



**Brighton
Council**

ATTACHMENTS

ORDINARY COUNCIL MEETING
20 MAY 2025





**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, 15 APRIL 2025**

PRESENT: Cr Gray; Cr Curran; Cr De La Torre; Cr Geard; Cr Irons; Cr McMaster; Cr Owen and Cr Whelan

IN ATTENDANCE: Mr J Dryburgh (Chief Executive Officer) Mr C Pearce-Rasmussen (Director Asset Services); Ms J Banks (Director Governance & Regulatory Services); Mr A Woodward (Director Development Services); Ms G Browne (Director Corporate Services) and Mrs J Blackwell (Senior Planner).

1. Acknowledgement of Country

2. Apologies / Applications for leave of absence

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

CARRIED

VOTING RECORD

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

3. Confirmation of Minutes

3.1 Ordinary Council Meeting

The Minutes of the previous Ordinary Council Meeting held on the 18th March 2025 are submitted for confirmation.

RECOMMENDATION:

That the Minutes of the previous Ordinary Council Meeting held on 18th March 2025, be confirmed.

DECISION:

Cr Irons moved, Cr Curran seconded that the Minutes of the previous Ordinary Council Meeting held on 18th March 2025, be confirmed.

CARRIED

VOTING RECORD

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

3.2 Planning Authority Meeting

The Minutes of the Planning Authority Meeting held on the 1st April 2025 are submitted for confirmation.

RECOMMENDATION:

That the Minutes of the Planning Authority Meeting held on the 1st April 2025, be confirmed.

DECISION:

Cr De La Torre moved, Cr Irons seconded that the Minutes of the Planning Authority Meeting held on 1st April 2025, be confirmed.

CARRIED

VOTING RECORD

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

4. Declaration of Interest

In accordance with the requirements of Part 2 Regulation 8 of the *Local 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 Chief Executive Officer, 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.

- Councillor Owen addressed the Council, paying tribute to John Lennox of Old Beach, who recently passed away.

6. Reports from Council

6.1 Mayor's Communications

The Mayor's communications were as follows:

- 21/3 Launch of Joint Anti-Racism Campaign
- 27/3 TasWaste South Special Board Meeting
- 31/3 Business networking – SWN - Jobs Hub – Derwent Distillery (Councillors & Senior Staff also attended)
- 1/4 Council Workshop
- 1/4 Planning Authority Meeting
- 2/4 LGAT General Meeting
- 2/4 TasWaste South Local Government Forum
- 2/4 TasWaste South Board Meeting
- 4/4 Meeting with RTI Review Team
- 4/4 Meeting with Minister Kerry Vincent
- 7/4 Official Opening of Brighton High School
- 8/4 Media Event
- 8/4 Council Workshop

- 9/4 STRLUS Steering Committee Meeting
- 9/4 Meeting with Minister Jane Howlett
- 11/4 Official Opening of the Kitchen at the Material Institute
- 15/4 Council Meeting

RECOMMENDATION:

That the Mayor's communications be received.

DECISION:

Cr Whelan moved, Cr Curran seconded that the Mayor's communications be received.

CARRIED

VOTING RECORD

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

6.2 Reports from Council Representatives

- Cr McMaster attended the Art exhibition at 9B Studios in New Norfolk recently.
- Cr McMaster, Cr Owen and Cr Gray attended the official opening of the new kitchen at Material Institute in Bridgewater on 11th April 2025.

RECOMMENDATION:

That the verbal reports from Council representatives be received.

DECISION:

Cr Irons moved, Cr De La Torre seconded that the verbal reports from Council representatives be received.

CARRIED

VOTING RECORD

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

7. Miscellaneous Correspondence

- Letter from Brian Mitchell MP dated 19 March 2025 congratulating Council on its successful application for funding through the Community Energy Upgrade at Pontville Pavilion.
- Letter sent to the Premier from the Mayor dated 24th March 2025 in regard to the potential privatisation of public transport in Tasmania.

8. Notification of Council Workshops

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

Two (2) Council workshops have been held since the previous Ordinary Council meeting.

- A workshop was held on the 1st April 2025 at 4.45pm in relation to Community Grant Applications; Revised Development Assessment Panels Bill 2025; Budget 2025/26 and 10 Year Plan.

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

Apologies: Cr Geard & Cr Murtagh

- A workshop was held on the 8th April 2025 at 4.30pm in relation to the Boyer Road Precinct Structure Plan (Presentation by Holmes Dyer)

Attendance: Cr Gray; Cr Curran; Cr De La Torre (online); Cr McMaster; Cr Owen and Cr Whelan

Apologies: Cr Geard; Cr Irons & 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 Chief Executive Officer has reported:

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

The Chief Executive Officer reported that there were no supplementary agenda items.

11. Reports from Committees

Nil.

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 DA 2024/00104 - Fill & Associated Site Works (Retrospective) - 6 Woodrieve Road, Bridgewater

Author: Planning Officer (D Van)

Authorised: Director Development Services (A Woodward)

Applicant:	Little Island Building Design
Subject Site:	4, 6, and 8 Woodrieve Road, Bridgewater 32A Cobbs Hill Road, Bridgewater
Proposal:	Fill & Associated Site Works (Retrospective)
Planning Scheme:	Tasmanian Planning Scheme – Brighton (the 'Planning Scheme')
Zoning:	General Industrial Zone
Codes:	Natural Assets, Flood-prone Areas, and Bushfire-prone Areas
Local Provisions:	Brighton Industrial Hub Specific Area Plan
Use Class:	Not required to be categorised (Clause 6.2.6)
Discretions:	<ul style="list-style-type: none"> C7.6.1 P1.1 Works within a waterway and coastal protection area C12.6.1 P1.1 and P1.2 Works within a flood-prone hazard area
Representations:	<p>1 representation was received. The representor raised the following issues:</p> <ul style="list-style-type: none"> Stormwater & Erosion Risk: The proposed works will direct stormwater onto the representor's site without adequate drainage or sediment control along the southeast boundary, increasing runoff and erosion risks.

	<ul style="list-style-type: none"> Increased Excavation Depth & Costs: The proposed fill will increase the required excavation depth for the representor's stormwater connection, leading to additional construction complexity and costs. Flood hazard
Recommendation:	Approval with conditions

1. STATUTORY REQUIREMENTS

The purpose of this report is to enable the Planning Authority to determine application DA 2024/104.

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 application is a retrospective one for placement of fill on land at 6 Woodrieve, Bridgewater (CT182281/12), and which has extended onto land at 4 and 8 Woodrieve Road and 32a Cobbs Hill Road, Bridgewater

The site subject has approximately 6493 m² (see Figure 1).

The site is fully within the General Industrial Zone and the Brighton Industrial Hub Specific Area Plan (refer to Figure 2). It is also entirely within the Bushfire-Prone Areas Code overlay (Figure 3) and partially within the Waterway and Coastal Protection Area to the southwest.

A small section in the southeast is mapped as an overland flow area for a 1% AEP storm event in the Brighton Industrial and Bridgewater urban areas (Figure 4).

The site is subject to multiple easements (Figure 5):

- Pipeline easement (10.6m wide) in favour of the Crown,
- Pipeline and services easement (3m and 4m) in favour of the TasWater, and
- Pipeline and drainage easement (3m) in favour of Brighton Council.



Figure 1. Site Map (prior land fill) (source: Listmap)

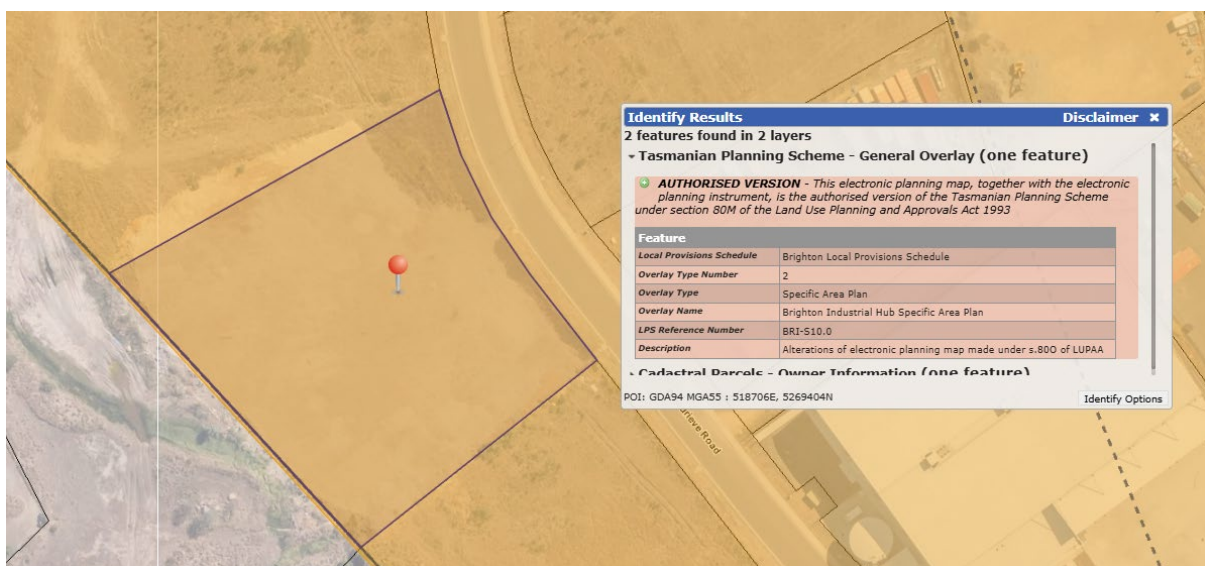


Figure 2. General Industrial Zone & Brighton Industrial Hub Specific Area Plan (Source: Listmap)

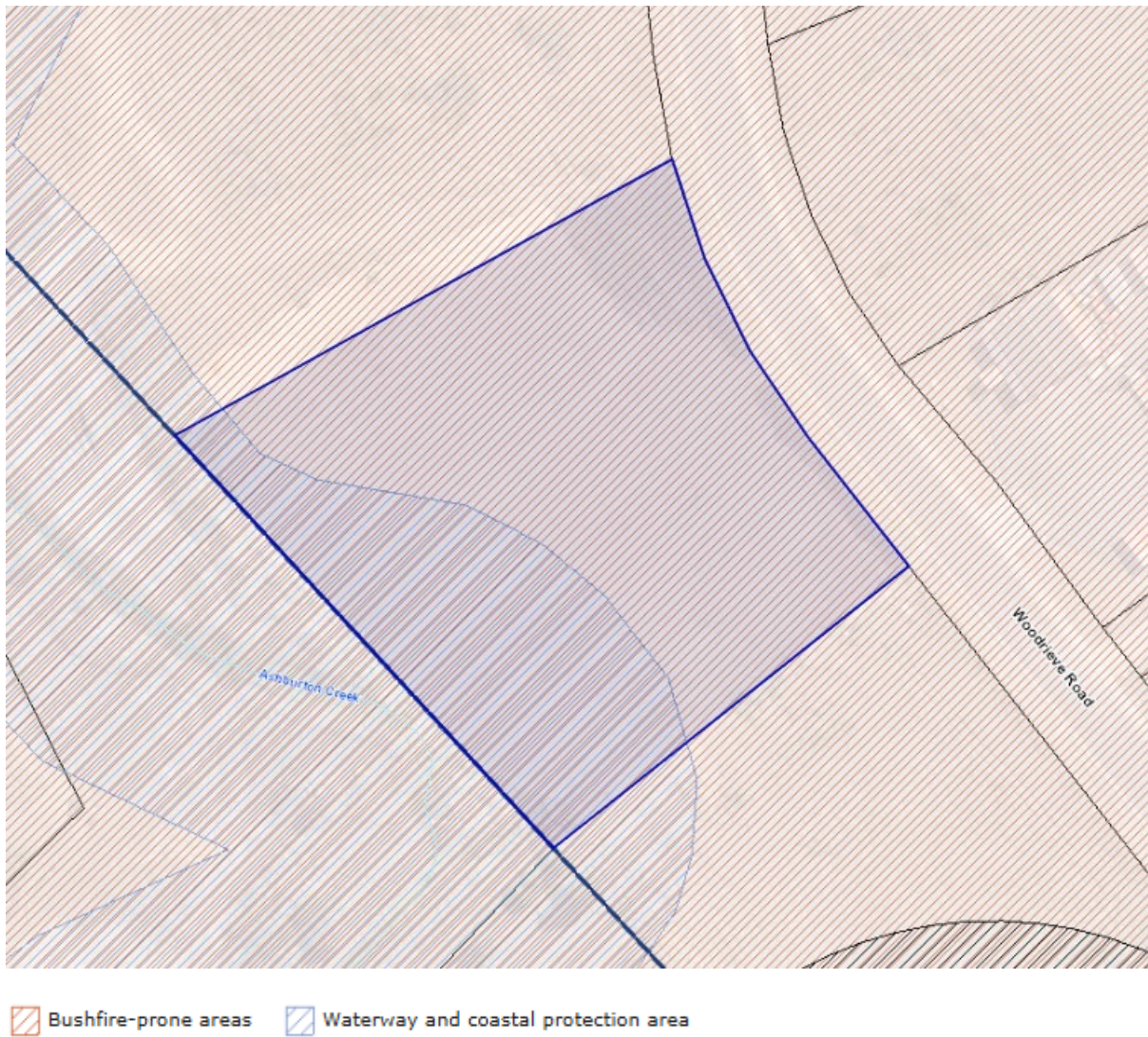


Figure 3. Bushfire Prone Areas Code and Natural Assets Code (Waterway and Coastal Protection Area) (source: Listmap)

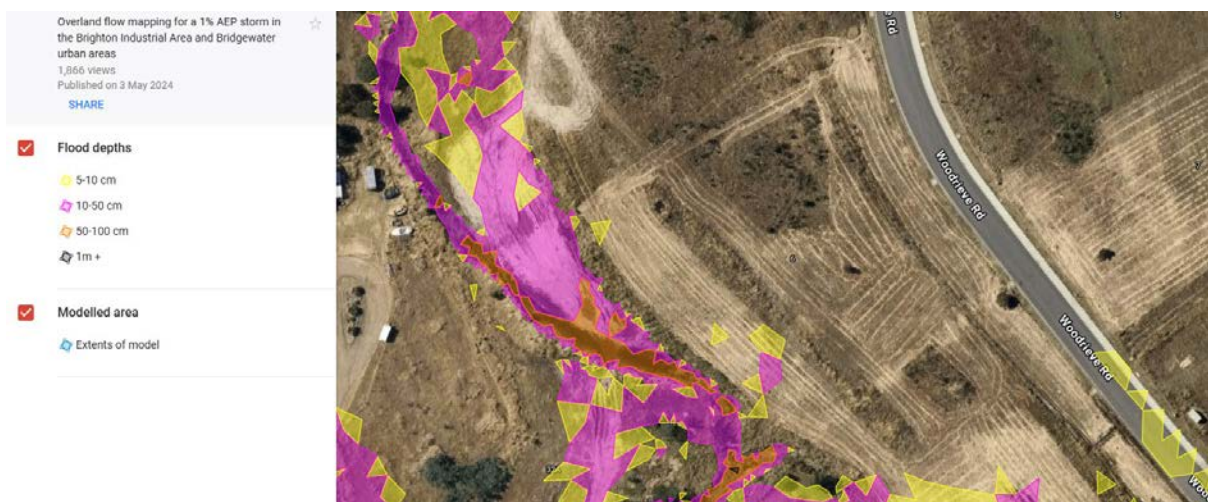


Figure 4: Overland flow mapping (source: Brighton Council)

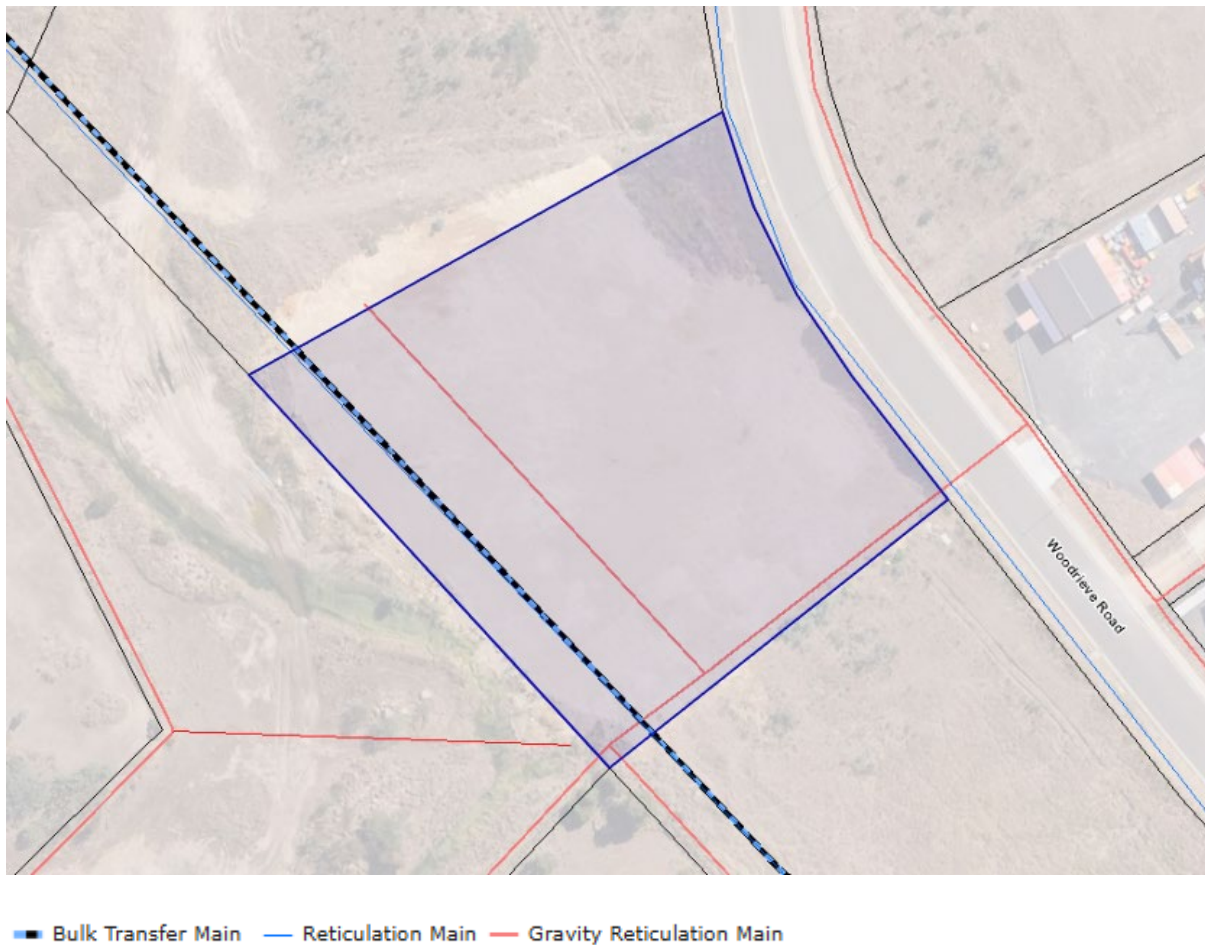


Figure 5. Pipeline and service easements in favour of TasWater (source: Listmap)

3. PROPOSAL

The development application was submitted in response to enforcement action regarding unapproved landfill at 6 Woodrieve Road (Figure 6). The fill had encroached onto adjacent Council land (CT140010/9), extending to the bank of Ashburton Creek, as well as onto 4 Woodrieve Road due to uncontrolled measures.

