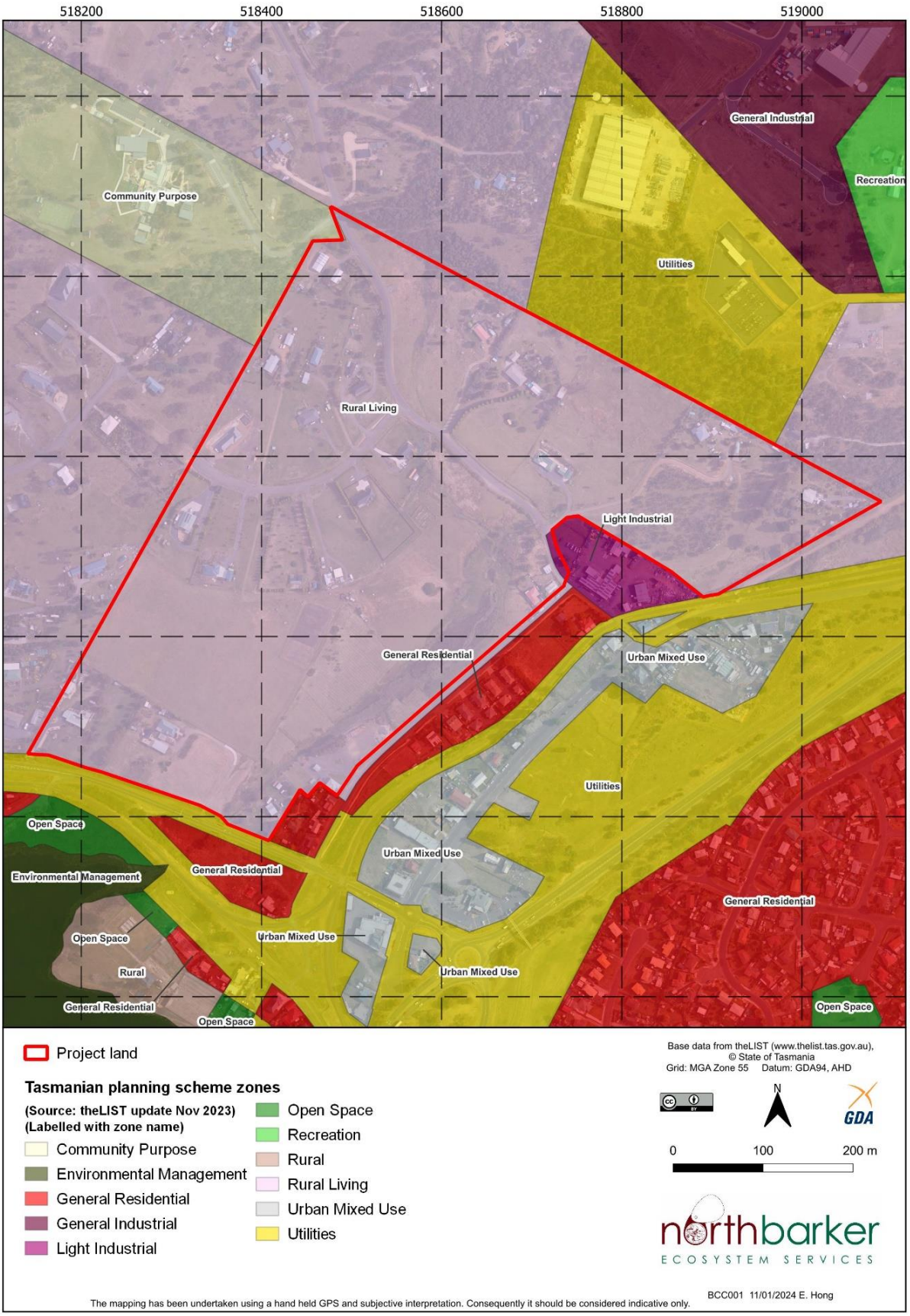

Figure 2: Current zoning of the project area

2. SITE VALUES

2.1. VEGETATION COMMUNITIES

The project area comprises mostly modified land, with some areas of remnant native vegetation in poor condition. One NCA listed threatened ecological community, 'wetlands', is present in the project area. No EPBCA listed communities are present in the project area. The distribution of vegetation is displayed in Figure 3.

2.1.1. Freshwater aquatic sedgeland and rushland (ASF)

This native vegetation community is present along Ashburton Creek in two separate locations, covering a total of 1.45 ha (5 % of the project area). The community is characterised by the dominance of sedges, such as *Schoenopletcus pungens*, and rushes, such as *Juncus kraussii* (Plate 1). Both species are abundant in the community. Cover of floating aquatic species, such as *Lemna disperma*, was low at the time of survey due to the low water level with the exception of a few standing pools.

The larger area of ASF mapped to the west of Sorell Street is freely accessible to livestock and, as such, is in poor condition (Plate 2). There is evidence of grazing and trampling of vegetation by livestock across the entire patch. Weeds, such as spear thistle (*Cirsium vulgare*), and the BA declared weed, slender thistle (*Carduus pycnocephalus*), are widespread and encroaching into this community from adjacent paddock areas.

The small area of ASF to the east of Cobbs Hill Road, whilst currently not being accessible to livestock, is in similarly poor condition, with weeds, such as wild teasel (*Dipsacus fullonum*), abundant (Plate 3).

Despite the poor condition, mapped areas of this community meet the criteria established under Schedule 3A of the NCA, to be classified as the threatened ecological community "Wetlands" (Appendix A). These patches satisfy the criteria as the "*vegetation is dominated by native sedges, rushes and occasionally tussock grasses in an area inundated by fresh (not brackish and never highly saline) water for some or most of the year*"[5].

Beyond the mapped areas of ASF, the riparian corridor of Ashburton Creek has been modified to an extent that it is no longer definable as a native vegetation community[6]. The creek line has been modified into different forms, such as culverts and lawns (Plate 4).

Plate 1: ASF wetlands present along the Ashburton Creek, to the west of Sorell Street

[5] Department of Natural Resources and Environment (2022)
[6] Kitchener and Harris (2013)

Plate 2: The ASF wetland (dark green and brown in the middle of the paddock) is freely accessible to stock and shows signs of grazing, trampling and weed infestations throughout

Plate 3: Weeds, such as wild teasel (brown plants on the edge of the pool), are common around the edges of the ASF

Plate 4: Part of Ashburton Creek which has been entirely modified

2.1.2. *Bursaria–Acacia* woodland and scrub (NBA)

This native vegetation community is found at one location, covering 0.92 ha (3.2 % of the project area), in the north-east corner of the project area, north of the Council Depot on Cobbs Hill Road (Figure 3).

The community is dominated by *Bursaria spinosa* in the shrub and tree layer, with a mixture of native and exotic grasses and herbs in the understorey (Plate 5). Native grasses, such as *Themeda triandra, Rytidosperma caespitosum* and *Austrostipa stuposa*, and native herbs, such as *Oxalis perennans* and *Convolvulus angustissimus* subsp. *angustissimus* are widespread ground covers; however, introduced grasses, such as *Dactylis glomerata* and *Holcus lanatus*, and introduced herbs, such as *Linum trigynum* and *Centaurium erythraea*, are equally widespread and more dominant in some parts of the community.

The overall condition of this community is generally poor to moderate with several slashed tracks present through the patch (Plate 6) and the woody weed, sweet briar (*Rosa rubiginosa*) also widespread in the understorey.

This community can form part of an EPBCA listed critically endangered ecological community if certain criteria are satisfied[7]. However, the patch of NBA present in the project area does not satisfy these criteria[8] as:

- it does not have sufficient diversity of wildflower species;
- more than 20 % of the plant species present are introduced; and
- it has more than 30 % solid crown cover of *Bursaria spinosa* (Plate 7).

Plate 5: Typical composition of the NBA

[7] NBA can form part of the EPBCA-listed community "Lowland Grasslands of Tasmania" if condition criteria are met; Department of the Environment, Water, Heritage and the Arts (2010)

[8] Department of the Environment, Water, Heritage and the Arts (2010)

Plate 6: One of the slashed tracks through the NBA

Plate 7: Cover of *Bursaria spinosa* is ~60 % in the NBA patch

2.1.3. Modified land (FUR, FAG & FWU)

The project area comprises mostly modified land, with approximately 26.48 ha (92 % of the project area) mapped as rural living blocks (FUR), agricultural land (FAG) and weed infestation (FWU) (Figure 3). These mapping units are described below.

Urban areas (FUR)

There are multiple lots within the project area that are currently occupied by private residences. These lots contain a mixture of built infrastructure, such as sheds and houses, and planted gardens/lawns (Plate 8).

The roadsides in these areas are dominated by introduced grasses, such as *Dactylis glomerata* and *Panicum capillare*, and introduced herbs, such as *Helminthotheca echioides* and *Malva sylvestris*. Many declared weeds are present in these areas as well, including blackberry, fennel, and gorse, which were often found to be mown on the roadside (Plate 9).

Plate 8: Private residences on Samuel Street

Plate 9: Mown gorse was found on the roadside of Samuel Street

Agricultural Land (FAG)

The central part of the project area between Samuel Street and Sorell Street is currently used as agricultural land and consists of cleared paddocks (Plate 10). Livestock (sheep) grazing was the main land use observed in the area mapped as FAG (Plate 11).

The area is heavily modified with vegetation intensively grazed, with only weeds with defensive spines, such as African boxthorn (BA declared), slender thistle (BA declared) and sweet briar, and those that are unpalatable, such as espartillo (*Amelichloa caudata*) (BA declared), forming larger plants (Plate 12).

The composition of the vegetation is dominated by introduced pasture grasses, such as *Avena* sp., *Hordeum* sp., *Dactylis glomerata* and *Cynosurus* spp., and agricultural weeds, such as capeweed (*Arctotheca calendula*), spear thistle (*Cirsium vulgare*) and sweet briar.

Although some native species are present, including *Convolvulus angustissimus* subsp. *angustissimus* and *Dodonaea viscosa*, they are present in low abundance and make a negligible contribution to the vegetation cover. Native species in the FAG area occur in greatest numbers around the edges of the ASF wetland, where the ASF transitions to FAG.

Plate 10: Typical composition of the FAG

Plate 11: Sheep are the main livestock grazing in the FAG areas

Plate 12: Plant species with defensive thorns or spines, such as sweet briar and African boxthorn (pictured), remain ungrazed

Weed Infestation (FWU)

Weed species are widespread and abundant across the project area. One small patch around Ashburton Creek, to the north of Boyer Road, is dominated by declared weeds to such an extent that it is categorised as a weed infestation (FWU;[9] Plate 13). This infestation covers 0.06 ha and comprises the declared weeds African boxthorn, blackberry, fennel, white weed and prickly pear. Prickly pear (*Opuntia stricta*; Plate 14) (BA Declared) is not found anywhere else in the project area.

Plate 13: View of the FWU from Boyer Road

Plate 14: Prickly pear and white weed in the FWU

[9] Kitchener and Harris (2013)

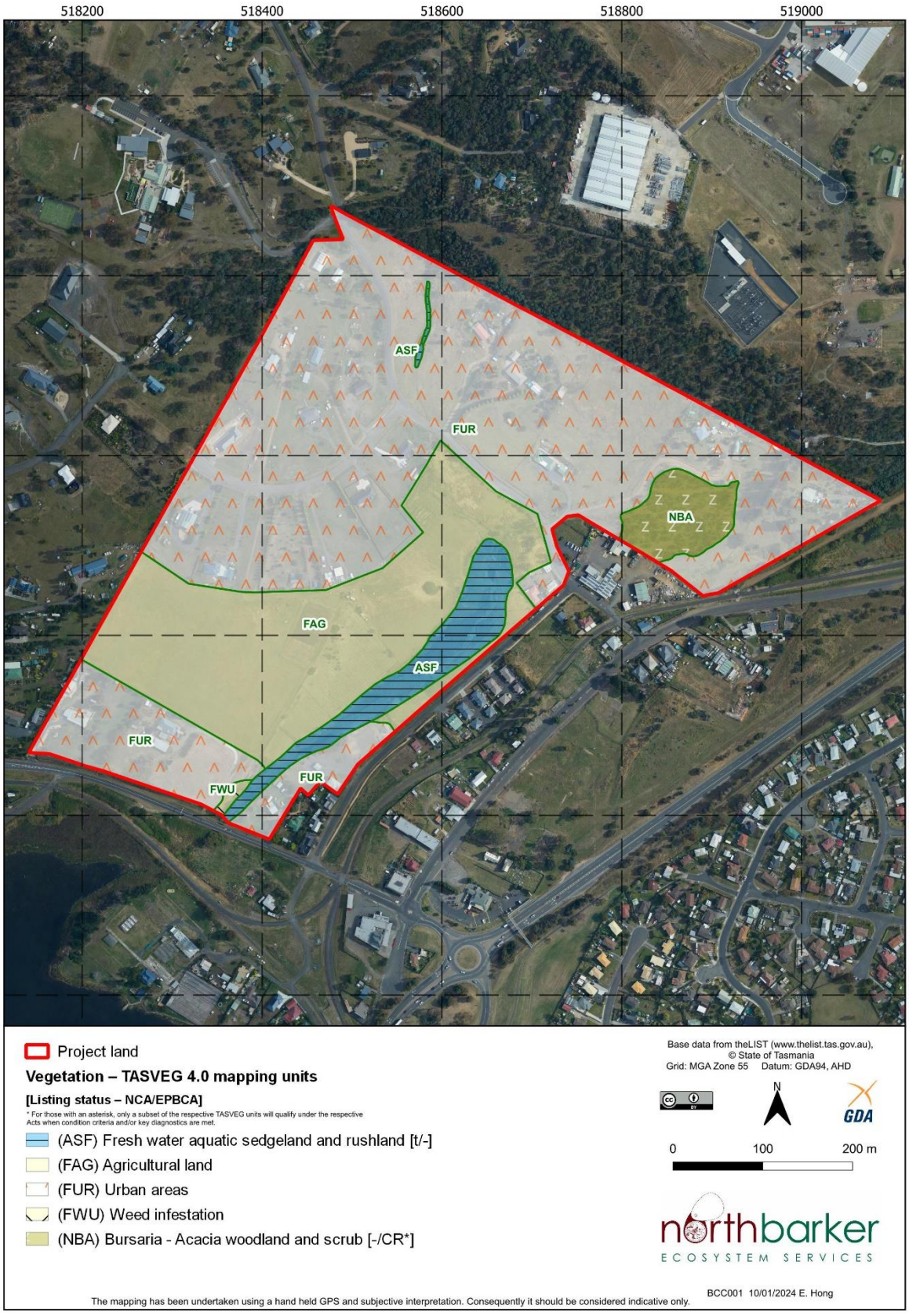

Figure 3: Vegetation mapped by NBES and classified using TASVEG 4.0 units within the project area

2.2. THREATENED FLORA

No flora species listed under either the TSPA or EPBCA were observed during the survey or have been recorded in the project area in the past, according to the Natural Values Atlas[10].

Due to the modified nature of much of the project area and its small size, it is unlikely that any threatened flora species were overlooked at the time of survey.

2.2.1. Threatened flora recorded within 500 m of the project area

Vittadinia gracilis and *Austrostipa bigeniculata*, both species listed as rare under the TPSA, are threatened flora species with the closest reliable records[11] to the project area (refer to Figure 4). These two species have been recorded most frequently, compared to other threatened flora species, within 500 m of the project area (Table 1). Previous records occur grassy roadside reserves in the nearby area (Figure 4). Similar habitat to this, and other suitable habitat, was extensively searched within the project area but no plants of either species were recorded.

Eleven additional threatened species have been recorded within 500 m of the project area, none of which are listed under the EPBCA (Table 1). None of these species were observed and all are highly unlikely to occur in the project area as suitable habitat is not widely available.