The proposal seeks retrospective approval, with revised plans ensuring no further extension of landfill onto adjoining properties. The fill depth varies from the original ground level, with a maximum depth of 2.544m.

To address environmental value and hazard concerns, the applicant has submitted:

- A Natural Values Assessment by ECOtas (dated 3 September 2024) for works within the Waterway and Coastal Protection Area.
- A Flood Hazard Report by Sustainable Engineer (dated 2 September 2024) for compliance with the Flood-Prone Areas Hazard Code.

The application was referred to TasWater, which issued a Submission to Planning Authority Notice (SPAN) on 28 February 2025, forming part of the permit conditions.

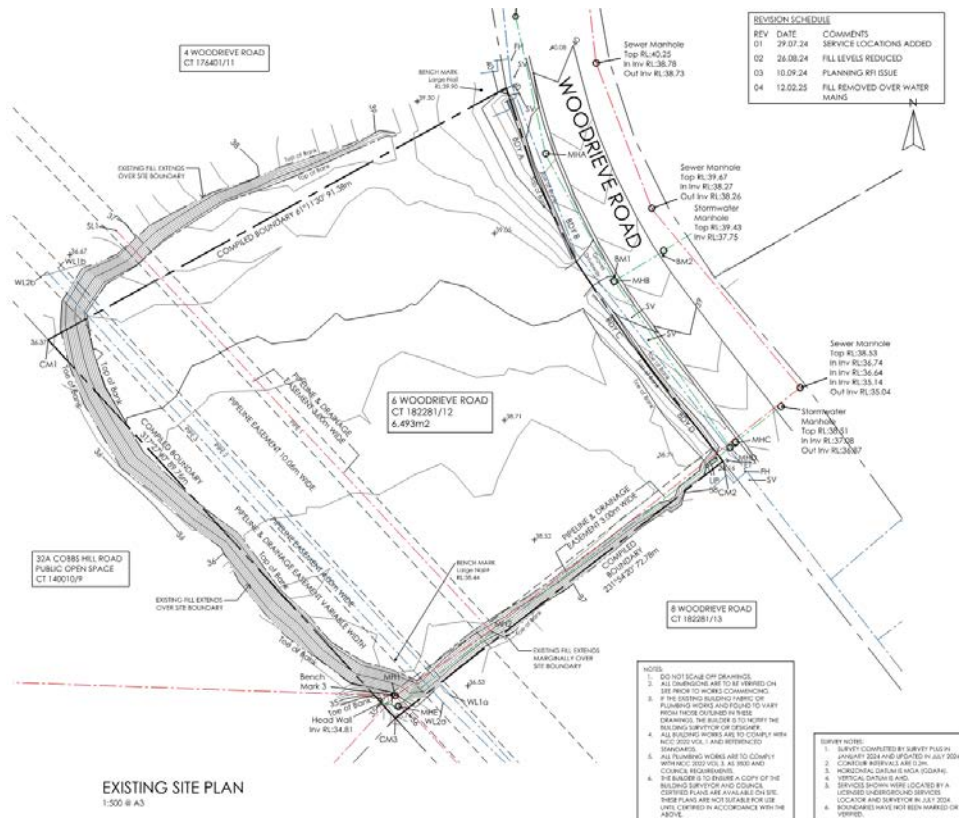


Figure 6. Existing site plan (with unapproved land fill) (source: the application)

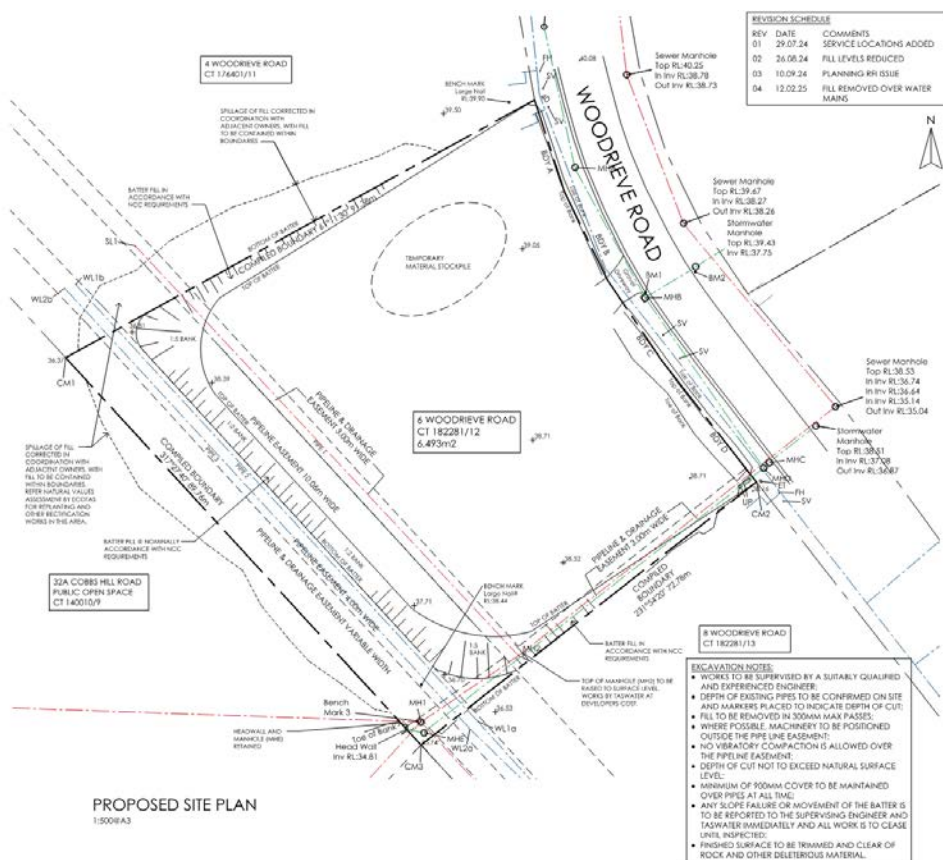


Figure 7. Proposed site plan (source: the application)

4. PLANNING SCHEME ASSESSMENT

4.1. Applicable provisions under the Planning Scheme

a) 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.

b) 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.

c) Use Class

The proposed development is for land filling, 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.*

6.8.2 *The planning authority has a discretion under clause 7.10 to refuse or permit a development that is not required to be categorised under sub-clause 6.2.6 of this planning scheme if:*

- (a) *there are no applicable standards that apply to the development, or the development relies on any Performance Criteria to demonstrate compliance with an applicable standard; and*
- (b) *the development is not Prohibited under any other provision of this planning scheme.*

d) Determining applications (clause 7.10.3)

7.10.1 *An application for development that is not required to be categorised into one of the Use Classes under sub-clause 6.2.6 of this planning scheme and to which 6.8.2 applies, excluding adjustment of a boundary under sub-clause 7.3.1, may be approved at the discretion of the planning authority.*

7.10.2 *An application must only be approved under sub-clause 7.10.1 if there is no unreasonable detrimental impact on adjoining uses or the amenity of the surrounding area.*

7.10.3 *In exercising its discretion under sub-clauses 7.10.1 and 7.10.2 of this planning scheme, the planning authority must have regard to:*

- (a) *the purpose of the applicable zone;*
- (b) *the purpose of any applicable code;*
- (c) *any relevant local area objectives; and*
- (d) *the purpose of any applicable specific area plan.*

4.2. Planning assessment

4.2.1. Compliance with applicable standards

The proposal relies on the applicable standards of the Natural Assets Code and Flood-prone Areas Hazard Code for the works within the Waterway and Coastal Protection Area and Flood-prone area. Therefore, below applicable standards of those provisions require planning assessment.

- C7.6.1 A1/P1.1 Buildings and works within a waterway and coastal protection area
- C12.6.1 A1/P1.1 and P1.2 Buildings and works within a flood-prone hazard area

Assessment of those standards are provided below.

Clause C7.6.1 A1/P1.1 Buildings and works within a waterway and coastal protection area

Objective:	
That buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets.	
Acceptable Solution	Performance Criteria
<p>A1</p> <p>Buildings and works within a waterway and coastal protection area must:</p> <ul style="list-style-type: none"> (a) be within a building area on a sealed plan approved under this planning scheme; (b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width; or (c) if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date. 	<p>P1.1</p> <p>Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:</p> <ul style="list-style-type: none"> (a) impacts caused by erosion, siltation, sedimentation and runoff; (b) impacts on riparian or littoral vegetation; (c) maintaining natural streambank and streambed condition, where it exists; (d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation; (e) the need to avoid significantly impeding natural flow and drainage; (f) the need to maintain fish passage, where known to exist; (g) the need to avoid land filling of wetlands; (h) the need to group new facilities with existing facilities, where reasonably practical; (i) minimising cut and fill;

	<p>(j) building design that responds to the particular size, shape, contours or slope of the land;</p> <p>(k) minimising impacts on coastal processes, including sand movement and wave action;</p> <p>(l) minimising the need for future works for the protection of natural assets, infrastructure and property;</p> <p>(m) the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and</p> <p>(n) the guidelines in the Tasmanian Coastal Works Manual.</p>
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Officer's comment:

The proposal does not comply with acceptable solutions and therefore requires assessment against P1.1. This standard requires that any works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, considering criteria (a) to (n).

The fill was undertaken without approval, creating a challenging situation for the Planning Authority to determine the acceptable extent, depth, and type of fill for approval. A Natural Values Assessment (NVA) has been submitted to address management methods to improve compliance with the relevant standards.

Assessments against each criterion is provided below.

(a) impacts caused by erosion, siltation, sedimentation and runoff

The fill within the waterway and coastal protection area has the potential to cause erosion if not properly managed. During a site inspection on 19 March 2025, Council's officer observed:

- The fill bank appears stable.
- The fill area is now invaded by a significant amount of weeds



Figure 8. Photo taken on the site on 19 March 2025

The NVA recommends the following measures to minimise erosion, siltation, sedimentation, and runoff:

- Minimizing the slope of the fill.
- Installing a temporary sediment barrier at the property boundary and potentially along the eastern bank of Ashburton Creek.
- Removing any overspill from Council's land.

The amended site plan reflects these recommendations, showing all fill contained within the property boundary.

(b) impacts on riparian or littoral vegetation

According to the planning scheme, riparian vegetation includes plants found within or adjacent to watercourses. Ashburton Creek is classified as a Class 2 watercourse, with a 30m buffer applied to each side.

Aerial imagery before and after the fill shows that the fill area may have covered some weeds along the property boundaries. The NVA identified no records of threatened flora and fauna in the vicinity of the site, but did find a substantial population of *Bolboschoenus medianus* (marsh clubsedge), listed as rare under the *Threatened Species Protection Act 1995*.



Figure 9. Before (2021) and after land filling

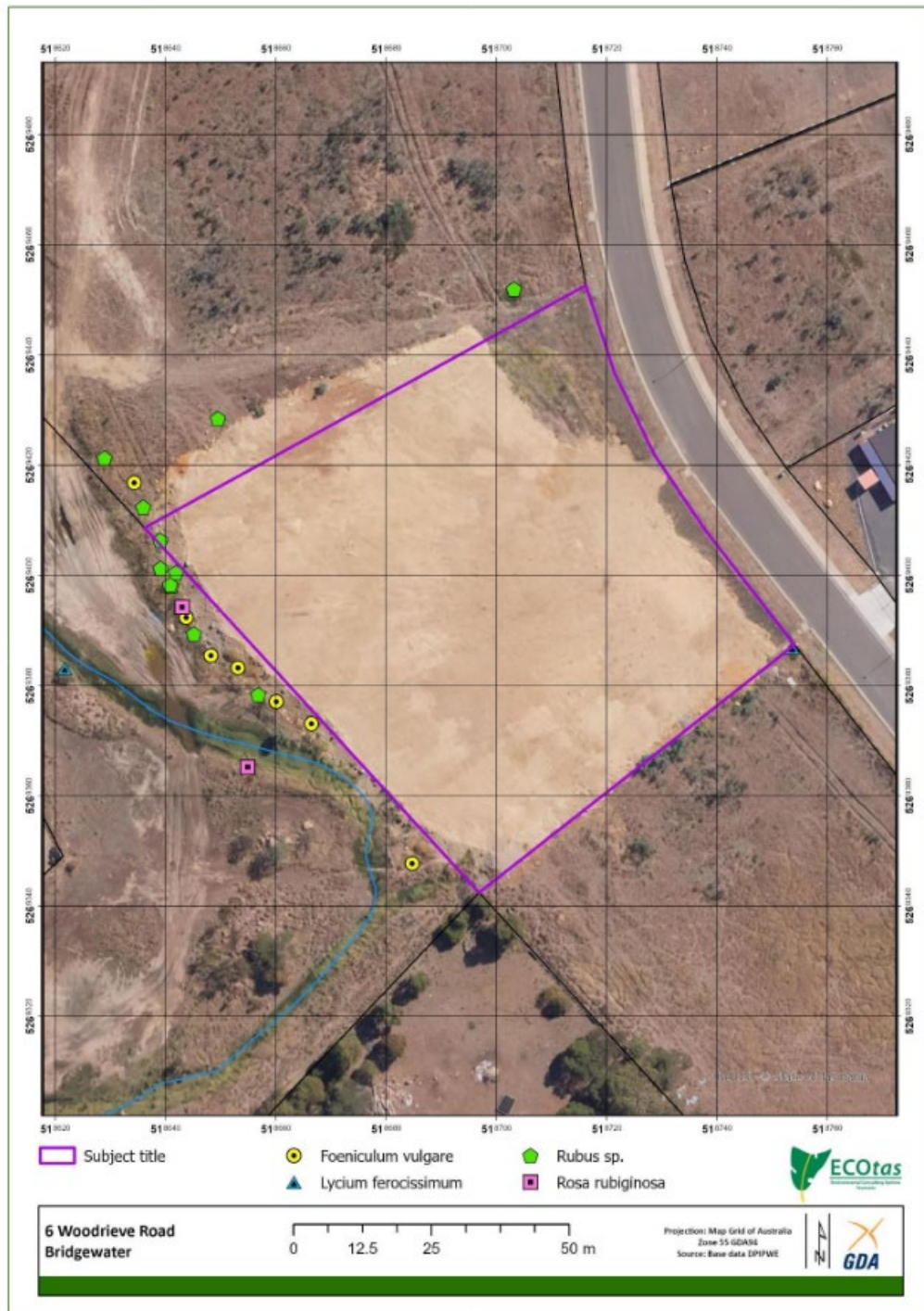


Figure 10. Distribution of declared and environmental weeds in vicinity of the site (Source: ECOTas)

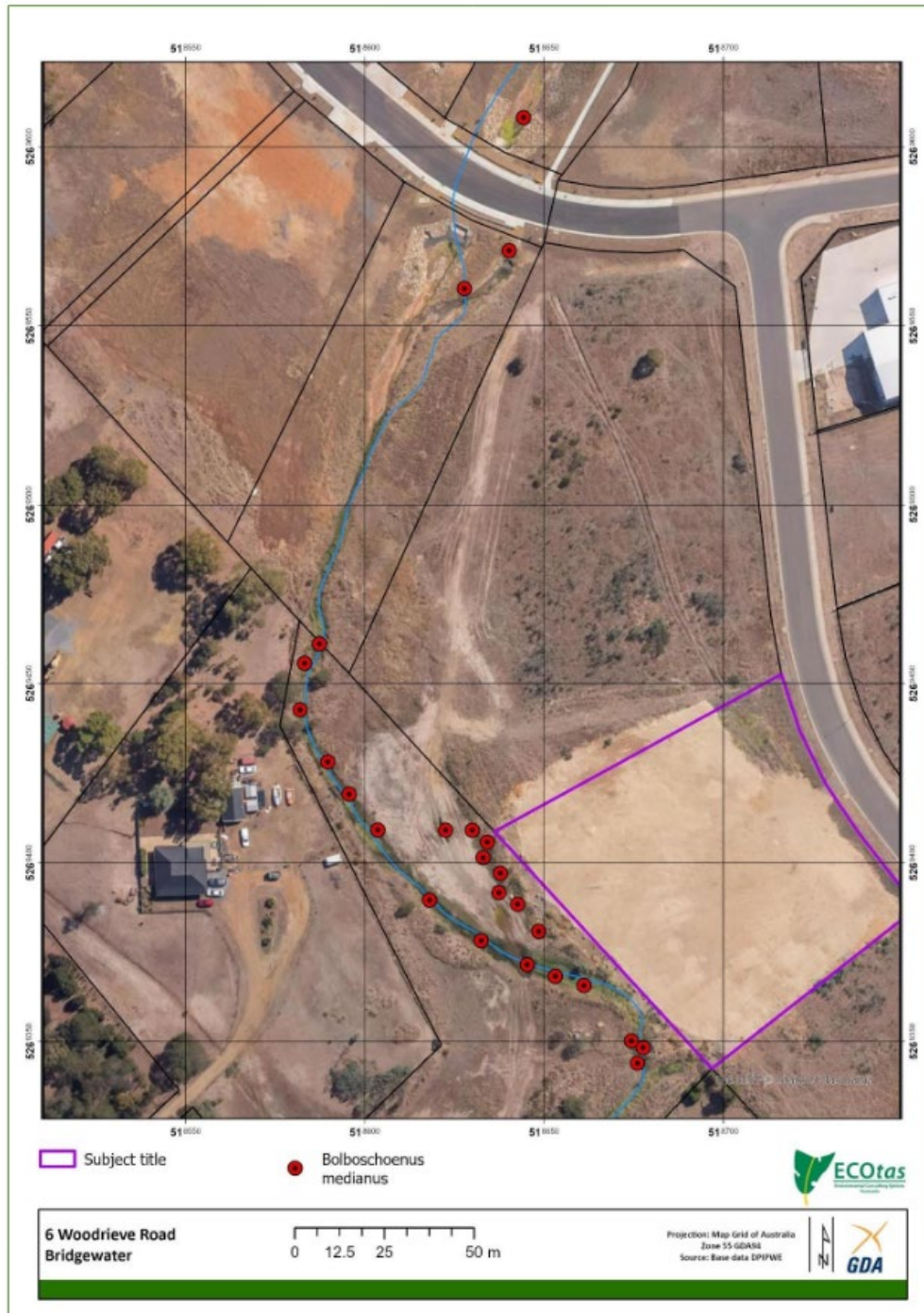


Figure 11. Distribution of *Bolboschoenus medianus* in vicinity of study area (context) – note that aerial imagery clearly suggests the species extends downstream and upstream of these mapped locations (Source: ECOTas)

The *B. medianus* population grows along the edges of Ashburton Creek and occupies shallow parts of the creek, extending onto adjacent flats. Given its preference for muddy conditions, it does not extend beyond low banks. The NVA concludes that the overspill is unlikely to have impacted the *Bolboschoenus medianus* population. Therefore, impacts on riparian vegetation are considered minor. No impacts on protected species.