Table 1: Verified threatened flora records from within 500 m of the project area. Sourced from the Natural Values Atlas (Department of Natural Resources and Environment, 2023)

Species	Common Name	SS	NS	Bio	Observation Count	Last Recorded
Asperula scoparia subsp. scoparia	prickly woodruff	r		n	1	30-Nov-2000
Austrostipa bigeniculata	doublejointed speargrass	r		n	10	27-May-2020
Calocephalus citreus	lemon beautyheads	r		n	1	05-Mar-1945
Calocephalus lacteus	milky beautyheads	r		n	1	05-Mar-1945
Carex gunniana	mountain sedge	r		n	1	01-Jan-1912
Haloragis aspera	rough raspwort	v		n	1	05-Mar-1945
Haloragis heterophylla	variable raspwort	r		n	1	05-Mar-1945
Schoenoplectus tabernaemontani	river clubsedge	r		n	1	08-Apr-2020
Stuckenia pectinata	fennel pondweed	r		n	1	01-Dec-1891
Triptilodiscus pygmaeus	dwarf sunray	v		n	1	25-Oct-1972
Vittadinia burbidgeae	smooth new-holland-daisy	r		e	1	14-Sep-1988
Vittadinia gracilis	woolly new-holland-daisy	r		n	9	04-Nov-2020
Vittadinia muelleri	narrowleaf new-holland-daisy	r		n	1	08-Apr-2020
Vittadinia muelleri (broad sense)	narrow leaf new holland daisy	p		n	1	01-Sep-1992

2.2.2. Threatened flora recorded within 5 km of the project area

Forty-nine threatened flora species listed under the TSPA (with nine also listed under the EPBCA) have previously been recorded within 5 km of the project area[10] (Table 2). None of these species were observed and all are unlikely to occur in the project area.

[10] Department of Natural Resources and Environment (2023) Report generated: nvr_3_18-Dec-2023.pdf

[11] *Haloragis heterophylla* is the closest threatened flora species to be recorded to the project area; however, the location of this record is not reliable as it has an accuracy of 2.5 km and was recorded in 1945.

Table 2: Verified threatened flora records from within 5 km of the project area. Sourced from the Natural Values Atlas (Department of Natural Resources and Environment, 2023)

Species	Common Name	SS	NS	Bio	Observation Count	Last Recorded
Aphelia gracilis	slender fanwort	r		n	1	01-Jan-1993
Asperula scoparia subsp. scoparia	prickly woodruff	r		n	5	27-Jul-2016
Austrostipa bigeniculata	doublejointed speargrass	r		n	132	11-Feb-2022
Austrostipa blackii	crested speargrass	r		n	2	07-Jan-2004
Bolboschoenus caldwellii	sea clubsedge	r		n	24	01-Jun-2017
Brachyscome rigidula	cutleaf daisy	v		n	3	31-Mar-1995
Caladenia anthracina	blacktip spider-orchid	e	CR	e	2	01-Sep-1920
Caladenia caudata	tailed spider-orchid	v	VU	e	16	29-Sep-2011
Caladenia filamentosa	daddy longlegs	r		n	1	22-Oct-1947
Calocephalus citreus	lemon beautyheads	r		n	42	10-Feb-2020
Calocephalus lacteus	milky beautyheads	r		n	6	01-Dec-1992
Carex gunniana	mountain sedge	r		n	1	01-Jan-1912
Colobanthus curtisiae	grassland cupflower	r	VU	n	1	01-Jan-1877
Coronidium gunnianum	swamp everlasting	?e		n	1	01-Jan-1900
Dianella amoena	grassland flaxlily	r	EN	n	307	24-Feb-2022
Diuris palustris	swamp doubletail	e		n	1	01-Oct-1977
Eryngium ovinum	blue devil	v		n	1	06-Dec-2004
Eucalyptus risdonii	risdon peppermint	r		e	63	10-Apr-2015
Glycine latrobeana	clover glycine	v	VU	n	3	21-Nov-2008
Gratiola pubescens	hairy brooklime	r		n	1	01-Feb-1892
Haloragis aspera	rough raspwort	v		n	1	05-Mar-1945
Haloragis heterophylla	variable raspwort	r		n	36	23-Nov-2021
Hibbertia basaltica	basalt guineaflower	e	EN	e	97	12-Jan-2022
Isoetopsis graminifolia	grass cushion	v		n	121	13-Jan-2022
Lachnagrostis robusta	tall blowngrass	r		n	1	23-Dec-1943
Lepidium hyssopifolium	soft peppercress	e	EN	n	9	01-Jun-2006
Lepilaena patentifolia	spreading watermat	r		n	1	27-Feb-1976
Lythrum salicaria	purple loosestrife	v		n	1	01-Mar-1894
Pellaea calidirupium	hotrock fern	r		n	4	12-Jan-2022
Pterostylis ziegeleri	grassland greenhood	v	VU	e	20	04-Nov-2016
Pultenaea prostrata	silky bushpea	v		n	1	11-Nov-2004
Ranunculus pumilio var. pumilio	ferny buttercup	r		n	1	27-Sep-1993
Ruppia megacarpa	largefruit seatassel	r		n	12	10-Mar-2021
Schoenoplectus tabernaemontani	river clubsedge	r		n	2	08-Apr-2020
Scleranthus fasciculatus	spreading knawel	v		n	7	20-Jan-2023
Senecio squarrosus	leafy fireweed	r		n	21	26-Jun-2023
Stackhousia subterranea	grassland candles	e		n	7	02-Nov-2021
Stuckenia pectinata	fennel pondweed	r		n	1	01-Dec-1891
Thesium australe	southern toadflax	x	VU	n	1	01-Jan-1804
Triptilodiscus pygmaeus	dwarf sunray	v		n	59	09-Nov-2021
Vallisneria australis	river ribbons	r		n	2	01-Mar-1894
Velleia paradoxa	spur velleia	v		n	6	15-Oct-2004
Vittadinia burbidgeae	smooth new-holland-daisy	r		e	2	01-Oct-2008
Vittadinia cuneata var. cuneata	fuzzy new-holland-daisy	r		n	2	05-Jan-1991
Vittadinia gracilis	woolly new-holland-daisy	r		n	74	04-Nov-2020
Vittadinia muelleri	narrowleaf new-holland-daisy	r		n	305	01-Feb-2022
Vittadinia muelleri (broad sense)	narrow leaf new holland daisy	p		n	36	05-Jan-2005
Xanthoparmelia amphixantha		e		n	5	01-Oct-2008
Xanthoparmelia vicariella		r		e	3	02-Dec-2021

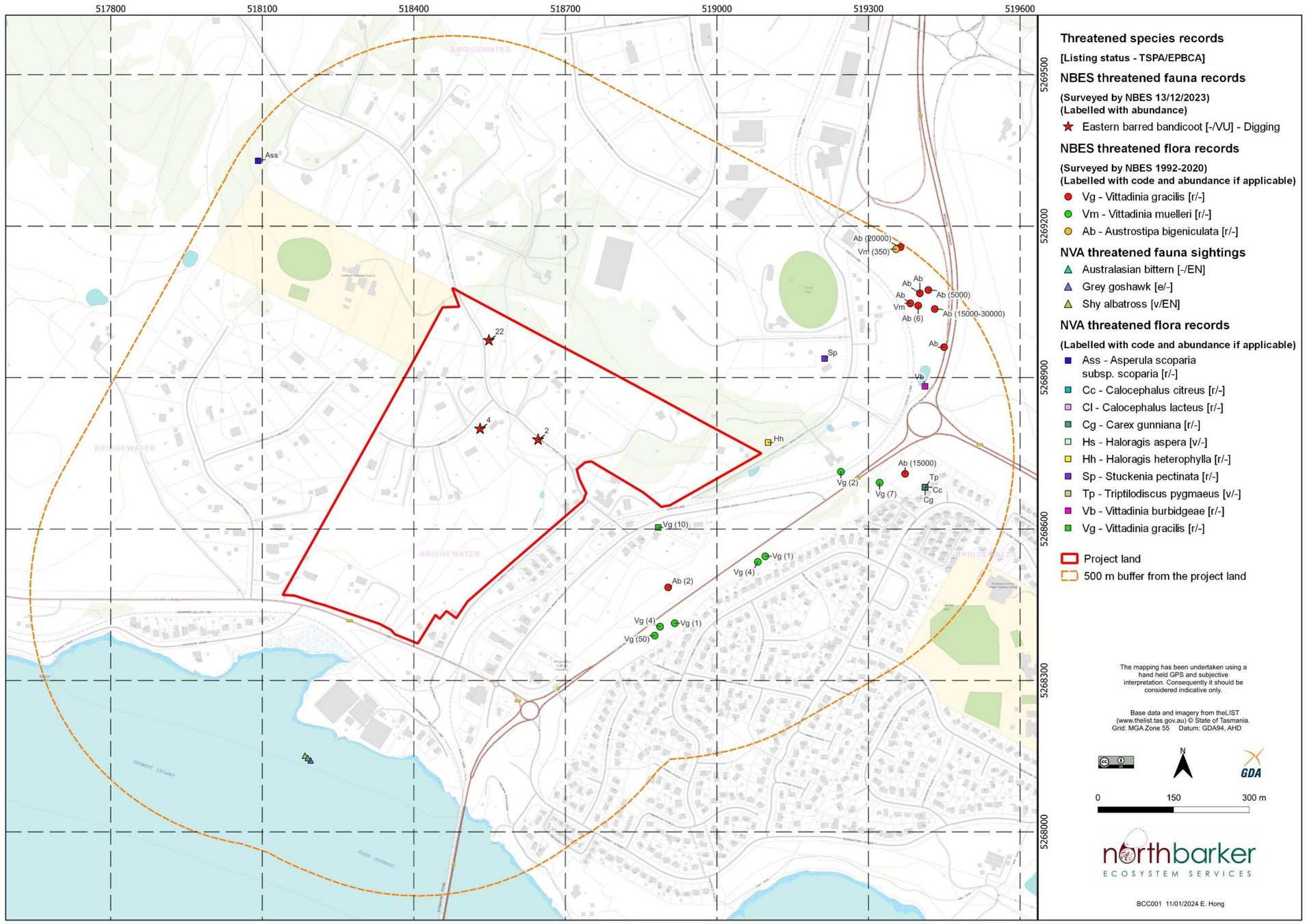

Figure 4: Threatened fauna signs observed in the project area, and previously recorded[12] threatened flora and fauna species within 500 m of the project area.

[12] Previously recorded by North Barker Ecosystem Services or the Natural Values Atlas of Tasmania

2.3. THREATENED FAUNA AND THREATENED FAUNA HABITAT

Potential signs of one threatened fauna species, eastern barred bandicoot (*Perameles gunnii*), were observed within the project area. No other signs characteristic of threatened fauna, such as scats, prints, dens or diggings were observed.

Foraging habitat exists for the eastern barred bandicoot with the project area, as well as marginal foraging habitat for other species discussed below.

2.3.1. Eastern barred bandicoot (*Perameles gunnii*)

Small conical diggings that are characteristic for bandicoot species[13] were encountered occasionally across the project area (Plate 15) (Figure 4). The diggings were mostly associated with the grassy roadside edges, where cover, such as fence-line shrubs, is present. These diggings can be attributed to either the EPBCA listed vulnerable eastern barred bandicoot (*Perameles gunnii*) or the non-threatened southern brown bandicoot (*Isoodon obesulus*). Further investigations would be needed to reliably determine which species are present in the project area.

Given that the paddock areas have been grazed heavily (removing cover and nesting habitat; Plate 16), it is likely that these areas provide only foraging habitat for the species[13]. Within the mapped area of NBA, there is sufficient vegetation cover of native tussocks and sedges (Plate 5), to provide suitable nesting habitat for the species.

Plate 15: One of the small conical bandicoot diggings observed

[13] Department of the Environment, Water, Heritage and the Arts (2008)

Plate 16: Heavily grazed paddocks with no vegetation cover for native fauna to shelter

2.3.2. Threatened fauna recorded within 500 m of the project area

According to the Natural Values Atlas[14], three threatened fauna species have been recorded within 500 m of the project area, including:

- grey goshawk – *Accipiter novaehollandiae* (TSPA Endangered): recorded once in 1911
- Australasian bittern – *Botaurus poiciloptilus* (EPBCA Endangered): recorded once in 1981
- shy albatross – *Thalassarche cauta* (TSPA Vulnerable /EPBCA Endangered): recorded once in 1884

Aside from the historical nature of these records, they also have high spatial inaccuracy (5 km)[14] and as such may have never occurred within 500 m of the project area (Figure 4). There is no suitable habitat present for the grey goshawk or the shy albatross within the project area, thus there is no chance of their occurrence. Wetland areas[15] mapped as ASF provide marginal foraging habitat for the Australasian bittern however, given the poor condition of these areas this species is considered unlikely to occur within the project area.

2.3.3. Threatened fauna recorded within 5 km of the project area

Within 5 km of the project area, 19 listed threatened fauna species have previously been recorded (Table 3). Of these additional species, the blue-winged parrot (*Neophema chrysostoma*) (-/VU) and the green and gold frog (*Litoria raniformis*) (v/VU) are considered to have suitable habitat available in the project area (as well as eastern barred bandicoot, as discussed in Section 2.3.1).

For most of the other threatened species listed in Table 3, there is no suitable habitat present onsite and limited likelihood of them occurring. Some of the threatened species, specifically the eastern quoll (*Dasyurus viverrinus*), spotted-tail quoll (*Dasyurus maculatus*), Tasmanian devil (*Sarcophilus harrisii*), great crested grebe (*Podiceps cristatus*), wedge-tailed eagle (*Aquila audax fleayi*), white-bellied sea-eagle (*Haliaeetus leucogaster*) and the Tasmanian masked owl (*Tyto novaehollandiae castanops*) are likely to be transient foraging visitors only to the area as there is no suitable nesting or denning habitat present.

[14] Department of Natural Resources and Environment (2023) Report generated: nvr_3_18-Dec-2023.pdf
[15] Threatened Species Section (2024)

Blue-winged parrot (*Neophema chrysostoma*) (-/VU)

This species was listed as a vulnerable species under the EPBCA in March 2023[16]. Suitable foraging habitat for this species is present, as it is known to forage in paddocks to feed on seeds of native and introduced grasses, herbs, and shrubs[16]. No suitable nesting habitat for this species was observed in the project area.

Green and gold frog (*Litoria raniformis*) (v/VU)

This frog species is found in lowland areas, primarily near the coast[17]. The species require permanent or temporary waterbodies for survival and tend to inhabit those containing emergent plants such as *Triglochin procera* or species of *Juncus* or sedge[17]. Areas of Ashburton Creek mapped as ASF provide marginal habitat for the species although it is considered highly unlikely to occur at this location given there is only one historical record of this species from within 5 km of the project area.

Table 3: Verified threatened fauna records from within 5 km of the project area. Sourced from the Natural Values Atlas (Department of Natural Resources and Environment, 2023)

Species	Common Name	SS	NS	Bio	Observation Count	Last Recorded
Accipiter novaehollandiae	grey goshawk	e		n	12	09-Mar-2019
Alcedo azurea subsp. diemenensis	azure kingfisher or azure kingfisher (tasmanian)	e	EN	e	1	01-Jan-1900
Aquila audax	wedge-tailed eagle	pe	PEN	n	17	20-Sep-2019
Aquila audax subsp. fleayi	tasmanian wedge-tailed eagle	e	EN	e	3	31-Mar-2023
Botaurus poiciloptilus	australasian bittern		EN	n	9	09-Jun-2017
Dasyurus maculatus	spotted-tailed quoll	r	VU	n	3	12-Feb-2023
Dasyurus viverrinus	eastern quoll		EN	n	8	09-Dec-2019
Eagle sp.	Eagle	e	EN	n	2	07-May-2020
Haliaeetus leucogaster	white-bellied sea-eagle	v		n	25	14-Jan-2021
Hirundapus caudacutus	white-throated needletail		VU	n	2	31-Dec-1980
Lathamus discolor	swift parrot	e	CR	mbe	17	04-Oct-2022
Litoria raniformis	green and gold frog	v	VU	n	1	14-Dec-1970
Neophema chrysostoma	blue-winged parrot		VU	n	7	09-Feb-2019
Pardalotus quadragintus	forty-spotted pardalote	e	EN	e	3	14-Oct-1920
Perameles gunnii	eastern barred bandicoot		VU	n	34	16-Nov-2022
Perameles gunnii subsp. gunnii	eastern barred bandicoot		VU		6	20-Aug-2021
Podiceps cristatus	great crested grebe	v		n	11	30-Nov-2020
Poliocephalus cristatus subsp. australis	great crested grebe	pv			1	07-Dec-1981
Prototroctes maraena	australian grayling	v	VU	ae	4	28-Oct-1987
Sarcophilus harrisii	tasmanian devil	e	EN	e	24	27-Dec-2022
Sterna striata	white-fronted tern	v		n	1	04-Mar-2013
Thalassarche cauta	shy albatross	v	EN	ae	1	23-Nov-1884
Tyto novaehollandiae	masked owl	pe	PVU	n	9	13-Feb-2019

2.4. INTRODUCED FLORA

Introduced flora species were ubiquitous across the project area with declared, WoNS and environmental weeds being widespread and abundant. Of the 100 recorded species, 74 species (or 74 %) are introduced (Appendix B).