(c) maintaining natural streambank and streambed condition, where it exists;

Ashburton Creek is an open streambank, and the fill may have impacted the bank where works were conducted near the stream.

The NVA proposes a management plan involving:

- Removing fill from Council's land.
- Reshaping exposed soil to approximate original natural ground levels with a gentle slope from the edge of the overspill to the private boundary.
- Implementing vegetation rehabilitation.
- Monitoring by a qualified professional.

The proposed management plan is reasonable, with no viable alternative to restore natural streambank conditions.

(d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;

According to the NVA, there are no impacts on in-stream natural habitat.

(e) the need to avoid significantly impeding natural flow and drainage; and (f) the need to maintain fish passage, where known to exist;

The proposal will include conditions requiring removal of fill from Council's land, which will help restore natural ground levels along the creek bank and prevent further disruption to natural flow and drainage.

(g) the need to avoid land filling of wetlands;

No wetlands were identified within the site area.

(h) the need to group new facilities with existing facilities, where reasonably practical;

Not applicable to this proposal.

(i) minimising cut and fill;

Although the proposal involves cut and fill, the focus of assessment is on rehabilitation of natural values rather than minimising earthworks. However, the using of excavator to remove overspill should be wholly from within 6 Woodrieve and prior to works, the establishment of a sediment drift fence at the outer edge of Ashburton Creek is essential. The NVA outlines a suitable management plan, which will be conditioned and monitored by a qualified person to Council's satisfaction.

(j) building design that responds to the particular size, shape, contours or slope of the land;

Not applicable to this proposal.

(k) minimising impacts on coastal processes, including sand movement and wave action;

Not applicable to this proposal.

(l) minimising the need for future works for the protection of natural assets, infrastructure and property;

Rehabilitation of natural assets, monitored by a suitably qualified person along Ashburton Creek, is expected to restore natural conditions effectively. Protection of Council and TasWater infrastructure will be managed through permit conditions.

(m) the environmental best practice guidelines in the Wetlands and Waterways Works Manual;

Condition will be recommended to ensure all future corrective works follow the *Wetlands and Waterways Works Manual*.

(n) the guidelines In the Tasmanian Coastal Works Manual.

This criterion is not relevant to the proposal.

The proposed subdivision can meet the performance criteria and objectives of this standard, provided that corrective works and rehabilitation efforts are implemented. The management plan outlined in the NVA is reasonable and should be enforced through permit conditions to ensure compliance and restoration of natural assets.

Clause 12.6.1 A1/P1.1 and P1.2 Buildings and works within a flood-prone hazard area

Objective:	
<p>That:</p> <ul style="list-style-type: none"> (a) building and works within a flood-prone hazard area can achieve and maintain a tolerable risk from flood; and (b) buildings and works do not increase the risk from flood to adjacent land and public infrastructure. 	
Acceptable Solution	Performance Criteria
<p>A1</p> <p>No Acceptable Solution.</p>	<p>P1.1</p> <p>Buildings and works within a flood-prone hazard area must achieve and maintain a tolerable risk from a flood, having regard to:</p> <ul style="list-style-type: none"> (a) the type, form, scale and intended duration of the development; (b) whether any increase in the level of risk from flood requires any specific hazard reduction or protection measures; (c) any advice from a State authority, regulated entity or a council; and (d) the advice contained in a flood hazard report.

	<p>P1.2</p> <p>A flood hazard report also demonstrates that the building and works:</p> <ul style="list-style-type: none"> (a) do not cause or contribute to flood on the site, on adjacent land or public infrastructure; and (b) can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures..
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Officer's comment:

The proposal can comply with P1.1. It can achieve and maintain a tolerable risk from flooding for the following reasons:

Compliance with P1.1

- (a) The works involve landfilling to level the site in preparation for future development.
- (b) & (c) & (d) Local overland flow mapping indicates that in a 1% AEP rainfall event for the local catchment, minor inundation is expected in the northwest and southwest corners, with estimated flow depths ranging between 5-10 cm and 10-50 cm.

The submitted flood hazard report demonstrates that these areas do not align with the main flow path, which is dictated by the existing watercourse and topography. Instead, these appear to be spurious data points where the model has identified localized low areas and routed flow accordingly.

Compliance with P1.2

The proposal can comply with P1.2 (a) & (b) As mentioned above, the overland flow map does not accurately illustrate the flood flow path on the site. Therefore, the land fill will not contribute to flood risk on the site or adjoining properties but will instead help mitigate the risk.

The submitted flood hazard report demonstrates that any future development on the site will be constructed on the fill pad, ensuring it remains well above the 1% AEP flood level and extent.

The application and supporting reports have been considered by council's development engineers, and considered to satisfactorily address the performance criteria.

On that basis, the proposed subdivision can meet this standard's objectives and performance criteria.

4.2.2. Compliance with Clause 7.10.3

Besides the above applicable standards, there are no other applicable standards that apply to the development. Under Clauses 7.10 and 6.8.2, the land fill must only be approved if there is no unreasonable detriment impact on adjoining uses or the amenity of the surrounding area.

In determining of the proposal can maintain no unreasonable detriment impact on adjoining uses or the amenity of the surrounding area, the planning authority must have regard to:

- (a) the purpose of the applicable zone;
- (b) the purpose of any applicable code;
- (c) any relevant local area objectives; and
- (d) the purpose of any applicable specific area plan.

Assessment of those standards are provided below.

The purpose of the General Industrial Zone is:	Officer's comment:
19.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where there may be impacts on adjacent uses.	The landfill is intended to prepare the site to support future industrial developments. The proposal does not adversely impact on industrial activity.
19.1.2 To provide for use or development that supports and does not adversely impact on industrial activity.	Any potential issues can be appropriately managed through conditions in the planning permit. The proposal is considered compliant with the purpose of General Industrial Zone.

<p>The purpose of the Natural Assets Code is:</p> <p>C7.1.1 To minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological function of watercourses, wetlands and lakes.</p> <p>C7.1.2 To minimise impacts on coastal and foreshore assets, native littoral vegetation, natural coastal processes and the natural ecological function of the coast.</p> <p>C7.1.3 To protect vulnerable coastal areas to enable natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise.</p> <p>C7.1.4 To minimise impacts on identified priority vegetation.</p> <p>C7.1.5 To manage impacts on threatened fauna species by minimising clearance of significant habitat.</p>	<p>Officer's comment:</p> <p>The proposal includes erosion and sediment control measures such as silt fences, sediment traps, and vegetation rehabilitation to prevent sediment-laden runoff from entering adjacent watercourses. According to the submitted Natural Value Assessment, the fill works are located outside of primary watercourses and will be corrected to avoid unreasonable impacts on riparian vegetation and creek conditions.</p> <p>Additionally, there is no identified priority vegetation within the area of the fill works. Under the Planning Scheme, priority vegetation is defined as native vegetation that meets one or more of the following criteria: (a) Forms part of a threatened native vegetation community under Schedule 3A of the <i>Nature Conservation Act 2002</i>; (b) Includes a threatened flora species; (c) Provides significant habitat for a threatened fauna species; or (d) Is identified as native vegetation of local importance.</p> <p>The overspill will be corrected within the property boundary and the area within the waterway and coastal protection area will be rehabilitated in accordance with the recommendation in the submitted natural value assessment report. The future works can be monitored and managed through permit conditions.</p> <p>Based on these considerations, the proposal is compliant with the relevant purpose of the Code.</p>
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<p>The purpose of the Flood-Prone Areas Hazard Code is:</p> <p>C12.1.1 To ensure that use or development subject to risk from flood is appropriately located and managed, so that:</p> <ul style="list-style-type: none"> (a) people, property and infrastructure are not exposed to an unacceptable level of risk; (b) future costs associated with options for adaptation, protection, retreat or abandonment of property and infrastructure are minimised; and (c) it does not increase the risk from flood to other land or public infrastructure. <p>C12.1.2 To preclude development on land that will unreasonably affect flood flow or be affected by permanent or periodic flood.</p>	<p>Officer's comment:</p> <p>Compliance with C12.1.1</p> <p>(a) Avoidance of Unacceptable Risk to People, Property, and Infrastructure</p> <p>The proposed fill works involve raising the development area to a level above the 1% AEP (Annual Exceedance Probability) flood level, thereby minimizing the potential risk of flooding to future development.</p> <p>The flood hazard report confirms that the main flood flow path is unaffected by the proposed works and that localized areas of inundation identified are not part of the primary flood pathway.</p> <p>Future development will be located on the raised fill pad, providing additional protection against flood hazards.</p> <p>(b) Minimization of Future Costs Associated with Adaptation, Protection, Retreat, or Abandonment</p> <p>By ensuring that the proposed fill pad is elevated above the 1% AEP flood level, the likelihood of damage from flood events is reduced, thereby minimising potential future costs associated with flood mitigation or property abandonment.</p> <p>(c) Prevention of Increased Risk to Other Land or Public Infrastructure</p> <p>The proposal does not increase the risk of flooding to adjoining properties or infrastructure as confirmed by the flood hazard report.</p> <p>The fill works are not located within the flood flow path, and proper drainage measures will be implemented to manage runoff and prevent adverse impacts on neighbouring properties or public assets.</p>
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	<p>Overland flow mapping indicates that minor inundation areas identified are the result of localized low points rather than part of a broader flood flow path.</p> <p>Compliance with C12.1.2</p> <p>The fill pad will be constructed to an elevation above the 1% AEP flood level, ensuring it is not subject to periodic or permanent flooding.</p> <p>By establishing a safe and stable development area, the risk of flood-related impacts is effectively mitigated.</p> <p>Further development of the subject property will require stormwater management to ensure there are no concentrated stormwater flows directed to adjacent properties.</p> <p>On that basis, the proposal complies with the purpose of this code.</p>
<p>The purpose of the Bushfire-Prone Areas Code is:</p> <p>C13.1.1 To ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.</p>	<p>Officer's comment:</p> <p>The proposal can be considered to enhance bushfire hazard reduction outcomes by filling and leveling the area, thereby creating a more suitable site for future development with improved access and defensible space.</p>
<p>Any relevant local area objectives;</p>	<p>Officer's comment:</p> <p>No relevant local area objectives applied</p>
<p>The purpose of the Brighton Industrial Hub Specific Area Plan is:</p> <p>BRI-S10.1.1 To protect the Brighton Industrial Hub from sensitive use establishing in the area.</p>	<p>Officer's comment:</p> <p>The proposal does not involve a sensitive use. The landfill is intended to prepare the site for future industrial development. Based on this purpose, the proposal is considered compliant with the Brighton Industrial Hub Specific Area Plan.</p>

5. OTHER MATTERS

5.1 Referrals

Development Officer/Engineer

The proposal was referred to Council's Development Officer/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 2024/00723-BTN dated 28th February 2025, which is to form part of any permit issued.

5.2 Part 5 Agreement

The property has several Part 5 Agreements registered in the title, including register numbers D75827, E135235, E224588, E239956, E255100, E275221.

The Part 5 Agreements are registered under section 71 of LUPAA between Brighton Council and the owners of the land. The owners have obligations to comply with any relevant requirements under the Agreements when conducting developments on the land. The Council's obligations under those agreements do not restrict its future statutory decisions regarding the permit or land.

Summary of requirements under those agreement are as follows:

- a. Any use or development of the lots shown on the plan of survey shall be carried out in accordance with best practice for Water Sensitive Urban Design principles.
- b. On-site roof-water storage of at least 5,000 litres (5kl) using water tanks or other authorised methods will be installed.
- c. A supply of recycled roof-water shall be provided to all toilet cisterns and laundry fixtures.

The requirements are not relevant to the proposed landfilling. Further development of the subject property will require stormwater management is to be develop in accordance with best practice for Water Sensitive Urban Design Principles. Relevant principle for Water Sensitive Urban Design (<https://www.derwentestuary.org.au/water-sensitive-urban-design/>) is improving the quality of runoff, stormwater and groundwater.

6. REPRESENTATIONS

One (1) representation was received during the statutory public exhibition period between 28th February 2025 and 18th March 2025. The representation items are summarised in Table 1.

TABLE 1: SUMMARY OF A REPRESENTATION	
Issue Raised	Officer's Response
<p>Stormwater Management & Runoff Concerns</p> <ul style="list-style-type: none"> The proposed remedial works will still direct stormwater towards the representor's site, increasing runoff. The plans do not show any permanent sediment control or drainage along the southeast shared boundary with the representor. Long-term stormwater detention on their site is needed to prevent excess water from flowing onto the representor's property. The current design allows water to drain south, leading to potential erosion issues on the batter if it is not properly seeded or protected. A boundary offset may be required to install an open drain, but this could impact the representor's development plans. A suitable solution could be a well-designed aggregate drain or a small bund to mitigate runoff and sediment issues. The preferred approach is to reduce the extent of fill by ensuring that the toe of their batter is at least 3.0m setback from the shared boundary, allowing space for a fence, drainage, and embankment stability while keeping the risk entirely on their Title. 	<p>Stormwater from the development must be contained within the site and must not be overflow onto other land. Relevant conditions will be imposed to ensure no stormwater runoff from the site onto adjoining land.</p> <p>An Erosion and Sediment Control Plan will be required in accordance with the guidelines <i>Erosion and Sediment Control, The fundamentals for development in Tasmania</i>, 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.</p> <p>There will be a condition requiring all disturbed land, including fill, to be loamed and seeded are recommended.</p> <p>On that basis, the landfill can be managed and controlled by permit conditions to resolve the representor's concerns.</p>

<p>Impact on Excavation Depth & Costs:</p> <ul style="list-style-type: none"> • The proposed works will increase excavation depth required for the representor's stormwater connection. • The revised drawings do not include a long section of the stormwater pipe, but estimates suggest the depth at our connection point has increased from 1.2m to approximately 1.8m, surpassing the 1.4m threshold that requires shoring or benching of trenching activities. • This will increase construction complexity and costs for the representor. • A possible solution is to temporarily strip the filled material during construction to facilitate access to the stormwater infrastructure. • Request: Can this be conditioned in any planning permit issued to ensure the representor's costs are not impacted by their development? • The representor's strong preference remains a 3.0m setback from the shared boundary to the toe of the fill batter to minimise additional excavation costs and future sediment control issues. 	<p>8 Woodrieve Road should already have a stormwater property connection. Irrespective the fill over the existing stormwater in the vicinity of any new property connection to 8 Woodrieve Rd would only increase by approximately 400mm.</p> <p>The existing sewer manhole within 6 Woodrieve will need to be raised and it may be possible for the new SW connection to be done at the same time.</p> <p>On that basis, the proposed landfill will not create unreasonable impacts on the adjoining land.</p>
<p>Flood prone area</p> <ul style="list-style-type: none"> • Question on if the application has addressed the flood-prone area hazard code 	<p>Council Flood mapping showed the subject property was subject to some localised inundation in a 1% AEP event. As such additional Information was requested to address the requirements of the Flood Prone Areas code.</p> <p>The applicant provided a report prepared by Sustainable Engineering. The report confirms that the area of flooding identified on Council's published flood mapping on the subject lot is a result of localised low points on the land prior to fill being placed and does not form part of the main flow path. The report concludes that:</p>

	<p><i>"The proposed fill works do not adversely impact the routing of flood flows or increase flood risk to adjacent or downstream property"</i></p> <p>Subsequently the extent of fill over the lower portion of the land has been reduced with the toe of the batter being approximately 10.5m off the south western boundary. The fill does not affect the overland flow paths to the south or through 8 Woodrieve Rd.</p> <p>Further development of the subject property will require stormwater management to ensure there are no concentrated stormwater flows directed to adjacent properties.</p> <p>On that basis, the proposed landfill can be managed to have no impact on flood risk on the site, adjoining land, and public infrastructure.</p>
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7. CONCLUSION

The proposal for **Fill & Associated Site Works (Retrospective)** at **6 Woodrieve Road, Bridgewater** 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 DA 2024/104 for **Fill & Associated Site Works (Retrospective)** at **6 Woodrieve Road, Bridgewater** in Tasmania, for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

General

- (1) The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings 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*.
- (4) Stockpiling of fill material must occur only on approved part of the site (refer Drawing LI24008-02 Revision 04).

- (5) The nature of the material must comply with the definition of clean fill type 1 and type 2 as defined under the *Environmental Management and Pollution Control Act 1994*.
- (6) The development must be undertaken in accordance with the *6 Woodrive Road, Brighton (PID 9639793; C.T. 182281/12; LPI HWY64), Natural Values Assessment, Fill & Associate Works (Retrospective): DA2024/104* dated 3 September by Environmental Consulting Options Tasmania (ECOtas).