2.4.1. Declared Weeds

Nine species listed as 'declared' under the BA were recorded in the project area at the time of the survey. Five of these species are additionally listed as a Weed of National Significance (WoNS). Many of these declared weeds occur as moderate infestations across the project area (Figure 5). Declared weeds and WoNS observed, and their general extent within the project area, are summarised in Table 4.

[16] Department of Climate Change, Energy, the Environment and Water (2023)

[17] Habitat descriptions are informed by threatened species note sheets available at the Threatened Species Link (https://www.threatenedspecieslink.tas.gov.au/Pages/default.aspx)

Of the declared weeds, six are classified as Class B weeds in Brighton Council, whilst three are classified as Class A weeds. The Statutory Weed Management Plan for the prickly pear was not available at the time of this report, therefore the weed will be treated as a Class A species.

According to the provisions of the Tasmanian *Biosecurity Regulations 2022*, administered under the Tasmanian *Biosecurity Act 2019*, Class A localities are areas in which eradication is deemed feasible (generally due to the existence of a targeted management plan) and is the responsibility of the landowner or land manager, or in the case of disturbance the development proponent.

Class B municipalities are those which host moderate or large infestations of the declared weed that are not deemed eradicable because the feasibility of effective management is low at this time. Therefore, the objective is containment of infestations. This includes preventing spread of the declared weed from the municipality or into properties currently free of the weed, or for which a locally integrated weed management plan for that species has been developed or is being implemented. There is also a requirement to prevent spread of the weeds to properties containing sites for significant flora, fauna, and vegetation communities.

Table 4: Extent of declared and WoNS species found within the project area

Species	WoNS Status	BA Class	Extent
African boxthorn *Lycium ferocissimum*	**YES**	**B**	Abundant and forms thick patches in the agricultural paddocks and along fence lines.
blackberry *Rubus fruticosus* aggregate	**YES**	**B**	Abundant and forms thick patches along the roadside edges.
boneseed *Chrysanthemoides monilifera* subsp. *monilifera*	**YES**	**A**	A few plants and clusters of plants are present in the NBA behind the Council Depot.
espartillo *Amelichloa caudata*	**-**	**A**	Numerous plants occur in three different locations across the project area. Plants were found to be mature and bearing seed (Plate 17).
fennel *Foeniculum vulgare*	**-**	**B**	Widespread across the roadside edges and occasionally found in the paddocks.
gorse *Ulex europaeus*	**YES**	**B**	Occurs as isolated plants and clusters of plants in the roadside and along fence lines.
prickly pear *Opuntia stricta*	**YES**	**A**	One large plant is present along the edge of Ashburton Creek in the south of the project area in FWU.
white weed *Lepidium draba*	**-**	**B**	Occurs as patches of plants across the project area.
slender thistle *Carduus pycnocephalus*	**-**	**B**	Widespread across the project area and occurs in large patches, with 100s of plants within a patch. Most abundant in agricultural areas.

Plate 17: Espartillo, one of the declared weeds and WoNS recorded in the project area

2.4.2. Non-declared Weeds

Additionally, many species classified as 'environmental weeds'[18] were observed across the project area (Appendix B). Environmental weeds with low abundance, such as cotoneaster, hawthorn and blue periwinkle (Plate 18), had their locations recorded (Figure 5). The individual locations of other weeds, such as sweet briar, spear thistle, capeweed and dock, which were widespread and abundant, were not recorded, though their presence in an area was noted (Plate 19).

Environmental weeds observed within the project area include:

- agapanthus (*Agapanthus praecox* subsp. *orientalis*)
- blue periwinkle (*Vinca major*)
- cotoneaster (*Cotoneaster glaucophyllus* var. *serotinus* and *Cotoneaster pannosus*)
- great mullein (*Verbascum thapsus* subsp. *thapsus*)
- hawthorn (*Crataegus monogyna*)
- radiata pine (*Pinus radiata*)
- sweet briar (*Rosa rubiginosa*)
- variegated thistle (*Silybum marianum*)

[18] Department of Natural Resources and Environment (2024)

Plate 18: Blue periwinkle occurs as one large patch on the edge of the NBA community

Plate 19: Typical weedy composition of fence lines with declared weeds (fennel and blackberry pictured) and non-declared weeds (sweet briar and hawthorn pictured)

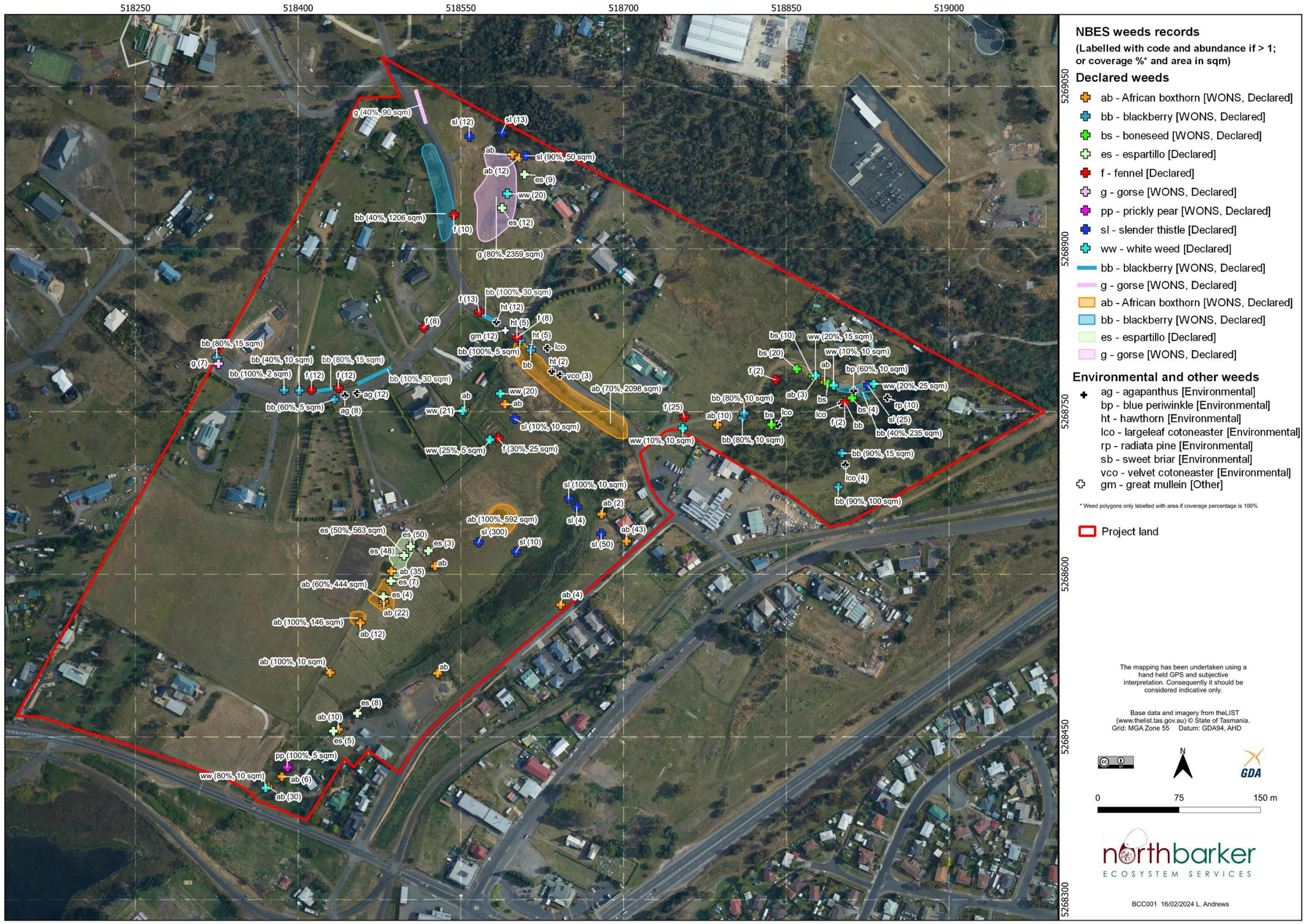

Figure 5: Declared and environmental weeds within the project area.

3. POTENTIAL IMPLICATIONS OF PROPOSED REZONING ON NATURAL VALUES

The impact of any particular development on natural values observed within the project area has not been assessed in this report. This report provides a comprehensive summary of natural values present. It also provides an indication of the potential constraints these natural values may present on any future development associated with the rezoning options proposed by Brighton Council.