Advice: All earthworks should be undertaken in accordance with the relevant Australian Standard, AS 3798-2007: *Guidelines on Earthworks for Commercial and Residential Developments*

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*

Rehabilitation

- (7) Within **six (6)** months of the date of the permit being approved all overspill of fill material must be removed from adjacent properties and the affected land rehabilitated in accordance with the recommendations contained on page 28 of *6 Woodrive Road, Brighton (PID 9639793; C.T. 182281/12; LPI HWY64), Natural Values Assessment, Fill & Associate Works (Retrospective): DA2024/104* dated 3 September by Environmental Consulting Options Tasmania (ECOtas) and to the satisfaction of Council's Director Development Services.
- (8) Prior to any further works being undertaken, the developer must submit a detailed landscaping plan prepared by a suitably qualified person clearly showing:
 - (a) the planting of all areas impacted by the placement or removal of fill.
 - (b) a Weed Management Plan identifying method to control weeds.

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) Any works in, or adjacent, the waterway must be carried out in accordance with the environmental best practice guidelines in the *Waterways and Wetlands Works Manual (DPIWE 2003)*.

Services

- (10) 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.
- (11) Upon completion of earthworks over, or adjacent, the drainage easement inside the south eastern boundary of the subject property a CCTV inspection survey is to be conducted, at the developer's expense, of the affected stormwater pipes to ascertain the condition of the pipe to determine if any damage may have occurred during construction. Any damage to the stormwater pipe or manholes is to be repaired to the satisfaction of Council at the developers cost.

Access to Public Road

Advice: No works on or affecting any Council road reservation is 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's Asset Services Department prior to the proposed date of commencement of any works.

Stormwater

- (12) Stormwater from the proposed development must be retained on site or drain to a legal point of discharge to the satisfaction of Council's Municipal Engineer and in accordance with the *Building Act 2016*.
- (13) No new stormwater point discharge is allowed to a watercourse as part of this development.

TasWater

- (14) The development must meet all required Conditions of approval specified by Tas Water Submission to Planning Authority Notice TWDA 2024/00723-BTN, dated 28/02/2025.

Erosion and Sediment Control

- (15) 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.

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*.

- (16) All disturbed surfaces on the land, except those set aside for vehicle access, footways and driveways, must be covered with topsoil and, where appropriate, re-vegetated and stabilised to the satisfaction of the Council's Director Development Services.
- (17) 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.

Maintenance and Defects Liability Period

- (18) The rehabilitation and landscaping works must be placed onto a twenty-four (24) month maintenance and defects liability period following completion of works (completion of planting) in accordance with approved landscaping plans and permit conditions.
- (19) Prior to placing the development onto the maintenance and defects liability period the developer must provide written confirmation from a suitably qualified person that the works comply with the permit and the approved plans.

- (20) Prior to placing the development onto the maintenance and defects liability period the developer must provide a security bond to Council in accordance with Section 3 of Council Policy 6.3. The value of the bond is to be no less than 10% of the Total Value of Works based on a detailed estimate of the works, including maintenance. The cost estimate is to be prepared by a suitably qualified person and agreed to by Council's Director Asset Services.

Construction Amenity

- (21) 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.
- (22) The use or development is not to cause an unreasonable nuisance to the owners or occupiers of land in the surrounding area by reason of noise, smell, fumes, dust, or other pollutants emanating from the site.
- (23) The road frontage of the development site including road, kerb and channel, footpath, and nature strip, should be:
- (1) 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.
 - (2) 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.

- (24) Works associated with the development must only be carried out between the following hours unless otherwise approved by the Council's Chief Executive Officer
- 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
- (25) 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, waste water, 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.
- (26) 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 Chief Executive Officer.

- (27) 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.

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*.
- 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.

DECISION:

Cr Irons moved, Cr Geard 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 Owen	
Cr Whelan	

12.2 451 Tea Tree Road, Tea Tree - Resource Development (Agricultural) Resource Processing (Manufacturing and processing of perfume products), General Retail and Hire (Cellar Door) and Visitor Accommodation (Farm Stay) and Construction of Building and Parking Areas - DA 2024/0243

Author: Strategic Planner (B White)

Authorised: Director Development Services (A Woodward)

Applicant:	Liminal Studios (Elvio Brianese)
Subject Site:	451 Tea Tree Road, Tea Tree
Proposal:	Resource Development (Agricultural) Resource Processing (Manufacturing and processing of perfume products), General Retail and Hire (Cellar Door) and Visitor Accommodation (Farm Stay) and Construction of Buildings and Parking Areas.
Planning Scheme:	Tasmanian Planning Scheme - Brighton
Zoning:	Agriculture
Codes:	Local Historical Heritage Code; Natural Assets Code
Local Provisions:	N/A
Use Class/es:	Resource Development, Resource Processing, General Retail and Hire; and Visitor Accommodation
Discretions:	21.3.1 Discretionary uses 21.4.2 Setbacks C2.5.3 A1/P1 - Bicycle parking numbers (Parking and Sustainable Transport Code) C6.0 - Local Historic Heritage Code
Representations:	1 representation was received. The representor raised the following issues: <ul style="list-style-type: none"> • Impact of commercial use on agriculture • Boundary fencing • Use of reserved road • Vehicle access from Tea Tree Road
Recommendation:	Approval with conditions

1. STATUTORY REQUIREMENTS

The purpose of this report is to enable the Planning Authority to determine application DA 2024/0243.

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 located at 451 Tea Tree Road, Brighton, adjacent to Strathallen Rivulet (Figure 1).



Figure 1: Site Location (Source: www.thelist.tas.gov.au)

Located in the Agricultural zone, the internal site is accessed from Maiden Erlegh Lane via Tea Tree Road. Surrounding land uses are also zoned Agriculture, with rural living zoned land located west of the site (refer Figure 2).



Figure 2: Zoning map (Source: www.thelist.tas.gov.au)

The site is irregular in shape and situated between adjoining farmlands at 447 Tea Tree Road, and 503 Tea Tree Road.



Figure 3: Aerial Imagery of site (source: www.thelist.tas.gov.au)

The site is small for an agricultural parcel, with an area of approximately 4ha. The site includes the heritage homestead of Maiden Erleigh, which is listed on council's Local Heritage Register under the Local Provisions Schedule.

3. PROPOSAL

The Applicant identifies that the purpose of the proposal is to undertake the following uses:

1. Resource Development and Resource Processing:

To propagate, cultivate and harvest plants for the manufacture and bottling of essential oils distilled from native Tasmanian botanicals. The oils produced are to be used in the production of fragrances, scented candles and hydrosols. Accommodation guests will also have the opportunity to participate in a “hands-on” experience, resulting in the manufacture of a signature fragrance.

2. General Retail and Hire

The proposal includes an application to operate a “cellar-door” for the sale of the products manufactured and finished on site for wholesale, together with the operation of an e-commerce platform.

3. Visitor Accommodation

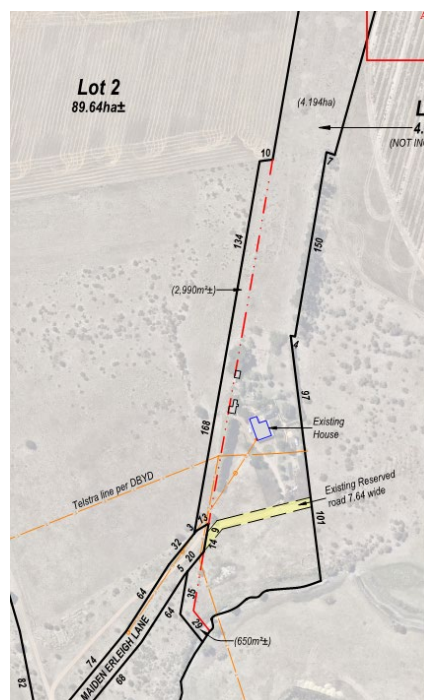
Accommodation is to be provided in a shared living space containing open plan living, kitchen, dining, breakout space with pond and 4 internal “pods” with private en-suites.

The application is supported by the attached plans, planning scheme response, wastewater report, and land capability assessment.

Following public exhibition, additional documents including an updated site plan and land capability assessment were provided to address issues raised in the representation.

BOUNDARY ADJUSTMENT - SA 2024/ 36

Relevant to this current application is an approved boundary adjustment between the subject site and the adjoining title to the west at 447 Tea Tree Road. The boundary adjustment added approximately 2,990m² of land from 447 to 451 Tea Tree Road, as shown below with the red line showing the additional land added to the subject site.



Council approved this boundary adjustment under SA 2024/36 but titles have not yet been issued.

The applicant has included the additional land to be added to the subject site in their application documents. The assessment of this current application will be on the basis that those titles have been issued.

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 primary Use Class is categorised as Resource Development which is No Permit Required under the Scheme. Other uses proposed include:

Use Class	Classification
General Retail and Hire:	Permitted, if associated with Resource Development or Resource Processing
Resource Processing:	Discretionary
Visitor Accommodation:	Discretionary

As the Resource Processing and Visitor Accommodation Use Classes are discretionary, they must be consistent with the Zone Purpose as follows:

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

The proposed discretionary uses are considered to be consistent with the Zone purpose, as each of the discretionary uses, whilst able to operate separately, support the proposed resource development use.

Compliance with Performance Criteria

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

Clause 21.3.1 Discretionary uses

Objective:
That uses listed as Discretionary: <ul style="list-style-type: none"> (a) support agricultural use; and (b) protect land for agricultural use by minimising the conversion of land to non-agricultural use.

Acceptable Solution	Performance Criteria
<p>A1</p> <p>No Acceptable Solution.</p>	<p>P1</p> <p>A use listed as Discretionary, excluding Residential or Resource Development, must be required to locate on the site, for operational or security reasons or the need to contain or minimise impacts arising from the operation such as noise, dust, hours of operation or traffic movements, having regard to:</p> <ul style="list-style-type: none"> (a) access to a specific naturally occurring resource on the site or on land in the vicinity of the site; (b) access to infrastructure only available on the site or on land in the vicinity of the site; (c) access to a product or material related to an agricultural use; (d) service or support for an agricultural use on the site or on land in the vicinity of the site; (e) the diversification or value adding of an agricultural use on the site or in the vicinity of the site; and (f) provision of essential Emergency Services or Utilities.
<p>Complies with P1</p> <p>The two (2) discretionary uses are directly supportive of the proposed resource development (agriculture) use of the site. The agricultural use includes on site cropping, whilst the resource processing use is for the extraction of essential oils and perfumes. The visitor accommodation use will be for a guest experience (or farm stay) directly linked to the primary agricultural use of the site. This type of use is encouraged in the purpose of the Zone.</p> <p>The amended agricultural report states that:</p> <p><i>The proposal provides an excellent example of value adding of an agricultural product including diversification with a visitor and tourist experience</i></p> <p>It is considered that the proposed discretionary uses support the proposed agricultural use of the site and are required to locate on the site to do so.</p>	

<p>A2</p> <p>No Acceptable Solution.</p>	<p>P2</p> <p>A use listed as Discretionary, excluding Residential, must minimise the conversion of agricultural land to non-agricultural use, having regard to:</p> <ul style="list-style-type: none"> (a) the area of land being converted to non-agricultural use; (b) whether the use precludes the land from being returned to an agricultural use; (c) whether the use confines or restrains existing or potential agricultural use on the site or adjoining sites.
<p>Complies with P2</p> <p>The amended agricultural assessment has addressed P2 as follows:</p> <p><i>The footprint of the proposed buildings is located within an area of existing development (the proposed commercial building is located on the old tennis court area on site) and the proposed visitor accommodation is located on class 6/7 land unsuitable for agricultural production...</i></p> <p><i>The proposed development enhances the agricultural production on the subject property by enabling a higher value cropping enterprise with associated extractive industry, visitor experiences and sales. Income from visitor activities including guest accommodation is a critical component of the operation. The development is located with sufficient separation from cropping activities on adjacent properties, and with natural buffers to adjacent land use.</i></p> <p>It is agreed that the land where the discretionary uses are to be located has poor capability for agriculture. The proposed uses are separated a significant distance from cropping activities on the adjoining lot as evidenced in the agricultural report. That report also recommends that screening planting be placed along the eastern boundary of the site.</p>	
<p>A3</p> <p>No Acceptable Solution.</p>	<p>P3</p> <p>A use listed as Discretionary, excluding Residential, located on prime agricultural land must:</p> <ul style="list-style-type: none"> (a) be for Extractive Industry, Resource Development or Utilities, provided that: <ul style="list-style-type: none"> (i) the area of land converted to the use is minimised;

	<ul style="list-style-type: none"> (ii) adverse impacts on the surrounding agricultural use are minimised; and (iii) the site is reasonably required for operational efficiency; or (b) be for a use that demonstrates a significant benefit to the region, having regard to the social, environmental and economic costs and benefits of the proposed use.
N/A - there is no prime agricultural land on the site or adjoining land.	
<p>A4</p> <p>No Acceptable Solution</p>	<p>P4</p> <p>A Residential use listed as Discretionary must:</p> <ul style="list-style-type: none"> (a) be required as part of an agricultural use, having regard to: <ul style="list-style-type: none"> (i) the scale of the agricultural use; (ii) the complexity of the agricultural use; (iii) the operational requirements of the agricultural use; (iv) the requirement for the occupier of the dwelling to attend to the agricultural use; and (v) proximity of the dwelling to the agricultural use; or (b) be located on a site that: <ul style="list-style-type: none"> (i) is not capable of supporting an agricultural use; (ii) is not capable of being included with other agricultural land (regardless of ownership) for agricultural use; and (iii) does not confine or restrain agricultural use on adjoining properties.
N/A - no new residential use is proposed.	

Accordingly, the proposal satisfies the performance criteria in relation to discretionary use.

Clause 21.4.2 A1/P1 Setbacks

Objective:	
That the siting of buildings minimises potential conflict with use on adjoining properties.	
Acceptable Solution	Performance Criteria
<p>A1</p> <p>Buildings must have a setback from all boundaries of:</p> <p>(a) not less than 5m; or</p> <p>(b) if the setback of an existing building is within 5m, not less than the existing building.</p>	<p>P1</p> <p>Buildings must be sited to provide adequate vehicle access and not cause an unreasonable impact on existing use on adjoining properties, having regard to:</p> <p>(a) the bulk and form of the building;</p> <p>(b) the nature of existing use on the adjoining properties;</p> <p>(c) separation from existing use on the adjoining properties; and</p> <p>(d) any buffers created by natural or other features.</p>
<p>Complies with P1</p> <p>Subject to the boundary adjustment being finalised / titles being issued, all proposed buildings are setback at least 5m from all boundaries. Conditions are recommended in this regard.</p> <p>Accordingly the PC can be satisfied, with conditions.</p>	

Clause 21.4.2 A2/P2 Setbacks

Objective:	
That the siting of buildings minimises potential conflict with use on adjoining properties.	
Acceptable Solution	Performance Criteria
<p>A1</p> <p>Buildings for a sensitive use must have a setback from all boundaries of:</p> <p>(a) not less than 200m; or</p>	<p>P1</p> <p>Buildings for a sensitive use must be sited so as not to conflict or interfere with an agricultural use, having regard to:</p>

<p>(b) if the setback of an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.</p>	<p>(a) the size, shape and topography of the site;</p> <p>(b) the prevailing setbacks of any existing buildings for sensitive uses on adjoining properties;</p> <p>(c) the location of existing buildings on the site;</p> <p>(d) the existing and potential use of adjoining properties;</p> <p>(e) any proposed attenuation measures; and</p> <p>(f) any buffers created by natural or other features.</p>
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The proposal visitor accommodation use is a sensitive use, which is defined by the Scheme as:

"a residential use or a use involving the presence of people for extended periods except in the course of their employment such as a caravan park, childcare centre, dwelling, hospital or school."

and affirmed in *ACEN Robbins Island Pty Ltd v Circular Head Council [2024] TASCAT 48*.

The use will be located less than 200 metres from site boundaries.

The subject site is a highly irregular and unusual shape making it not possible for any current or future sensitive use on the site to comply with the 200m boundary setback. Given this unusual shape it is difficult to compare the proposed boundary setbacks with those on adjoining lots.

The amended agricultural report has provided a discussion of the existing and potential agricultural uses on the adjoining lots and whether the proposed sensitive use (visitor accommodation) is likely to conflict or interfere with those uses.

It is stated that:

The proposed development on the property has a low risk of fettering adjacent agricultural land due to the land quality and land use pattern in the immediate area. The poor land quality (rocky shallow soils) that are unsuitable for cropping activities provides a good natural buffer to agricultural activities on adjacent properties.

Based upon a review of historical aerial photographs it appears that no cropping activities are undertaken within 250m of the proposed guest accommodation site or within 200m of the proposed commercial building. This is most likely due to the lack of irrigation resources in the area and the reliance upon recycled water for any cropping activities.

The representation received raised issues relevant to the proposed sensitive use and the use of recycled water on the adjoining lot to the east. The agricultural report was amended to address the representation and the issue of recycled water.

The report states:

...the use of recycled water for irrigation requires approval of an Environmental Management Plan by EPA Tasmania which must include appropriate buffer distances to existing sensitive land use (i.e. the existing residence on the subject property) and environmental features such as surface water (i.e. Strathallan Rivulet).

As a result, spray irrigation of any crops with recycled water (i.e. treated effluent) is limited to more than 200m from the existing dwelling, and the storage of any treated effluent to greater than 250m away.

Council has received correspondence from TasWater confirming that there are no permits to apply re-use water or biosolids on adjoining Certificates of Title.

The agricultural report recommends that screening vegetation/ shelter belt is established along the eastern boundary adjacent to the visitor accommodation use which will be a condition on the permit.

Accordingly, the PC is satisfied with conditions.

Clause C2.5.3 A1/P1 - Bicycle parking numbers

Objective:	
That an appropriate level of bicycle parking spaces are provided to meet the needs of the use.	
Acceptable Solution	Performance Criteria
<p>A1</p> <p>Bicycle parking spaces must:</p> <ul style="list-style-type: none"> (a) be provided on the site or within 50m of the site; and (b) be no less than the number specified in Table C2.1. 	<p>P1</p> <p>Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> (a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and (b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.

Table C2.1 of the Scheme requires 1 bicycle space per 100m² of floor area for the General Retail and Hire use and 1 space per 5 employees for the Resource Processing use.

No bicycle spaces are proposed.

Given the location of the site, it is highly unlikely there will be demand for these types of parking spaces. Nonetheless, there is ample space on site to park bicycles, if necessary.

The proposal satisfied P1.

Clause C6.6.2 A1/P1 - Site Coverage

Objective:	
That site coverage is compatible with the local historic heritage significance of local heritage places.	
Acceptable Solution	Performance Criteria
<p>A1</p> <p>No Acceptable Solution.</p>	<p>P1</p> <p>The site coverage must be compatible with the local historic heritage significance of a local heritage place, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; and (b) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person

The description for Maiden Erleigh Homestead contained in BRI-C6.1.13 of the Local Historic Heritage Code List notes that the property is a *“single storey stone house with hipped roof and boxed eaves. The front has a central timber door with fanlight and 12 large panel windows either side. Glassed in addition is at the rear of the house”*. Therefore, the Local Historic Heritage Code applies.

The applicant has provided a response to the performance criteria as follows:

The proposed development complies with site coverage standards by ensuring that roofed structures do not exceed 2% of the total site area. Native landscaping has been planned to complement and maintaining heritage character, reducing visual impacts by descaling the proposed built forms.

It is agreed the proposed site coverage will not be overbearing of the heritage listed dwelling on site and the existing and proposed landscaping will soften the visual impacts of the proposed developments.

The proposal satisfies P1.

Clause C6.6.3 A1/P1 - Height and bulk of buildings

Objective:	
That the height and bulk of buildings are compatible with the local historic heritage significance of local heritage places.	
Acceptable Solution	Performance Criteria
A1 No Acceptable Solution.	P1 The height and bulk of buildings must be compatible with the local historic heritage significance of a local heritage place, having regard to: (a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person; (b) the character and appearance of the existing building or place; (c) the height and bulk of other buildings in the surrounding area; and (d) the setting of the local heritage place.

The applicant has provided a response to P1, as follows:

The design of the buildings respects the height limitations, ensuring structures remain below 5m metres. Bulk is minimised by splitting functions into smaller clusters of outbuildings that are grounded on site with simplified skillion roof form. They are cues from the scale of the surrounding area existing agricultural sheds. The proposed structures reflect agricultural character of the local area and the existing of existing heritage context, incorporating similar proportions and scale.

It is agreed that the proposed buildings have been designed to be compatible with the existing heritage place and the surrounding rural area, whilst not mimicking the heritage place.

It is also noted that the site is setback well away from any Council maintained road so views of the place are only prominent from within the site or directly adjoining.

The proposal satisfies P1.

Clause C6.6.4 A1/P1 – Siting of buildings and structures

Objective:	
That the siting of buildings is compatible with the local historic heritage significance of local heritage places.	
Acceptable Solution	Performance Criteria
A1 No Acceptable Solution.	P1 The front, side and rear setbacks of a building must be compatible with the local historic heritage significance of the place, having regard to: (a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person; (b) the topography of the site; (c) the size, shape, and orientation of the lot; and (d) the setbacks of other buildings in the surrounding area.

The applicant has provided the following response to P1:

All structures have been strategically sited to maintain the visual integrity of the existing heritage buildings. The side setbacks of 14m from the title boundaries and the front of the barn is setback 35m from the historical homestead 'Maiden Erleigh' to ensure consistency with the established rural context and preserve views, open space and orientation to maintain the area's visual continuity.

It is agreed that the development has been separated from the heritage listed place on site a sufficient distance so as to not detract from its significance. It is considered that the unusual shape of the lot has been considered in the design.

The proposal satisfies P1.

Clause C6.6.5 A1/P1 – Fences

Objective:
That fences are compatible with the local historic heritage significance of local heritage places.

Acceptable Solution	Performance Criteria
<p>A1</p> <p>New fences and gates on local heritage places must be designed and constructed to match existing original fences on the site.</p>	<p>P1</p> <p>New fences and gates must be compatible with the local historic heritage significance of a local heritage place, having regard to:</p> <ul style="list-style-type: none"> (a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person; (b) the architectural style of the buildings on the site; (c) the dominant fencing style in the setting; (d) the original or previous fences on the site; and (e) the proposed height and location of the fence.

The applicant has not provided information to address Clause C6.6.5 A1/P1 regarding the proposed 2.1m lattice fences. The fencing is not designed and constructed to match existing original fences on the site. A condition requiring further details of fencing is recommended, with a requirement that the fencing is compatible with the local historic heritage significance of a local heritage place.

Subject to conditions the proposal can satisfy P1.

Clause C6.6.6 A1/P1 – Roof form and Materials

Objective:
That roof form and materials are compatible with the local historic heritage significance of local heritage places.

Acceptable Solution	Performance Criteria
<p>A1</p> <p>Replacement roofs on local heritage places which will be visible from any road or public open space adjoining the site, must be of a form and material to match the existing roof being replaced.</p>	<p>P1</p> <p>Roof form and materials must be compatible with the local historic heritage significance of a local heritage place, having regard to:</p> <ul style="list-style-type: none"> (a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person; (b) the design, period of construction and materials of the building on the site that the roof directly relates to; (c) the dominant roofing style and materials in the setting; and (d) the streetscape

The applicant has provided the following information to address P1:

Roof design incorporates a traditional skillion form, and the material selection is appropriate and consistent with the rural character of the surrounding context, including corrugated iron, and masonry. The dark monument colour palette enables the proposed forms to sit recessively against the historical buildings on site, reducing visual obtrusiveness and integrating into the landscape. The sloped roof form references the dominant roofing angles historically seen in outbuildings ensuring continuity within site context.

Council Officers agree with the applicant's design rationale regarding roofing and consider that the design is sympathetic to the heritage place. A condition will require that all finishes are non-reflective.

The proposal satisfies P1.

Clause C6.6.8 A1/P1 – Outbuildings and structures

Objective:
That the siting of outbuildings and structures are compatible with the local historic heritage significance of local heritage places.

Acceptable Solution	Performance Criteria
<p>A1</p> <p>Outbuildings and structures on local heritage places must:</p> <ul style="list-style-type: none"> (a) not be located in the front setback; (b) not be visible from any road or public open space adjoining the site; (c) not have a side that is longer than 3m; (d) have a gross floor area less than 9m²; (e) have a combined total area of all outbuildings on the site of not more than 20m²; (f) have a maximum height less than 2.4m above existing ground level; (g) not have a maximum change of level as a result of cut or fill of more than 1m; and (h) not encroach on any service easement or be located within 1m of any underground service. 	<p>P1</p> <p>Outbuildings and structures must be compatible with the local historic heritage significance of a local heritage place, having regard to:</p> <ul style="list-style-type: none"> (a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person; (b) the bulk, form and size of buildings on the site; (c) the bulk, form and size of the proposed outbuilding or structure; (d) the external materials, finishes and decoration of the outbuilding or structure; and (e) the visibility of the outbuilding or structure from any road or public open space adjoining the site.

The applicant has provided the following response to P1:

The Barn and the Accommodation buildings have been designed as subservient outbuildings in scale and orientated deferentially to the main historical homestead 'Maiden Erleigh', ensuring they do not detract from the heritage values of the site. Materials and colours are recessive and subservient to the primary homestead building enhancing the heritage character, and minimising the visual impact from the neighbouring context and distant Tea Tree Road.

The proposed outbuildings are required for the agricultural enterprise proposed for the site. They have been designed to be sympathetic to the heritage place. A condition will require they be non-reflective.

The proposal satisfies P1.

Clause C6.6.9 A1/P1 – Driveways and parking for non-residential purposes

Objective:	
That driveways and parking for non-residential purposes are compatible with the local historic heritage significance of local heritage places.	
Acceptable Solution	Performance Criteria
<p>A1</p> <p>Driveways and parking areas for non-residential purposes on local heritage places must be located behind the building line of buildings located or proposed on a site.</p>	<p>P1</p> <p>Driveways and parking areas for non-residential purposes must be compatible with the local historic heritage significance of a local heritage place, having regard to:</p> <ul style="list-style-type: none"> (a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person; (b) the loss of any building fabric; (c) the removal of gardens or vegetated areas; (d) parking availability in the surrounding area; (e) vehicle and pedestrian traffic safety; and (f) the streetscape.

The applicant provided the following information regarding P1:

The proposed driveway and parking areas will be primarily used by the onsite agricultural vehicles and designed with permeable surfaces. Visitor parking areas are designed to accommodate the limited number of visitors, located away from the historical homestead and are screened with native landscaping to reduce visual impacts from the distant main road and neighbouring sites. The carparking location and layout minimises disruption to the heritage value and prioritising the retention of significant vegetation.

The proposal includes significant landscaping as well as retaining vegetation on site which will assist in minimising the visual impacts of the carparking. No significant gardens or vegetated areas will be impacted by the proposed driveways or parking areas. The new parking areas are required for the proposed agricultural enterprise on site.

The proposal complies with P1.

Clause C7.6.1 A1/P1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area

Objective:	
That buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets.	
Acceptable Solution	Performance Criteria
<p>A1</p> <p>Buildings and works within a waterway and coastal protection area must:</p> <ul style="list-style-type: none"> (a) be within a building area on a sealed plan approved under this planning scheme; (b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width; or (c) if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date. 	<p>P1</p> <p>Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:</p> <ul style="list-style-type: none"> (a) impacts caused by erosion, siltation, sedimentation and runoff; (b) impacts on riparian or littoral vegetation; (c) maintaining natural streambank and streambed condition, where it exists; (d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation; (e) the need to avoid significantly impeding natural flow and drainage; (f) the need to maintain fish passage, where known to exist; (g) the need to avoid land filling of wetlands; (h) the need to group new facilities with existing facilities, where reasonably practical; (i) minimising cut and fill; (j) building design that responds to the particular size, shape, contours or slope of the land; (k) minimising impacts on coastal processes, including sand movement and wave action;

	<p>(l) minimising the need for future works for the protection of natural assets, infrastructure and property;</p> <p>(m) the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and</p> <p>(n) the guidelines in the Tasmanian Coastal Works Manual.</p>
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The proposed visitor accommodation building and its onsite wastewater infrastructure will be within the Waterway and coastal protection area overlay due to the watercourse along the south of the site (Strathallan Rivulet). The applicant has provided a report which addresses the Code.

The report concludes that the development within the overlay would comply with P1 based on the following:

- a) The development and works area are located well away from the waterway.
- b) The wastewater irrigation area is to be located predominantly outside of the waterways and coastal protection area overlay with appropriate setbacks to the waterway as defined in the wastewater guidelines and AS/NZS1547-2012.
- c) Any development within the overlay area should only be approved with an appropriate, site specific soil and water management plan to reduce the risk of environmental harm and erosion.
- d) There will be no impacts on riparian vegetation and only minimal cut and fill is proposed.
- e) All works within the overlay area be undertaken in accordance with the 'Wetlands and Waterways Works Manual'.

Subject to conditions, the proposal satisfies P1.

5. REFERRALS

Technical Officer

The proposal was referred to Council's technical officers and their comments have been integrated into the report.

6. REPRESENTATIONS

One (1) representation was received during the statutory public exhibition period between 4th March and 20th March 2025.

The concerns of the representors are summarised below:

Representor's concerns	Planning Response
<p><i>Is there a staged development of the project, ie does Council require the agricultural part of the development need to be completed before commercial developments such as accommodation occurs</i></p>	<p><i>There is no staging proposed.</i></p>
<p><i>Will there be a change in zoning or would a new development have any objections that may change or impact the way we conduct our business, as we do irrigated cropping to the boundary of 451 where we have approvals for and are able to use reuse water, biosolids, crop herbicides and insecticides, crop pollination services such as bees, organic fertilisers such as chicken manure and sometimes we grow some smelly crops such as brassicas.</i></p>	<p><i>No zoning change is required.</i></p> <p><i>Whilst it is understood that reuse water and biosolids are applied in the Tea Tree area, TasWater have advised that there are no permits to apply re-use water or biosolids on adjoining Certificates of Title.</i></p> <p><i>The applicant has provided an amended agricultural report which has addressed the concerns in the representation regarding land use conflict from the sensitive use and adjoining agricultural activities.</i></p> <p><i>The amended submission found that the proposed visitor accommodation use is located well away from existing or proposed irrigation zones. This is due to the buffer created from the existing dwelling on site, and the buffer to the south of the site due to the waterway.</i></p> <p><i>The report states that visitor accommodation is situated at a considerable distance from the spray irrigation zone, and remains well outside the buffer zones for waterway and coastal protection.</i></p> <p><i>The area of riparian vegetation along the waterway to the site will provide a natural buffer to activities on adjacent properties to the south for the proposed visitor accommodation use. The report recommends that an additional vegetation buffer be installed along the eastern boundary of the site which would aid separation and screening of the existing residential use on the property from the agricultural activities on the property at 503 Tea Tree Road.</i></p>

	<i>A condition will require this landscaping be provided.</i>
<p><i>There is also an issue that we need resolved is the southern boundary by the Strathallan Rivulet. It was our understanding with the previous owner Chris Rowe (Surveyor General) who bought, surveyed and put the subdivision application with the Council in 1977, that the boundary is the fence immediately to the North of the rivulet. Now, especially that 451 will be open to the public we wish the boundary is respected (at the fence) as there could be bio security issues for livestock, as well as trespass and public liability issues.</i></p> <p><i>Also, with accommodation only metres away from this fence, what steps will the proponents take to stop people trespassing on our land.</i></p>	<p><i>The boundary is defined by the Certificates of Title issued by the Land Titles Office, based on the survey plans submitted to it.</i></p> <p><i>Boundary fencing is a civil matter for property owners to agree upon.</i></p>
<p><i>There is a reserve road that runs through 451 which in the past has been used by large trucks and heavy farm machinery, we wish to be able to do the same in the future, will there be restrictions?</i></p>	<p><i>Use of the reserved road would be via agreement from the land owner, and for a more formal access, require a licence from Crown Land.</i></p> <p><i>Council Officers have advice from the Crown that there is currently no legal agreement for the Reserve Road to be used to access 503 Tea Tree road.</i></p>
<p><i>The final issue we seek some clarification on is at the intersection of the Maiden Erleigh Road and Tea Tree Road. It is our understanding that Brighton Council owns Maiden Erleigh Road, the state government owns the Tea Tree Road, is this correct?</i></p> <p><i>We, as an essential part for the viability of our farming operations have stock easements to pass stock underneath the Tea Tree Road and rail line, need to move stock across the Maiden Erleigh Road at the intersection with the Tea Tree Road. This has not been an issue in the past with traffic when moving stock as with only two residences use this road, but we see an issue if we are moving sheep across the</i></p>	<p><i>Yes, this is correct.</i></p> <p><i>The amended agricultural report recommends that a site traffic management plan for signage be provided to inform visitors and guests to the property of stock and machinery movements both along Maiden Erleigh Lane and the stock easement.</i></p> <p><i>The report states that the frequency of stock movements for a grazing operation in the local area is generally minimal and the existing fencing allows for an exclusion/ easy movement of stock.</i></p> <p><i>Further, there is sufficient areas on the laneway and property driveway for vehicles to</i></p>

<p><i>Maiden Erleigh Road which can take up to ten minutes and as a tourism venture which we imagine will be popular, where do cars and buses park on Tea Tree Rd while waiting for us to move the stock? If there is a crash, do we have any liability? If there is any upgrade to the intersection will our movement of stock be taken into account? maybe a stock underpass?</i></p>	<p><i>pull to the side and allow machinery or stock movement if required.</i></p> <p><i>Council's technical officers have also considered the representation regarding traffic matters. That response is provided below:</i></p> <p><i>The Maiden Erleigh road reservation and current configuration allows for vehicle passing when required and does not provide an impediment to current agricultural pursuits including movement of stock.</i></p> <p><i>The proposal will see an increase in vehicle movements using Maiden Erleigh Lane. The increase is considered acceptable and the road suitable to accommodate the increased volume and knowledge of the users.</i></p> <p><i>There are no planned upgrades that Council is considering for Maiden Erleigh Lane or are aware of by State Growth for Tea Tree Rd. The permit may make recommendations considered improvements to better manage vehicular passage and raise public awareness of road conditions along Maiden Erleigh Lane. Advertising and directional signage required to support the business should include this information in lieu of it being Council supplied.</i></p> <p><i>The present road conditions do not support taking any measures above what is already in place by default.</i></p>
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7. CONCLUSION

The proposal for Resource Development (Agricultural), Resource Processing (Manufacturing and processing of perfume products), General Retail and Hire (Cellar Door) and Visitor Accommodation (Farm Stay) and Construction of Buildings and Parking Areas at 451 Tea Tree Road, Tea Tree, 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 DA 2024/0243 at 451 Tea Tree Road, Tea Tree for Resource Development (Agricultural) Resource Processing (Manufacturing and processing of perfume products), General Retail and Hire (Cellar Door) and Visitor Accommodation (Farm Stay) and Construction of Buildings and Parking Areas for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

General

- (1) The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings 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 between the application for planning approval, endorsed drawing 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*.
- (4) Prior to the commencement of any works or application for building permits under the Building Act 2015, whichever occurs first, the acquisition of adjoining land required to meet access, turning and setback requirements must be finalised through the sealing of a Final Plan of Survey in accordance with SA 2024/36

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*.

Amenity

- (5) All external metal building surfaces must be clad in non-reflective pre-coated metal sheeting or painted to the satisfaction of the Director Development Services.
- (6) Before any work commences a schedule specifying the finish and colours of all external surfaces must be submitted to and approved by the Council's Director Development Services. The schedule shall form part of this permit when approved and must be completed within three (3) months or otherwise approved by Council's Director Development Services.
- (7) Prior to the use commencing, a schedule of signage must be provided to the satisfaction of Council's Director Asset Services which inform visitors and guests to the property of stock and machinery movements both along Maiden Erleigh Lane and the stock easement.

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*.