The natural values constraints and the implications of rezoning on the natural values present are discussed in Table 5 and are summarised below.

Rezoning of Ashburton Creek to Open Space (Zone 11):

- This would assist with conserving the NCA listed threatened vegetation community, Wetlands (ASF) by preventing existing inappropriate uses (i.e. grazing) that are currently degrading the community and averting future development of the area.
- Potential marginal habitat for the threatened green and gold frog would be protected and conserved.
- High catchment flow events will be able to occur unimpeded by inappropriate uses of the creek.

It is recommended that Council consider alternative zoning options for the Ashburton Creek riparian corridor that would place stricter planning regulations on this area to better reflect the natural values of the creek .

- The Landscape Conservation Zone (Zone 22) and the Environmental Management Zone (Zone 23) are two appropriate alternative zoning options. The purposes of these zones are "protection, conservation and management of the values of the land"[19]. Thus, the threatened vegetation community and threatened fauna habitat that Ashburton Creek supports will be protected. Future restoration and revegetation of the riparian corridor would also serve to link foreshore areas with bushland to the north of the project area. This would also assist with managing erosion associated with high catchment flows in the future.

Future rezoning of Ashburton Creek should incorporate the areas of ASF mapped in Figure 3 and consider the extent of the waterway and coastal protection area overlay along the creek.

Rezoning of the project area (excluding Ashburton Creek[20]) as General Residential (Zone 8) (*Option 1*) or a mixture of General Residential (Zone 8) and Low Density Residential (Zone 10) (*Option 2*):

- No federally listed threatened vegetation communities occur in the project area.
  One NCA listed threatened vegetation community, Wetlands, occurs in two locations along Ashburton Creek. Assuming these areas are encapsulated within the rezoning of the creek line (as discussed above), any future rezoning (and development) of the remaining project area would not have any direct impact on this threatened vegetation community. However, any future residential development of areas adjacent to the creek have the potential to indirectly impact upon areas of wetland through erosion and sedimentation as well as stormwater runoff etc. Any such impacts would need to be managed through the implementation of appropriate mitigation measures associated with any development proposal.
- One native vegetation community (NBA) may be impacted by the proposed rezoning. The 0.92 ha patch is in poor-moderate condition with a high proportion of weeds and previous clearing

[19] Zone purpose 22.1.1 and 23.1.2 a; Tasmanian Planning Scheme (2023)
[20] Ashburton Creek to be separately zoned; as per communications with Jo Blackwell (2023)

for tracks. While this community is not listed under the EPBCA or the NCA it is considered to be under reserved in the state and the bioregion despite it being widespread[21].

- There is no potential for any listed threatened flora species to be impacted by the proposed zoning changes as none are present or considered likely to occur.
- The EPBCA listed eastern barred bandicoot may have suitable foraging and nesting habitat reduced by the proposed zoning changes. However, as the species has not been definitively identified as being present in the project area, and alternative habitat is abundant in the surrounding area, any potential impacts to the species' habitat caused by changes to zoning are unlikely to warrant referral under the EPBCA.[22] This species is known to occur in peri-urban environments and is likely to still utilise areas of the site despite any future rezoning for residential purposes.
- Additional threatened fauna species that were previously recorded in the broader area are unlikely to be impacted by any developments facilitated by the proposed zoning changes, to an extent that warrants referral under the EPBCA or a permit to take under the TSPA, as the habitat present provides only marginal foraging habitat to transient visitors. No nesting or denning habitat for any threatened fauna species was observed during the survey.
- Given the abundance of declared and environmental weeds in the project area, there is a high risk that any future development works facilitated by the proposed rezoning will spread weeds locally or further away from the project area. Therefore, a Weed Hygiene Management Plan must be created for each development proposal to ensure compliance with the legislation and to prevent the spreading of weeds.

[21] 6% of NBA reserved in the South East IBRA and 9% of NBA reserved in state reserves. Forest types with less than 15% of its pre European extent reserved are considered to be under reserved.

[22] This may change into the future, and any future developments should consider impacts to the eastern barred bandicoot.

Table 5: Summary of potential implications on natural values from the proposed rezoning

Natural value	Potential constraint	Context & potential implications of rezoning on natural values[23]
EPBCA threatened ecological communities		
None present	No constraints anticipated	The community NBA can form part of an EPBCA critically endangered ecological community if certain criteria are satisfied[24]. The patch of NBA present in the project area does not satisfy these criteria[25] because: • it does not have sufficient diversity of wildflower species, • more than 20% of the plant species present are introduced, and • it has more than 30% solid crown cover of *Bursaria spinosa*
NCA threatened ecological communities		
Wetlands **ASF** – Freshwater aquatic sedgeland and rushland	No constraints anticipated (assuming mapped areas of ASF are excluded from residential rezoning). 1.45 ha present Ashburton Creek	There are two sections along Ashburton Creek that classify as the state-listed (NCA) threatened 'Wetlands' ecological community (Figure 3). Council have indicated that they are considering rezoning Ashburton Creek to Open Space (Zone 29) due to high catchment flows which can occur along the creek. One of the purposes of the Open Space Zone is "to provide land for open space purposes including for passive recreation and natural or landscape amenity"[26]. If the Council rezones Ashburton Creek, it would prevent future incompatible uses (such as residential development) which could directly impact the wetlands. Therefore, rezoning to Open Space will improve planning protections of the threatened ecological community. Future residential development of adjacent land may have indirect impacts on this community. Further recommendations are outlined in Section 3.1.

[23] Includes statements from Department of Natural Resources and Environment's Threatened Species Link summaries and note sheets.
[24] NBA can form part of the EPBCA-listed community "Lowland Grasslands of Tasmania" if specific criteria are met; Department of the Environment, Water, Heritage and the Arts (2010)
[25] Department of the Environment, Water, Heritage and the Arts (2010)
[26] Zone Purpose 29.1.1; Tasmanian Planning Scheme (2023)

Natural value	Potential constraint	Context & potential implications of rezoning on natural values[23]
Native vegetation communities (TASVEG 4.0 units)		
NBA – *Bursaria–Acacia woodland and scrub*	No constraints anticipated 0.92 ha present	There is one patch of NBA north of the Council Depot on Cobbs Hill Road. This community is not listed under state or federal government legislation. **<u>Rezoning Options</u>** **1.** Rezone the entirety of the area to General Residential (Zone 8) Under the General Residential Zone, uses and associated developments such as residential dwelling and subdivisions are permitted[27]. If other planning provisions are satisfied, such as setbacks and building envelopes, then development within this native vegetation community is acceptable. Therefore, if rezoning occurs, there is potential that the entirety of the vegetation community will be cleared as there are no planning provisions preventing this action. **2.** Rezone the area as a mixture of General Residential (Zone 8) and Low Density Residential (Zone 10) If the area is zoned as a mixture of General Residential and Low Density Residential, the planning scheme allowances for the conversion of this native vegetation patch are similar to that of option 1. If the NBA patch is zoned as Low Density Residential, uses such as building development are permitted[28], though one of the purposes of the Low Density Residential zone includes consideration of "environmental constraints"[29]. Therefore, any potential developments would need to consider the existing native vegetation community. However, potentially the entirety of the vegetation community could be cleared as there is no direct planning provisions preventing such action.