Landscaping

- (8) Before any work commences submit a landscape plan prepared by a suitably qualified person for approval by Council's Director Development Services. The landscape plan must include:
- (a) A survey of all existing vegetation to be retained and/or removed.
 - (b) The areas to be landscaped,
 - (c) Details of surface finishes of paths and driveways.
 - (d) Details of fencing.
 - (e) A planting schedule of all proposed trees, shrubs and ground covers including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant.
 - (f) Landscaping and planting within all open areas of the site.
 - (g) Screening along the eastern boundary of the site adjacent to the proposed visitor accommodation.
 - (h) A statement addressing how the proposed fencing and landscaping is compatible with the local historic heritage significance of the local heritage place.

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) Planting must bear a suitable relationship to the proposed height of the buildings, and must not use species listed as noxious weeds within Tasmania, displaying invasive characteristics or unsuitable for fire prone areas. If considered satisfactory, the landscape plan will be endorsed and will form part of this permit.
- (10) Prior to commencement of use, all trees and landscaping must be planted and installed in accordance with the approved Landscaping Plan to the satisfaction of the Council's Director Development Services. Evidence showing compliance with this condition must be submitted to and approved by the Director Development Services within 30 days of planting.
- (11) Replacement trees and landscaping in accordance with the approved Landscaping Plan must be planted if any is lost. All landscaping must continue to be maintained to the satisfaction of Council.

Parking and Access

- (12) At least sixteen (16) car parking spaces must be provided on the land at all times for the use of the development, in accordance with Standards Australia (2004) Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney.
- (13) Unless approved otherwise by Council's Municipal Engineer all parking, access ways, maneuvering and circulation spaces must be provided in accordance with the endorsed drawings and the Australian Standard AS 2890.1 - 2004 – Parking Facilities Parts 1 – 6 and must include all of the following,

- a. be constructed with a durable all-weather pavement,
 - b. be drained to convey stormwater away from buildings, neighbours and not to create a nuisance,
 - c. have gradients in accordance with the applicable Tasmanian Standard Drawings, and meet the requirements of any applicable Bushfire Hazard Management report.
- (14) All areas set aside for parking, turning and access must be completed before the use commences and must continue to be maintained to the satisfaction of Councils Municipal Engineer.

Engineering

- (15) Prior to the application for building and plumbing approval being lodged with Council, the developer must submit to Council for approval an engineered parking plan that includes all of the following,
- (a) Design surface levels and gradients,
 - (b) Pavement details,
 - (c) Drainage,
 - (d) Turning and travel paths to demonstrate compliance with Australian Standard AS2890:1,
 - (e) Dimensions,
 - (f) Pedestrian pathways,
 - (g) Line marking and surface delineation,
 - (h) Signage.
 - (i) All requirements of this permit.

The parking plan must be certified by a practicing engineer and shall form part of the permit once approved.

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.

- (16) The completed parking, accessways, maneuvering and circulation spaces must be certified by a practicing civil engineer on completion to the effect that they have been constructed in accordance with the endorsed drawings and specifications approved by Council before the use commences.
- (17) All parking, accessways, maneuvering and circulation spaces must be completed before the use commences and must continue to be maintained to the satisfaction of Councils Municipal Engineer.

Stormwater

- (18) Stormwater drainage from the proposed development must drain to a legal point of discharge to the satisfaction of Councils General Manager and in accordance with a Certificate of Likely Compliance or Plumbing Permit issued by the permit authority in accordance with the Building Act 2016.

- (19) The driveways must be drained to minimise surface runoff over adjoining land in accordance with the requirements of Council's Municipal Engineer and in accordance with the Building Act 2016.

Services

- (20) 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 development. Any work required is to be specified or undertaken by the authority concerned.

Soil and Water Management

- (21) A soil and water management plan (here referred to as a '**SWMP**') prepared in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South, must be approved by Council's Municipal Engineer before development of the land recommences.
- (22) Before any work commences temporary run-off, erosion and sediment controls must be installed in accordance with the approved SWMP and must be maintained at full operational capacity to the satisfaction of Council's Municipal Engineer until the land is effectively rehabilitated and stabilised after completion of the development.
- (23) All development within the Waterway and Coastal Protection Overlay is to be done in accordance with the Tasmanian Wetlands and Waterways Works Manual.

Construction amenity

- (24) 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.
- (25) 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 |
- (26) All 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 -
- 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
 - transport of materials, goods, or commodities to or from the land; and/or
 - appearance of any building, works or materials.
- (27) Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the land in an approved manner. Burning of such materials on-site will be permitted unless in accordance with the landscaping plan requiring disposal by such means.

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. A separate permit is required for any signs unless otherwise exempt under Council's planning scheme.
- D. The issue of this permit does not ensure compliance with the provisions of the Commonwealth Disability Discrimination Act 1992 in relation to access to or use of premises that the public can enter or use. Building access issues may also arise under other Disability Discrimination Act 1992 provisions relating to employment, access to services and accommodation provisions. The operator may be liable to complaints in relation to any non-compliance with the Disability Discrimination Act 1992.

There are currently no standards prescribed for compliance with the Disability Discrimination Act 1992, however, Australian Standards associated with the Act, including AS 1428.1-2001 - Design for access and mobility - General requirements for access - new building work and the Building Code of Australia (BCA) may apply to occupants of the building. It is recommended that you obtain further information concerning the Disability Discrimination Act 1992 from the Office of the Human Rights and Equal Opportunities Commission or the Tasmanian Anti-Discrimination Commission.

- E. 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.

CARRIED

VOTING RECORD

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

13. Petitions

Nil.

14. Officers Reports

14.1 March 2025 Quarterly Finance Report

Author: Director Corporate Services (G Browne)

Background

The Quarterly report was for consideration.

It contained the year-to-date Comprehensive Income Statement to 31st March 2025.

Consultation

Nil

Risk Implications

Nil

Financial Implications

Not Applicable

Strategic Plan

Goal 4 – S4.4 – Ensure Financial & Risk Sustainability

Social Implications

Not Applicable

Environmental or Climate Change Implications

Not Applicable

Economic Implications

Not Applicable

Other Issues

Nil

Assessment

Not Applicable

Options

1. As per the recommendation.
2. Not receive the report

RECOMMENDATION:

That the March 2025 Quarterly Financial Report be received.

DECISION:

Cr De La Torre moved, Cr McMaster seconded that March 2025 Quarterly Financial Report be received.

CARRIED

VOTING RECORD

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

14.2 10 Year Capital Plan

Author: Director Asset Services (C Pearce-Rasmussen)

Background

Councillors are collectively responsible for the setting and monitoring of council's strategic plans. Good strategic planning allows council to set its future direction and balance the needs and aspirations of the community with the resources that it has available.

It is important that the capital works program for coming decade is planned for and well understood to allow council to confirm alignment with it's long term financial plan.

Following two council workshops in which projects have been discussed and prioritised, a 10 year plan for council's new capital program has been proposed.

Consultation

Councillors & Senior Management Team

Risk Implications

Council's capital works plan must give consideration to the future needs of the community to ensure provision of the required infrastructure as demand increases with changes in demographics and growth. Failure to do so introduces the risk of council's infrastructure falling behind the requirements of the community. Potentially leading to reduced service levels, increased maintenance costs, and missed opportunities to support economic development and liveability

Financial Implications

Council's forward works program must integrate with the long term financial plan to ensure the financial sustainability of the organisation.

Strategic Plan

S1.2 Build resilience and opportunity

S1.3 Ensure attractive local areas that provide social, recreation and economic opportunities

S1.4 Encourage a sense of pride, local identity and engaging activities

S2.2 Encourage respect and enjoyment of the natural environment

S3.1 Implement strategic long-term asset management plan aligned to long-term financial plan

S3.2 Infrastructure development and service delivery are guided by strategic planning to cater for the needs of a growing and changing population

S3.3 Community facilities are safe, accessible and meet contemporary needs

S4.1 Be big picture, long-term and evidence based in our thinking

S4.4 Ensure financial and risk sustainability

Social Implications

Thoughtful infrastructure planning can foster community engagement and promote health and well-being through increased physical activity opportunities.

Additionally, careful selection of infrastructure projects can encourage a sense of pride and local identity by creating attractive, inclusive local areas that provide social, and recreational opportunities.

Environmental or Climate Change Implications

Capital infrastructure planning needs to give consideration to environmental impact through use of sustainable materials, energy efficient construction and design, protection of local biodiversity as well as management of waste and by-products of construction.

Careful infrastructure planning plays a significant role in establishing resilient communities, positioning the municipality to adapt to the changing climate and its impacts as required.

Economic Implications

Designing and maintaining a built environment that supports businesses, encourages physical activity and fosters a sense of community allows council to create vibrant and economically prosperous areas across the municipality.

Outdated or insufficient infrastructure can hinder local economic growth, deter investment and reduce the council's ability to support industry, tourism and growth of the region.

Other Issues

Nil.

Assessment

The 10 year capital plan has been drafted through joint discussion between councillors, senior staff and the Asset Services Department.

The plan encompasses a range of projects and gives consideration to the forecast changes within the municipality over the coming decade.

It is noted that the plan will be reviewed periodically and adjustments will be made within the next 2-3 year period, as council remains responsive to the changing needs of the community.

Options

1. As per the recommendation.
2. An alternative motion as proposed by Council.

RECOMMENDATION:

That Council adopt the 10 Year Plan 2025 for implementation.

DECISION:

Cr De La Torre moved, Cr Curran seconded that Council adopt the 10 Year Plan 2025 for implementation.

CARRIED

VOTING RECORD

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

14.3 Community Residential Festive Lighting Guidelines

Author: Senior Project Engineer (L Ali-Lavroff)

Authorised: Director Asset Services (C Pearce-Rasmussen)

Background

Over recent years, Council have received complaints from residents regarding the impacts of residential Christmas lighting displays. While these displays contribute to the festive spirit and are enjoyed by many in the community, they can also result in unintended issues such as excessive pedestrian activity, traffic congestion, blocked driveways and general disruption to the surrounding area.

In response to these concerns, Council has developed the *Community Residential Festive Lighting Guidelines* to assist residents in planning and managing their displays in a way that ensures safety, minimises disruption and maintains the enjoyment for all.

This document provides guidance on appropriate considerations and expectations, helping strike a balance between festive celebration and community wellbeing.

Consultation

Director Asser Services (C Pearce-Rasmussen)

Risk Implications

Nil.

Financial Implications

Nil.

Strategic Plan

S1.1 Engage with and enable our community

S1.2 Build resilience and opportunity

S1.3 Ensure attractive local areas that provide social, recreation and economic opportunities

S1.4 Encourage a sense of pride, local identity and engaging activities

S3.3 Community facilities are safe, accessible and meet contemporary needs

S4.3 Ensure strong engagements and relationships to shape the agenda and advocate for our community

Social Implications

Without the provision of these guidelines, the social impacts of unmanaged Christmas lighting displays could escalate, leading to increased community frustration, safety risks, and neighbourhood disputes. The absence of clear expectations may result in displays that unintentionally disrupt residents' daily lives through traffic congestion, noise, and reduced access to private properties.

By not addressing these issues, Council may also be perceived as unresponsive to community concerns, potentially undermining trust and social cohesion during what should be a positive and inclusive time of year.

Environmental or Climate Change Implications

Nil.

Economic Implications

Nil.

Other Issues

Nil.

Assessment

The preparation of these guidelines demonstrates Council's proactive approach to supporting community traditions while promoting safety and neighbourhood harmony. By providing clear and practical guidance, Council aims to engage residents in a positive and collaborative manner, encouraging responsible planning of Christmas lighting displays. This not only reflects Council's commitment to community wellbeing but also helps balance festive celebrations with the needs of all residents, fostering inclusivity, safety, and goodwill during the holiday season.

Options

1. As per recommendation.
2. Decline preparation of guidelines for community Christmas lighting

RECOMMENDATION:

That Council adopt the *Community Festive Lighting Guidelines* to provide clear direction for residents and promote safe, enjoyable and respectful festive displays across the municipality.

DECISION:

Cr Owen moved, Cr Geard seconded that Council place the Community Festive Lighting Guidelines out for community consultation for a period of 3 weeks.

CARRIED

VOTING RECORD

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

14.4 Submission on the Land Use Planning and Approvals (Development Assessment Panels) Bill 2025

Author: Director, Development Services (A Woodward)

Background

In 2023, the Premier announced the development of new legislation to allow certain development applications to be determined by an independent Development Assessment Panel (DAP) appointed by the Tasmanian Planning Commission. At the time, Council resolved to write a submission outlining a number of issues and urging the government to make amendments. Following this a Draft Bill was produced and the submissions of Council were not addressed. The Bill failed to pass the state's upper house in December 2024 and was ultimately lost.

The Minister for Planning has now released a revised Land Use Planning and Approvals (Development Assessment Panel) Bill 2025 (revised draft DAP Bill) for consultation from 26 February 2025 to 24 April 2025 along with a Background Report.

The key changes in the revised Bill are:

- Removal of the ability to request transfer of an application to a DAP process partway through a council assessment process.
- Reduction in the subjective grounds upon which the Minister can refer a new application to a DAP (no longer if an application is 'controversial').
- Increasing the value thresholds for an application to be referred to a DAP from \$5 million to \$10 million in a city, and from \$2 million to \$5 million in other areas.
- Allowing the Commission to issue guidelines to assist the Minister in determining whether to refer an application to a DAP and a requirement for the Minister to take these guidelines into account when making that determination.
- Other changes relate to alternate dispute resolution techniques, modified hearing dates, substitute panel members and Heritage Council involvement in the process.

The revised DAP Bill eligibility criteria now includes:

- The application relates to development that includes social or affordable housing, or a subdivision to facilitate social and affordable housing, for persons who may otherwise be unable to access suitable accommodation in the private rental or property market;
- The application is for development that is considered to be of significance to the local area or State;
- The applicant or planning authority is of the view that the planning authority does not have the technical expertise to assess the application;
- The planning authority has, or is likely to have a conflict of interest, or there is perceived bias on the part of the planning authority; or
- a class of application prescribed in Regulations.

Consultation

A workshop with Council on the new DAP Bill was held on 1 April 2025.

Risk Implications

Nil

Financial Implications

Nil

Strategic Plan

- 4.1 Be big picture, long-term and evidence based in our thinking.
- 4.2 Be well-governed, providing quality service and accountability

- 4.3 Ensure strong engagements and relationships to shape the agenda and advocate for our community

Social Implications

Nil

Environmental or Climate Change Implications

Nil

Economic Implications

Nil

Other Issues

Nil

Assessment

Officers have reviewed the new Draft Bill and feel that the changes are generally positive in nature. However, there are still the fundamental issues that exist with the legislation. These issues formed part of the Council's previous submission which are still yet to be addressed.

Ministerial Direction on Planning Scheme Amendments

In summary, a person may apply to the Minister for Planning for a direction to instruct a planning authority to prepare an amendment to the Planning Scheme, if the same request was refused by the Planning Authority following a review of that decision by the Tasmanian Planning Commission (Commission).

If an application is lodged with the Minister for review, it may be referred to Council and the Commission who then have 7 days to respond to any request from the Minister to an application. The Minister may refuse a request, or direct the Planning Authority to prepare an amendment.

Despite previous concerns, the proposal for the Minister for Planning to direct preparation of planning scheme amendments remains unrevised at section 7 of the 2025 Bill. Council's concern with this section, is that there is a risk that planning decisions could be driven by political agendas rather than by long-term planning goals or community needs, which has been completed through the development of state, regional and local policies. This could create a situation where certain planning scheme amendments are progressed for reasons unrelated to their merits.

Reducing public involvement

Delaying exhibition until a recommended decision has been made and removing appeal rights is contrary to the objectives of the Resource Management and Planning System of Tasmania, which encourages public involvement in resource management and planning.

The unknowns

Key issues such as Guidelines and Regulations have yet to be provided. A proper assessment cannot be provided until this is available. Further to this there will be a significant impact on resources of Council, yet no detail has been provided on how this will be funded. Finally, as per our previous submission, given the shortage of planning and development engineering professionals nationwide, how will DAP assessments be undertaken by candidates with greater experience than those currently undertaking the assessments?

Considering the above matters, a response in Attachment 3 is recommended.

Options

1. As per the recommendation.
2. As per the recommendation with amendments.
3. Other.

RECOMMENDATION:

That Council make a submission to the State Planning Office *on the revised Land Use Planning and Approvals (Development Assessment Panel) Bill 2025* as per Attachment 3.

DECISION:

Cr Irons moved, Cr Curran seconded that Council make a submission to the State Planning Office on the revised Land Use Planning and Approvals (Development Assessment Panel) Bill 2025 as per attachment 3.

CARRIED

VOTING RECORD

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

14.5 Boyer Road Precinct Structure Plan & Infrastructure Funding Framework - Stage 2 Community Consultation

Author: Strategic Planner (B White)

Authorised: Director Development Services (A Woodward)

Purpose

This report aims to consider Holmes Dyer's responses to feedback received during stakeholder consultation (Stage 2) of the Boyer Road Precinct Structure Plan and Infrastructure Funding Framework ('the Project').

Background

Brighton Council received funding under the Federal Government's Housing Support Program (HSP) Stream 1 to prepare a precinct structure plan, infrastructure funding framework and a planning scheme amendment, for the rezoning of land along Boyer Road, Bridgewater ('Boyer Road Precinct'), currently zoned 'Future Urban'.

The Boyer Road Precinct is identified in the Southern Tasmanian Regional Land Use Strategy ('STRLUS') as a 'Greenfield Development Precinct'. Prior to these areas being rezoned and released for residential development, a precinct structure plan must be prepared. This is the basis for the Project.

Brighton Council awarded the tender for the Project to Holmes Dyer.

Holmes Dyer have prepared a draft Precinct Structure Plan and Masterplan (also referred to as a 'development framework') for the Boyer Road Precinct based on a range of background reports and stakeholder/ community consultation.

A project page on Council's Have Your Say page contains all relevant background reports and factsheets on the project. It has regularly been updated throughout the project.

It is noted that as of the 9th April 2025, Council has moved to using 'Social Pinpoint' for consultation on projects moving forward. A new project page will be created on Social Pinpoint to keep stakeholders informed of the Project's progress.

However, the previous consultation page will still be available for viewing on Council's website under "Previous Consultations".

1st Round Consultation

The first stage of consultation on the Boyer Road Precinct Structure Plan concluded on 20 January 2025.

The consultation presented the initial findings from a series of investigations into the capability of the Boyer Road Precinct to accommodate future housing, and sought feedback from:

- The 6 landowners within the precinct;
- Surrounding landowners;

- The wider community; and
- Service providers.

The feedback received has been used to prepare a Boyer Road Precinct Structure Plan & Infrastructure Framework, which details the investigations that have been undertaken to inform the future rezoning of the Precinct to support residential development, and a series of plans (including a Master Plan) to guide the future development of the land and associated infrastructure requirements.

2nd Round Consultation

Stage 2 consultation commenced on 27 February 2025 and concluded on 20 March 2025. The same stakeholders were invited to complete a survey and make written submissions as were invited to comment on Stage 1.

At the conclusion of the consultation period, 19 survey response and 9 written responses were received. Responses to the survey included 17 from community members who live in the vicinity of the Boyer Road precinct and 2 from landowners within the precinct.

The key concerns raised by respondents relate to:

- Density, with a preference for 5,000sqm lots
- Impact on native vegetation and wildlife
- Impact on rural character and loss of farming land
- Increase in social issues
- Noise and traffic
- Increased pressure on existing services
- Lack of public transport and footpaths / cycleways

The results of the survey and submissions received, and Holmes Dyer's responses to the issues raised, are provided as Attachment A.

Council Officers have worked with Holmes Dyers to respond to the submissions received and to amend the Development Framework accordingly.

The amended Development Framework is provided as Attachment B.

Next Steps

The next step of the Project is the preparation of a planning scheme amendment and specific area plan, to be considered by Council for initiation at its meeting of the 6th May 2025.

Risk implications

Nil.

Financial Implications

Nil.

Strategic plan

This project aligns with the following strategies:

- Goal 1: Inspire a community that enjoys a comfortable life at every age,
 - 1.1 Engage with and enable our community
 - 1.3 Ensure attractive local areas that provide social, recreational and economic opportunities
 - 1.4 Encourage a sense of pride, local identity and engaging activities
- Goal 2: Ensure a sustainable environment
 - 2.2 Encourage respect and enjoyment of the natural environment
 - 2.4 Ensure strategic planning and management of assets has a long term-sustainability and evidence-based approach
- Goal 3: Manage infrastructure and growth effectively
 - 3.2 Infrastructure development and service delivery are guided by strategic planning to cater for the needs of a growing and changing population

Social implications

Nil

Economic implications

Nil.

Environmental or climate change implications

Nil.

Other Issues

Nil.

Assessment

The Boyer Road Precinct Structure Plan presents a unique opportunity for Council to lead a greenfield development project that incorporates best practices and contemporary town planning principles. This project has the potential to increase Brighton's 'shovel-ready' housing supply and deliver a sustainable, liveable community in a strategically advantageous location.

Holmes Dyer and Council officers have carefully considered the submissions received during the Stage 2 consultation and have responded accordingly. In relation to the adjoining Rural Living zoned properties to the east, which raised concerns throughout the project, it is important to note that Holmes Dyer have intentionally designed the Development Framework with a generous buffer between the subject site and this area. This buffer includes a transition of lot sizes and a strip of open space along the boundary.

Concerning the concerns raised by the landowner within the subject site, particularly regarding the increase in curtilage around that property, Council officers are confident that, should the landowner wish to revise the curtilage, the Development Framework and Specific Area Plan provisions will offer sufficient flexibility to accommodate future subdivision of the curtilage, thus increasing lot yield. It's also noted that the lot yield reduced by the expanded curtilage has been compensated for by the addition of smaller lots along the main open space spine.

Council officers are satisfied with Holmes Dyer's response to the submissions and the changes made to the Development Framework.

Options

1. As per the recommendation; or
2. Do not note Holmes Dyer's responses to stage 2 consultation; or
3. Other.

RECOMMENDATION:

It is recommended that Council notes Holmes Dyer's response to submissions received during stage 2 consultation of the Boyer Road Precinct Structure Plan and Infrastructure Funding Framework project.

DECISION:

Cr De La Torre moved, Cr Whelan seconded that Council notes Holmes Dyer's response to submissions received during stage 2 consultation of the Boyer Road Precinct Structure Plan and Infrastructure Funding Framework project.

CARRIED

VOTING RECORD

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

14.6 Request from Brighton Community Food Hub - Terrapin Building, 27 Green Point Road, Bridgewater

Author: Director Development Services (A Woodward)

Background

Council has been approached by the Brighton Community Food Hub (BCFH) to consider engaging with the Tasmanian Government to consider purchasing the Terrapin building behind the Brighton Community Health Centre, at 27 Green Point Road, Bridgewater.

As outlined in the letter, correspondence between Council and the Minister have indicated that it is the Government's intention to dispose of the Terrapin building. The reason for this decision is that the building has been deemed unsuitable for their future use due to structural issues, extensive damage and accessibility issues, and it would not be economically viable to refurbish and maintain it.

Council was recently provided with a copy of an Inspection Report undertaken by an independent qualified Building Surveyor. The report conducted a complete assessment of the building and found that the floor framework, external fabric and internal linings were all in poor quality. Most of the other structural components were in fair condition. The report generally found that the building would have negligible risks to able bodies occupants, but would however represent extreme risks to wheelchair users, due to access limitations in and throughout the building.

Terrapin Structures were historically designed and constructed as temporary solutions, with an expected life span of approximately 25 years. It is noted that this building was erected in 1991 and is considered to be at the end of its serviceable life.

However, the terrapin is situated in a prime community hub in the heart of Bridgewater, where community spaces for community groups to meet or operate a service are at capacity. The terrapin is currently still being utilised by the local knitting group and a drumming group from the School for Seniors. The Brighton Community Food Hub believe that they need to be back in a Bridgewater location to improve access for a broader audience. As anticipated, Old Beach does present transport and access challenges for those living in Bridgewater, Gagebrook and Herdsmans Cove.

There is the option that Council approaches the State Government to lobby for the possibility of a lease agreement directly between State Government and the Brighton Community Food Hub rather than Council taking on the liability of a State Government asset. In a similar manner to the Scout Hut at Old Beach, the Brighton Community Food Hub has indicated that they have some funds to repair and fit out the building. If this avenue was to be progressed, Council could be supportive through a financial contribution to be agreed in the future, to help with the renovations required.

Consultation

SMT, Community Development, Brighton Community Food Hub (BCFH).

Risk Implications

There may be some risk that the BCFH will be disappointed with the recommendation, however by providing an explanatory letter, this would go towards addressing these concerns. It is considered that by taking ownership of the terrapin building this would expose Council to an unacceptable level of risk and financial liability in its current state. If Council were to agree to purchasing the building and seeking a lease over the land, this would also come with additional risks. This potentially includes the possibility that the crown may not agree to the building being used in its current form due to the structural issues.

Financial Implications

There are no material financial implications associated with this motion.

Strategic Plan

- 1.1 Engage with and enable our community.
- 1.2 Build resilience and opportunity.
- 1.3 Ensure attractive local areas that provide social, recreational and economic opportunities.
- 2.4 Ensure strategic planning and management of assets has a long term-sustainability and evidence-based approach
- 3.2 Infrastructure development and service delivery are guided by strategic planning to cater for the needs of a growing and changing population
- 3.3 Community facilities are safe, accessible and meet contemporary needs
- 4.4 Ensure financial and risk sustainability

Social Implications

At present the BCFH do not feel they are in the ideal location for the services they provide. It is Officers' position that staff will continue to work with BCFH to find a more suitable location moving forward. The BCFH is a critical initiative for our communities, providing affordable access to food against the backdrop of the continued rising cost of living. The numbers of people accessing this service demonstrates the all too real experience of food poverty in our communities and beyond. Council has a social responsibility to continue to support this initiative in any way possible.

Environmental or Climate Change Implications

There are no material environmental or climate change implications associated with this motion.

Economic Implications

There are no material economic implications associated with this motion.

Other Issues

Not applicable

Options

1. As per the recommendation
2. Other

RECOMMENDATION:

That Council:

1. Resolves not to proceed with the investigation into the purchase of the terrapin building located at 27 Green Point Road, Bridgewater; and
2. Writes to the Brighton Community Food Hub advising that Council will not be purchasing the terrapin but will support the Food Hub in advocating for a lease directly with State Government to deliver a place based solution for Tasmania Department of Health to support health and wellbeing initiatives in our communities.

Cr Owen moved, Cr Curran seconded that Council suspend standing orders.

CARRIED

VOTING RECORD

In favour

Cr Curran
Cr De La Torre
Cr Geard
Cr Gray
Cr Irons
Cr McMaster
Cr Owen
Cr Whelan

Cr Owen moved, Cr Geard seconded that Council resume standing orders.

CARRIED

VOTING RECORD

In favour

Cr Curran
Cr De La Torre
Cr Geard
Cr Gray
Cr Irons
Cr McMaster
Cr Owen
Cr Whelan

DECISION:

Cr Irons moved, Cr McMaster seconded that Council resolves to continue discussions with the State Government and Food Hub to seek a practical outcome.

CARRIED

VOTING RECORD

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

15. Questions on Notice

There were no Questions on Notice for the April meeting.

Meeting closed: 6.40pm

Confirmed: _____
(Mayor)

Date: _____
20 May 2025



**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 6.05P.M. ON TUESDAY, 6 MAY 2025**

PRESENT: Cr Gray (Chairperson); Cr Curran; Cr De La Torre; Cr Geard; Cr Irons; Cr Owen & Cr Whelan.

IN ATTENDANCE: Cr McMaster; Mr C Pearce-Rasmussen (Director Asset Services); Ms J Banks (Director, Governance & Regulatory Services); Mr A Woodward (Director, Development Services) and Mrs J Blackwell (Senior Planner).

1. Acknowledgement of Country

2. Apologies

All members were present.

3. Public Question Time and Deputations

There was no requirement for Public Question Time.

4. Declaration of Interest

In accordance with the requirements of Part 2 Regulation 8 of the *Local 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 Chief Executive Officer, 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. 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 5 on this agenda, inclusive of any supplementary items.

5.1 Development Application DA 2025/00037 - Seasonal Employee Accommodation, 647 Baskerville Road, Old Beach

Author: Planning Officer (K Tran)

Authorised: Director Development Services (A Woodward)

Applicant:	Tas Building Design Pty Ltd
Subject Site:	647 Baskerville Road, Old Beach
Proposal:	Seasonal Employee Accommodation
Planning Scheme:	Tasmanian Planning Scheme – Brighton (the 'Planning Scheme')
Zoning:	Rural Zone
Codes:	Baskerville Raceway Attenuation Area, Flood-prone Areas, Landslip Hazard Code (low band), Natural Assets Code (Priority Vegetation and Waterway & Coastal protection area) and Bushfire-prone Areas.
Local Provisions:	Baskerville Raceway Specific Area Plan
Use Class:	Visitor Accommodation
Discretions:	<ul style="list-style-type: none"> 20.3.1 A1-A4 Discretionary Use in Rural Zone (Visitor Accommodation) 2.6.3 A1/P1 - Number of accesses for vehicles 3.5.1 A1.2/P1 - Traffic generation at a vehicle crossing, level crossing or new junction. C7.6.1 A1/P1.2 and P1.2 - Buildings and Works within a waterway and coastal protection area. C12.5.2 A1/P1 and A4/P4 - Vulnerable Use C12.6.1 A1/P1.1 and P1.2 - Building and Works within a flood-prone hazard area
Representations:	<p>1 representation was received. The representor raised the following issues:</p> <ul style="list-style-type: none"> Flood hazard

:	Approval with conditions
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1. STATUTORY REQUIREMENTS

The purpose of this report is to enable the Planning Authority to determine application DA 2025/00037.

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 application is for the development of Seasonal Employee Accommodation on land at 647 Baskerville Road, Old Beach (CT 178273/1). The property is a large orchard, currently being used for Resource Development of growing and harvesting cherries.

The site subject has approximately 89.04ha (see Figure 1). The adjoining lots to the north and the east of site are all within the Rural Living Zone with majority are for residential development. The western and southwestern areas to the site are Rural Zone lots. The adjoining lot to the south of the lot is the Baskerville raceway, which is zoned Recreation.

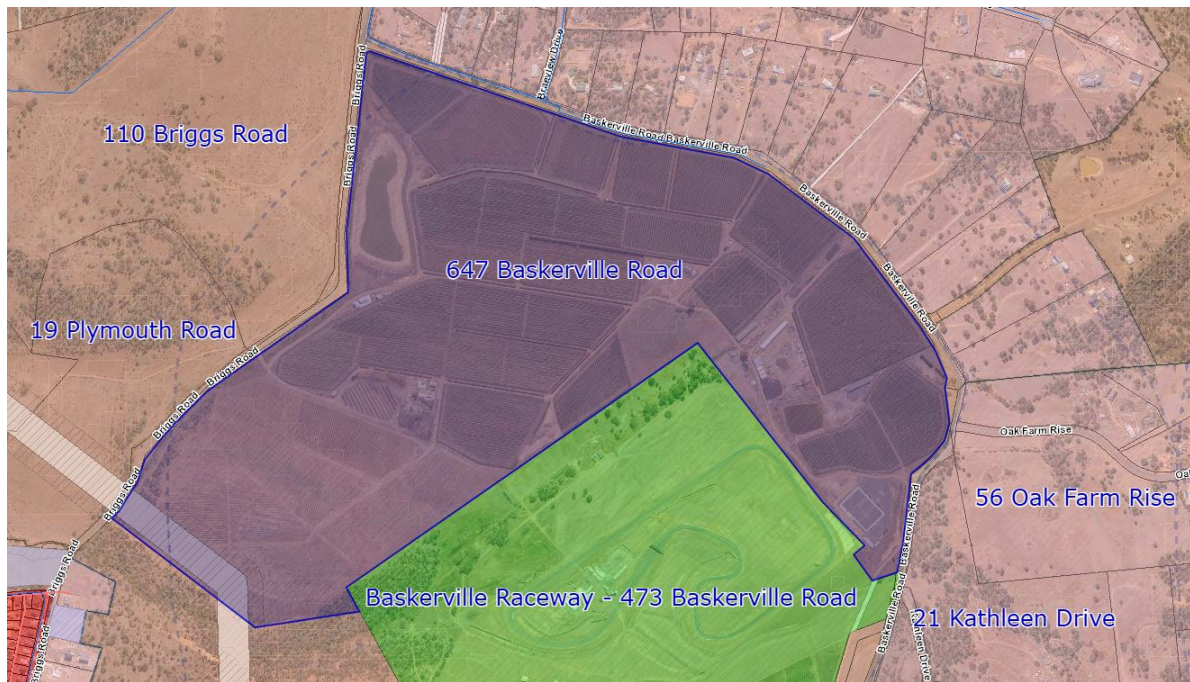


Figure 1. Site Map (source: Listmap)

The site is fully within the Rural Zone with most of the site is within the Baskerville Raceway Specific Area Plan (refer to Figure 2).

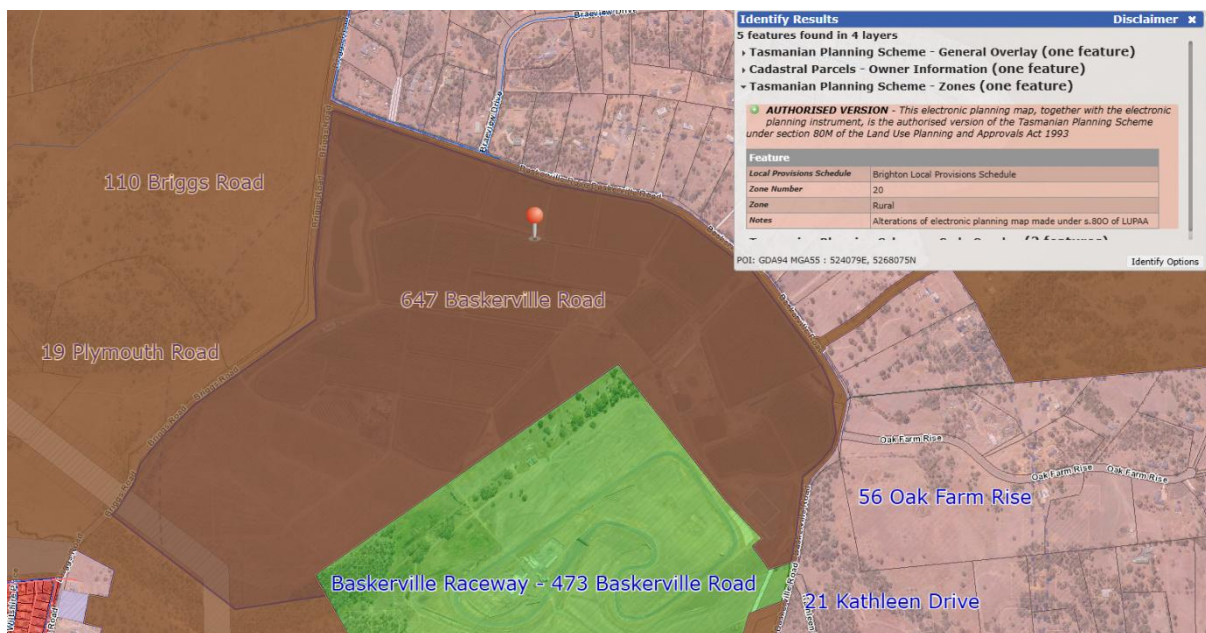


Figure 2. Rural Zone & Baskerville Raceway Specific Area Plan (Source: Listmap)

The site is entirely within the Bushfire-Prone Areas Code overlay and partially within the Natural Assets Code – Priority Vegetation overlay to the southwest (Figure 3) and Waterway and Coastal Protection Area overlay (Figure 4). In addition to that, the site is mostly within the Baskerville Raceway Attenuation Area Code overlay (Similar to Figure 2).

The site is not subject to any easement.