[27] Use Table 8.2; Tasmanian Planning Scheme (2023)
[28] Use Table 10.2; Tasmanian Planning Scheme (2023)
[29] Zone Purpose 10.1.1; Tasmanian Planning Scheme (2023)

Natural value	Potential constraint	Context & potential implications of rezoning on natural values[23]
Modified vegetation communities (TASVEG 4.0 units)		
FAG – Agricultural land **FUR** – Urban areas **FWU** – Weed infestations	No constraints anticipated 26.48 ha (in total) present	These modified land areas cover most of the project area (Figure 3) and have a very low number of natural values present. As such, any potential changes to zoning will not lead to direct impacts on observed natural values. **<u>Rezoning Options</u>** **1.** Rezone the entirety of the area to General Residential (Zone 8) Under the General Residential Zone, the amount of land that could be developed, such as through the construction of subdivisions and dwellings , will increase. The planning permissions under the General Residential Zone allow for higher density of living when compared to the Rural Living Zone (the current zoning of the area)[30]. **2.** Rezone the area as a mixture of General Residential (Zone 8) and Low Density Residential (Zone 10). Regardless of which area was zoned as General Residential or Low Density Residential, the new planning provisions would allow for an increase in the density of developments, such as residential dwellings, compared to what is currently allowed within the Rural Living Zone[30]. Any areas that are zoned as Low Density Residential will have planning constraints applied to them that will decrease the density of development opportunities, when compared to those zoned as General Residential.
EPBCA and/or TSPA listed threatened flora		
None present	No constraints anticipated 0 known plants	At the time of surveying, no threatened flora species were observed in the project area or are likely to have been overlooked. Therefore, there is no potential for impact to occur to threatened flora from a change in zoning,

[30] Tasmanian Planning Scheme (2023)

Natural value	Potential constraint	Context & potential implications of rezoning on natural values[23]
		regardless of which proposed option is selected, as none are present or considered likely to occur.
Threatened fauna and threatened fauna habitat		
Perameles gunnii Eastern barred bandicoot EPBCA: VULNERABLE TSPA: not listed	No constraints anticipated Minimal impact to foraging and nesting habitat	This species is widespread in Tasmania and resilient to disturbance[31]. Suitable habitat for this species, as well as potential signs of this species (conical diggings), were observed within the project area. Further investigations would be needed to reliably determine the presence of the species in the project area. There is potential for a larger amount of suitable habitat to be converted with the General Residential zoning compared to the Low Density Residential zoning, as the General Residential zone allows for a higher density of development[32]. However, it is considered unlikely that either of the proposed rezoning options would reduce the carrying capacity of the habitat at all given that this species is known to be successful in peri urban environments and the extent of suitable habitat in the broader area. There is some potential for indirect impacts associated with future occupation of the residential homes and the introduction of cats and dogs. Given the presence of rural residences these threats are likely already present in the project area. As stated above the species is also known to be successful in peri urban environments. Also, the retention of habitats along the creek line would provide protection and cover for this species. Regardless of which zoning option is selected, it is unlikely that any future development would warrant referral under the EPBCA based on potential impacts to this species.

[31] Department of the Environment, Water, Heritage and the Arts (2008)
[32] Tasmanian Planning Scheme (2023)

Natural value	Potential constraint	Context & potential implications of rezoning on natural values[23]
Neophema chrysostoma Blue-winged parrot EPBCA: VULNERABLE TSPA: not listed	No constraints anticipated Minimal impact to foraging habitat	Suitable foraging habitat for this species is present, as it is known to forage in paddocks to feed on seeds of native and introduced grasses, herbs and shrubs[33]. Any future developments that could potentially arise from changes to the zoning, do not have the potential to lead to a decline in the species population, as there is abundant alternative foraging habitat in the immediate surrounds for this highly mobile species. Regardless of which zoning option is selected, it is unlikely that any future development would warrant referral under the EPBCA based on potential impacts to this species.
Litoria raniformis Green and gold frog EPBCA: VULNERABLE TSPA: vulnerable	No constraints anticipated	The ASF wetland, mapped along Ashburton Creek, provides marginal suitable habitat for this species although it is considered highly unlikely to occur at this location given the lack of records. Assuming mapped areas of ASF are rezoned as Open Space (Zone 29), all suitable habitat for this species would remain. Rezoning of areas mapped as ASF would reduce habitat for this species although this is considered unlikely to be significant given the very low likelihood of occurrence at the site. Rezoning of adjacent areas for residential purposes has the potential to indirectly impact wetland habitats through erosion and sedimentation as well as stormwater runoff etc. Any such impacts would need to be managed through the implementation of appropriate mitigation measures associated with any development proposal. Regardless of which zoning option is selected, it is unlikely that any future development would warrant referral under the EPBCA based on potential impacts to this species.

[33] Department of Climate Change, Energy, the Environment and Water (2023)

Natural value	Potential constraint	Context & potential implications of rezoning on natural values[23]
Introduced flora		
Declared, WoNS and Environmental weed species *See section 2.4 and Appendix B for details of weed species present*	Spread of weed species and contamination of nearby private land and other areas through the spreading of propagules.	Three Class A declared weeds and six Class B declared weeds[34] were observed in the project area. The proposed zoning changes will not change the legislative requirement to manage declared weed species. Any future developments associated with changes to the zoning are likely to increase the risk of spreading weeds locally (or further) through creating new disturbance niches in the project area or spreading propagules through contaminated soil, equipment and/or machinery. Any future planning permits should ensure best-practice guidelines for weed and hygiene management are undertaken to manage existing weed infestations and to prevent the establishment of any new infestations in the project area: • *Keeping it clean - A Tasmanian field hygiene manual to prevent the spread of freshwater pests and pathogens* (Allen and Gartenstein, 2010) • *Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania* (DPIPWE, Stewart and Askey-Doran, 2015)

[34] In Brighton Council, according to the relevant Statutory Weed Management Strategies accessed via the Department of Natural Resources and Environment website.

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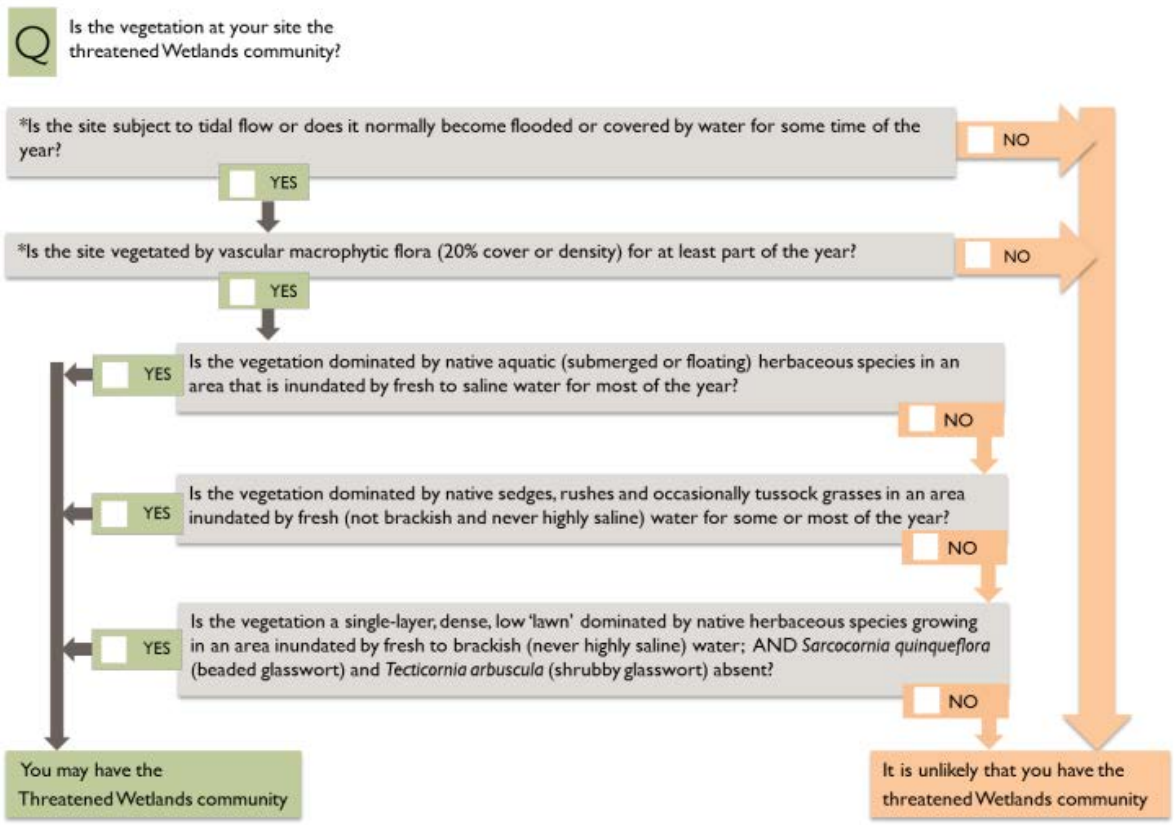
APPENDIX A – DETERMINING THE PRESENCE OF THE THREATENED ECOLOGICAL COMMUNITY: WETLANDS[35]

Is Wetlands present at your site?



*You may need to take account of climatic conditions (seasonal variations and drought) or time since disturbance (e.g., grazing).

Note

- Where typically sparse vegetation dominated by sedges or herbs is growing on alkaline (pH 5.0 to 8.5) dolomite or limestone-derived gravels or sands in shallow pans, it may be advisable to refer to the information provided for **1** Alkaline pans.
- Where *Sphagnum* moss covers more than 30% of the ground, it may be advisable to refer to the information provided for **36** *Sphagnum* peatland.

[35] As determined under Schedule 3A of the *Nature Conservation Act 2002*; Department of Natural Resources and Environment Tasmania (2022)

APPENDIX B – VASCULAR FLORA SPECIES LIST

Status codes:

ORIGIN	NATIONAL SCHEDULE	STATE SCHEDULE
i - introduced	EPBC Act 1999	TSP Act 1995
d - declared weed WM Act	CR - critically endangered	e - endangered
en - endemic to Tasmania	EN - endangered	v - vulnerable
t - within Australia, occurs only in Tas.	VU - vulnerable	r - rare

Sites:

1	ASF - Ashburton Creek - E518611, N5268587	18/12/2023 Ian Jenkinson
2	NBA - E518839, N5268764	18/12/2023 Ian Jenkinson
3	FUR - E518457, N5268769	18/12/2023 Ian Jenkinson
4	FAG - E518512, N5268582	18/12/2023 Ian Jenkinson

Site	Name	Common name	Status
	DICOTYLEDONAE		
	APIACEAE		
2 3	*Foeniculum vulgare*	fennel	d
	APOCYNACEAE		
2	*Vinca major*	blue periwinkle	i
	ASTERACEAE		
3 4	*Arctotheca calendula*	capeweed	i
4	*Bellis perennis*	English daisy	i
4	*Calendula arvensis*	field marigold	i
1 4	*Carduus pycnocephalus*	slender thistle	d
2	*Chrysanthemoides monilifera* subsp. *monilifera*	boneseed	d
1 2 3 4	*Cirsium vulgare*	spear thistle	i
3	*Conyza bonariensis*	flaxleaf fleabane	i
2	*Dimorphotheca fruticosa*	trailing daisy	i
2	*Euchiton japonicus*	common cottonleaf	
3 4	*Helminthotheca echioides*	bristly oxtongue	i
1 2 3 4	*Hypochaeris radicata*	rough catsear	i
3 4	*Lactuca serriola* f. *serriola*	prickly lettuce	i
4	*Olearia ramulosa*	twiggy daisybush	
2	*Senecio* sp.	groundsel	
4	*Silybum marianum*	variegated thistle	i
1 4	*Sonchus asper*	prickly sowthistle	i
4	*Taraxacum officinale*	common dandelion	i

2	*Tragopogon porrifolius subsp. porrifolius*	salsify	i
	BRASSICACEAE		
3 4	*Brassicaceae sp.*		i
2 3 4	*Hirschfeldia incana*	hoary mustard	i
4	*Lepidium draba*	hoary cress	d
	CACTACEAE		
4	*Opuntia stricta*	prickly pear	d
	CARYOPHYLLACEAE		
4	*Stellaria media*	garden chickweed	i
	CHENOPODIACEAE		
1	*Atriplex prostrata*	creeping orache	i
3	*Einadia nutans subsp. nutans*	climbing saltbush	
	CONVOLVULACEAE		
2 4	*Convolvulus angustissimus* subsp. *angustissimus*	blushing bindweed	
	DIPSACACEAE		
1 4	*Dipsacus fullonum*	wild teasel	i
	ERICACEAE		
2	*Lissanthe strigosa* subsp. *subulata*	peachberry heath	
2	*Styphelia humifusa*	native cranberry	
	EUPHORBIACEAE		
4	*Euphorbia peplus*	petty spurge	i
	FABACEAE		
2	*Acacia baileyana*	Cootamundra wattle	i
2	*Acacia dealbata* subsp. *dealbata*	silver wattle	
3 4	*Acacia mearnsii*	black wattle	
2	*Acacia provincialis*	wattle	i
2 3 4	*Medicago sativa*	lucerne	i
1 4	*Trifolium repens*	white clover	i
4	*Trifolium subterraneum*	subterranean clover	i
3	*Ulex europaeus*	gorse	d
	FUMARIACEAE		
1 3	*Fumaria bastardii*	bastard's fumitory	i
	GENTIANACEAE		
2 4	*Centaurium erythraea*	common centaury	i
	GERANIACEAE		
4	*Erodium moschatum*	musky heronsbill	i
	LINACEAE		
2	*Linum trigynum*	French flax	i
	MALVACEAE		

3	*Malva sylvestris*	tall mallow	i
	MYRTACEAE		
4	*Eucalyptus globulus* subsp. *globulus*	Tasmanian blue gum	
2	*Eucalyptus viminalis* subsp. *viminalis*	white gum	
	OXALIDACEAE		
2	*Oxalis perennans*	grassland woodsorrel	
	PITTOSPORACEAE		
2 4	*Bursaria spinosa* subsp. *spinosa*	prickly box	
	PLANTAGINACEAE		
1 2 4	*Plantago coronopus*	buckshorn plantain	i
1 2 4	*Plantago lanceolata*	ribwort plantain	i
	POLYGONACEAE		
4	*Acetosella vulgaris*	sheep sorrel	i
4	*Polygonum aviculare*	creeping wireweed	i
1 3 4	*Rumex crispus*	curled dock	i
1 4	*Rumex* sp.	dock	
	PRIMULACEAE		
4	*Lysimachia arvensis*	scarlet pimpernel	i
	RESEDACEAE		
4	*Reseda luteola*	weld	i
	ROSACEAE		
2 3	*Cotoneaster glaucophyllus* var. *serotinus*	largeleaf cotoneaster	i
3	*Cotoneaster pannosus*	velvet cotoneaster	i
2 3	*Crataegus monogyna*	hawthorn	i
3	*Malus domestica*	apple	i
1 2 3	*Rosa rubiginosa*	sweet briar	i
2 3	*Rubus fruticosus*	blackberry	d
2 3	*Sanguisorba minor*	salad burnet	i
	RUBIACEAE		
3	*Galium australe*	tangled bedstraw	
	SAPINDACEAE		
3 4	*Dodonaea viscosa* subsp. *spatulata*	broadleaf hopbush	
	SCROPHULARIACEAE		
3	*Verbascum thapsus*	great mullein	i
	SOLANACEAE		
1 2 3	*Lycium ferocissimum*	African boxthorn	d
4	*Solanum laciniatum*	kangaroo apple	
	GYMNOSPERMAE		
	PINACEAE		
2	*Pinus radiata*	radiata pine	i

	MONOCOTYLEDONAE		
	AGAPANTHACEAE		
3	*Agapanthus praecox* subsp. *orientalis*	agapanthus	i
	CYPERACEAE		
1 3 4	*Schoenoplectus pungens*	sharp clubsedge	
	JUNCACEAE		
1 4	*Juncus kraussii* subsp. *australiensis*	sea rush	
	LEMNACEAE		
1	*Lemna disperma*	common duckweed	
	POACEAE		
3 4	*Amelichloa caudata*	espartillo	d
1	*Anthoxanthum odoratum*	sweet vernalgrass	i
4	*Austrostipa nodosa*	knotty speargrass	
4	*Austrostipa pubinodis*	tall speargrass	
2 4	*Austrostipa stuposa*	corkscrew speargrass	
4	*Avena* sp.	oat	i
4	*Bromus catharticus*	prairie grass	i
3	*Bromus hordeaceus*	soft brome	i
1 4	*Cenchrus clandestinus*	kikuyu grass	i
3	*Cynosurus cristatus*	crested dogstail	i
1	*Cynosurus echinatus*	rough dogstail	i
1 2 3 4	*Dactylis glomerata*	cocksfoot	i
1 3 4	*Digitaria sanguinalis*	summergrass	i
4	*Ehrharta erecta*	panic veldtgrass	i
1	*Eleusine tristachya*	crowsfoot grass	i
3	*Festuca arundinacea*	tall fescue	i
1 2 3 4	*Holcus lanatus*	Yorkshire fog	i
1 3 4	*Hordeum* sp.	barley, barley grass	i
1 2 3	*Lolium perenne*	perennial ryegrass	i
1 3	*Panicum capillare*	common witchgrass	i
1 3 4	*Paspalum dilatatum*	paspalum	i
4	*Phalaris aquatica*	Toowoomba canarygrass	i
2 3 4	*Poa labillardierei*	silver tussockgrass	
2 4	*Rytidosperma caespitosum*	common wallabygrass	
2 4	*Themeda triandra*	kangaroo grass	
1 3 4	*Vulpia bromoides*	squirreltail fescue	i