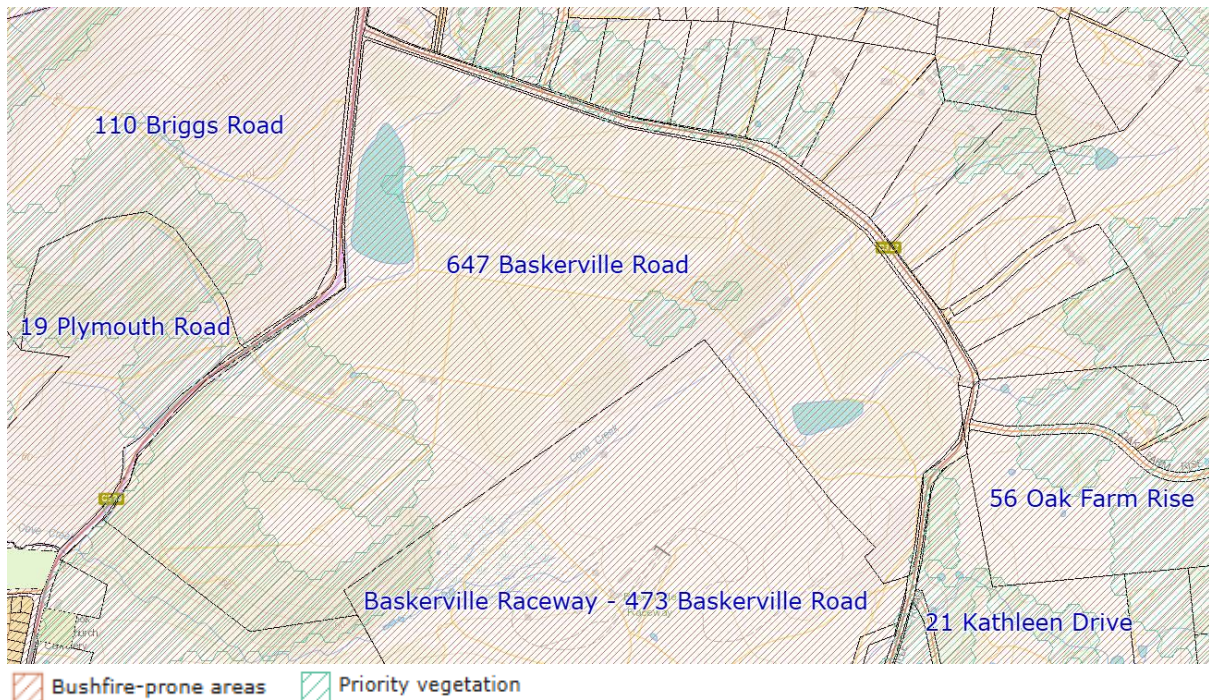


Figure 3. Bushfire Prone Areas Code and Natural Assets Code (Priority Vegetation) overlays (source: Listmap)

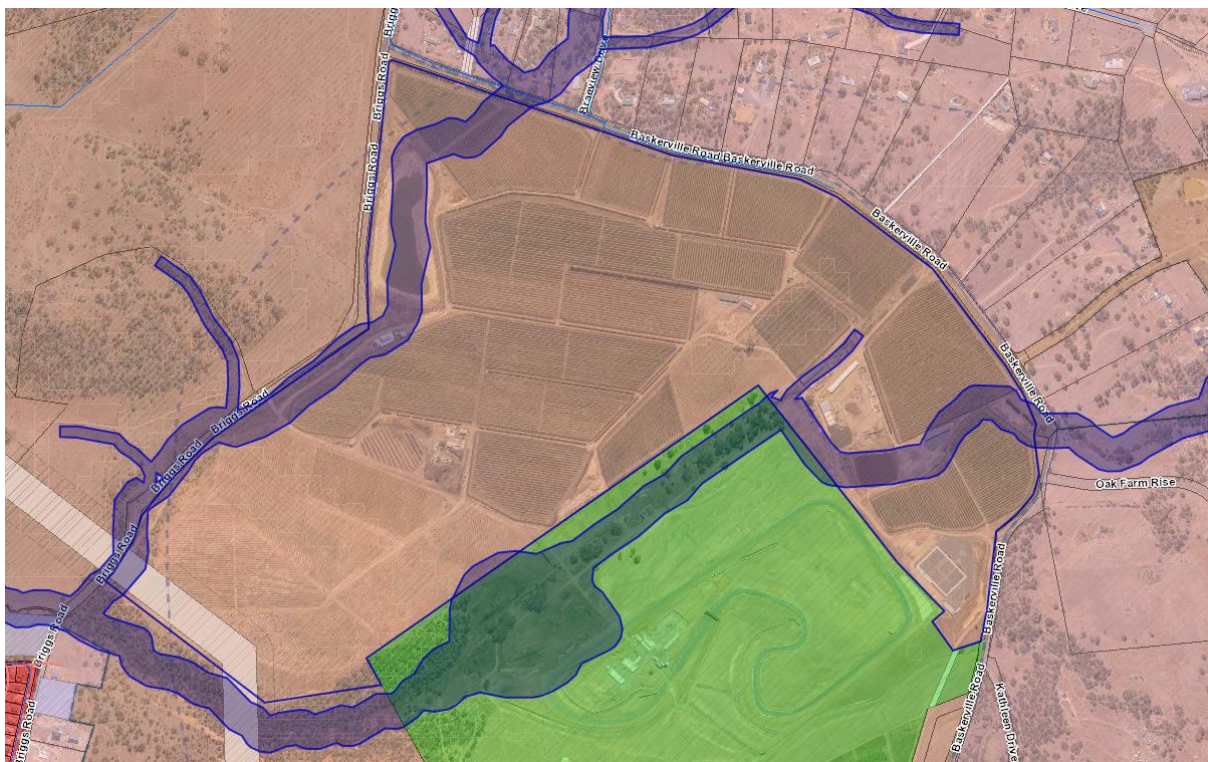


Figure 4. Natural Assets Code (Waterway and Coastal protection area overlay) (source: Listmap)

3. PROPOSAL

The development application proposes the development of Seasonal Employee Accommodation in order to provide workers accommodation to facilitate the operation of the Cherry Orchard during the picking season. The application is a revised version of the previously approved application for the similar proposal of Workers Accommodation (DA2023/00053).

The location of the proposed development is fronting Briggs Road, approximately 200 metres south of the Baskerville Road intersection. The proposal includes 14 accommodation buildings, a camp site area that provides 23 tent sites and associated supporting buildings for amenities, dining facilities and development of parking spaces and accesses.

Supporting assessment documents includes:

- A Traffic Impact Assessment Report by Hubble Traffic (updated March 2025).
- An Onsite-Wastewater Assessment Report by GES (updated January 2025).
- A Stormwater Report by PDA Surveyors, Engineers & Planners (dated 25 January 2024).
- Planning Submission document by Tas Building Design (dated March 2025).

The application was referred to TasWater, which issued a Submission to Planning Authority Notice (SPAN) on 01 April 2025, forming part of the permit conditions.

4. PLANNING SCHEME ASSESSMENT

4.1. Applicable provisions under the Planning Scheme

a) 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.

b) 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.

c) Use Class

The proposed development is for Workers Accommodation, which, pursuant to clause 6.2.6 of the Scheme, and Table 6.2 Use Classes, is categorised as Visitor Accommodation.

Visitor Accommodation	use of land for providing short or medium-term accommodation for persons away from their normal place of residence on a commercial basis or otherwise available to the general public at no cost. Examples include a backpackers hostel, camping and caravan park, holiday cabin, motel, overnight camping area, residential hotel and serviced apartment complex.
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In the Rural Zone, visitor accommodation is a discretionary use in Table 20.2, and as such must be consistent with the Zone Purpose as follows:

20.1.1 To provide for a range of use or development in a rural location:

- (a) where agricultural use is limited or marginal due to topographical, environmental or other site or regional characteristics;*
- (b) that requires a rural location for operational reasons;*
- (c) is compatible with agricultural use if occurring on agricultural land; and*
- (d) minimises adverse impacts on surrounding uses.*

20.1.2 To minimise conversion of agricultural land for non-agricultural use.

20.1.3 To ensure that use or development is of a scale and intensity that is appropriate for a rural location and does not compromise the function of surrounding settlements.

The proposed use is consistent with the zone purpose.

4.2. Planning assessment

- **Compliance with applicable standards**

The proposal demonstrates compliance with the Acceptable Solution of all applicable Development standards but relies on demonstration of compliance with the Performance Criteria for the following:

Clause 20.3.1 Discretionary Use (Visitor Accommodation)

The proposed development is for a new Use (Visitor Accommodation) and does not comply with the Acceptable Solutions under the Tasmanian Planning Scheme – Brighton and therefore required assessment against the Performance Criteria under Clause 20.3.1 P1 – P4.

Assessment against each Performance Criteria provided below:

20.3.1 A1/P1 - Discretionary Uses

Objective: That the location, scale and intensity of a use listed as Discretionary: <ul style="list-style-type: none"> (a) is required for operational reasons; (b) does not unreasonably confine or restrain the operation of uses on adjoining properties; (c) is compatible with agricultural use and sited to minimise conversion of agricultural land; and (d) is appropriate for a rural location and does not compromise the function of surrounding settlements. 	
Acceptable Solution	Performance Criteria
A1 A use listed as Discretionary, excluding Residential, is for an alteration or extension to an existing use, if: <ul style="list-style-type: none"> (a) the gross floor area does not increase by more than 30% from that existing at the effective date; and (b) the development area does not increase by more than 30% from that existing at the effective date. 	P1 A use listed as Discretionary, excluding Residential, must require a rural location for operational reasons, having regard to: <ul style="list-style-type: none"> (a) the nature, scale and intensity of the use; (b) the importance or significance of the proposed use for the local community; (c) whether the use supports an existing agricultural use; (d) whether the use requires close proximity to infrastructure or natural resources; and

	(e) whether the use requires separation from other uses to minimise impacts.
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The proposed development is not for the alteration or extension to an existing use, therefore it does not satisfy the acceptable solution. Accordingly, the performance criteria must be satisfied.

The proposal is for the construction of new seasonal workers accommodation to support the existing Resource Development use (Cherry orchard). The accommodation will allow for seasonal workers to stay on site during peak times, including harvesting and negates the need workers to find accommodation out of the area, thereby reducing travelling time, vehicle movements and relieving housing stress for the region. No separation from the orchard is necessary and sufficient setback (~150m) provided from the nearest residential use.

In addressing the performance criteria:

(a) the nature, scale and intensity of the use;

The proposed workers accommodation will be used to support the operation of the existing cherry orchard, and as such is subservient to the Cherry orchard's operation. With the site area being approximately 89ha, the accommodation units are to be located in the north western corner of the site adjacent to Briggs Road, thereby limiting conversion of agricultural land, whilst considering the topography. Further, the proposed use is only for seasonal periods to facilitate orchard operations.

(b) the importance or significance of the proposed use for the local community;

The harvesting season is during summer, a busy period for visitor accommodation in Southern Tasmania. The lack of available accommodation in the area greatly impacts workers, requiring them to travel greater distances to work. By providing the proposed seasonal workers accommodation, the stress of both finding accommodation for the workers and maintaining the efficient operation for the cherry farm during peak seasons is ensured. In addition to that, it is expected that a financial benefit to the local economy will occur as the workers will also spend money locally during their stay.

(c) whether the use supports an existing agricultural use;

As mentioned above, the propose Use is subservient to the existing Agricultural Use of the Cherry Farm.

(d) whether the use requires close proximity to infrastructure or natural resources; and

Although the Use does not necessarily require accommodation within close proximity to the existing cherry farm, most seasonal workers don't have access to private vehicles. Therefore on-site accommodation provides significant benefits for both the workers and the cherry farm, ensuring efficiency and convenience for the business and the workers. This will alleviate stress on nearby rental and visitor accommodation as well as local road networks.

(e) whether the use requires separation from other uses to minimise impacts.

There is sufficient separation between the proposed worker's accommodation and the nearest residential use (approx. 150m). The proposal is also for seasonal use only and is unlikely to create any significant detriments regarding emission due to the nature of the use.

The proposal demonstrates compliance with P1.

20.3.1 A2/P2 - Discretionary Use

<p>Objective:</p> <p>That the location, scale and intensity of a use listed as Discretionary:</p> <p>(a) is required for operational reasons;</p> <p>(b) does not unreasonably confine or restrain the operation of uses on adjoining properties;</p> <p>(c) is compatible with agricultural use and sited to minimise conversion of agricultural land; and</p> <p>(d) is appropriate for a rural location and does not compromise the function of surrounding settlements.</p>	
<p>A2</p> <p>No Acceptable Solution</p>	<p>P2</p> <p>A use listed as Discretionary must not confine or restrain existing use on adjoining properties, having regard to:</p> <p>(a) the location of the proposed use;</p> <p>(b) the nature, scale and intensity of the use;</p> <p>(c) the likelihood and nature of any adverse impacts on adjoining uses;</p> <p>(d) whether the proposed use is required to support a use for security or operational reasons; and</p> <p>(e) any off site impacts from adjoining uses.</p>

As there is no acceptable solution, the application must satisfy the performance criteria.

Reference is made to P1 above. The proposed workers accommodation is to be located in the north-western corner of the site, and it is unlikely to create any adverse impacts on adjoining properties as separation is provided by Briggs Road and Baskerville Road, the natural shape of the site and the orchard. The operation of the visitor accommodation itself is minimal (only seasonal, site based, and minimal traffic movements involved).

The proposal demonstrates compliance with P2.

20.3.1 A3/P3 - Discretionary Use

<p>Objective:</p> <p>That the location, scale and intensity of a use listed as Discretionary:</p> <p>(a) is required for operational reasons;</p> <p>(b) does not unreasonably confine or restrain the operation of uses on adjoining properties;</p> <p>(c) is compatible with agricultural use and sited to minimise conversion of agricultural land; and</p> <p>(d) is appropriate for a rural location and does not compromise the function of surrounding settlements.</p>	
<p>A3</p> <p>No Acceptable Solution</p>	<p>P3</p> <p>A use listed as Discretionary, located on agricultural land, must minimise conversion of agricultural land to non-agricultural use and be compatible with agricultural use, having regard to:</p> <p>(a) the nature, scale and intensity of the use;</p> <p>(b) the local or regional significance of the agricultural land; and</p> <p>(c) whether agricultural use on adjoining properties will be confined or restrained.</p>

As there is no acceptable solution, the application must satisfy the performance criteria.

The site is a significant share of Brighton's agricultural landholding, having been utilised for a cherry orchard since approximately 2003. Cherries Tasmania exports approximately 65% of its product predominantly to Asian markets.¹ Therefore, the existing use of the property is considered a significant and on-going agricultural use within the local area.

The proposal supports and facilitates the operation of the existing cherry farm, is compatible the agricultural use and does not create any detriments, confine or restrain the agricultural use of other properties in the area. Considering the development footprint, and the size of the property, the area to be used for Workers Accommodation is considered minimal.

The proposal demonstrates compliance with P3.

20.3.1 A4/P4

<p>Objective:</p> <p>That the location, scale and intensity of a use listed as Discretionary:</p> <p>(a) is required for operational reasons;</p> <p>(b) does not unreasonably confine or restrain the operation of uses on adjoining properties;</p> <p>(c) is compatible with agricultural use and sited to minimise conversion of agricultural land; and</p> <p>(d) is appropriate for a rural location and does not compromise the function of surrounding settlements.</p>	
<p>A4</p> <p>No Acceptable Solution</p>	<p>P4</p> <p>A use listed as Discretionary, excluding Residential, must be appropriate for a rural location, having regard to:</p> <p>(a) the nature, scale and intensity of the proposed use;</p> <p>(b) whether the use will compromise or distort the activity centre hierarchy;</p> <p>(c) whether the use could reasonably be located on land zoned for that purpose;</p>

¹ <https://www.cherriestasmania.com.au/about-us>

	<p>(d) the capacity of the local road network to accommodate the traffic generated by the use; and</p> <p>(e) whether the use requires a rural location to minimise impacts from the use, such as noise, dust and lighting.</p>
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As there is no acceptable solution, the application must satisfy the performance criteria.

The proposed use is for visitor accommodation for seasonal workers that are required to ensure the operation of the existing cherry orchard. It is in an area not developed for the orchard. The farm is located well away from commercial centres as defined by the Southern Tasmanian Regional Land Use Strategy and is not considered to affect the activity centre hierarchy. The proposed use is for on-site workers accommodation which supports the operation of the existing orchard, within close proximity to the workplace. Locating the proposed accommodation away from the site would increase traffic movements and impacts on the local road network, especially as there is no appropriate public transport which can deliver workers to the site. The application is supported by an updated Traffic Impact Assessment, which opines that the development will not have any significant impact on the local road network.

The proposal demonstrates compliance with P4.

Clause 2.6.3 P1 – Number of accesses for vehicles

Objective:	
<p>That:</p> <ul style="list-style-type: none"> a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses; b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and c) the number of accesses minimise impacts on the streetscape. 	
Acceptable Solution	Performance Criteria
<p>A1</p> <p>The number of accesses provided for each frontage must:</p> <ul style="list-style-type: none"> (a) be no more than 1; or (b) no more than the existing number of accesses, whichever is the greater. 	<p>P1</p> <p>The number of accesses for each frontage must be minimised, having regard to:</p> <ul style="list-style-type: none"> a) any loss of on-street parking; and b) pedestrian safety and amenity;

	c) traffic safety; d) residential amenity on adjoining land; and e) the impact on the streetscape.
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Officer's comment:

The proposal does not meet the Acceptable Solutions A1 because the application proposes two (2) new accesses for entry and exit onto Briggs Road. Therefore, the application relies on demonstration of Performance Criteria P1. The application is supported by a Traffic Impact Assessment which considers this standard, and which has been considered by Council's Senior Development Engineer. The criteria are assessed as follows:

- a) Briggs Road is a rural standard road with sealed bitumen surface, grass verge and no suitable on-street parking spaces provided due to the width of the road and the speed limit. Therefore, the new access will not result in any loss of on-street parking.
- b) As mentioned above, the introduction of the second access is to ensure safety and convenience for pedestrians.
- c) An on-site inspection found that there was at least 180 metres of sight distance in each direction, based on the driver being 1.05 metres above the access surface and the approaching vehicle being 1.2 metres high. This assessment found there is suitable sight distance in both directions at the access with Briggs Road, allowing motorists to leave the development site in a safe and efficient manner, without impacting other road users
- d) There is no residential amenity on adjoining land being affected by the accesses.
- e) The access does not visually impact the streetscape and compatible with the character of the area.

The proposal demonstrates compliance with P1.

Clause 3.5.1 A1.2 - 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
<p>A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:</p> <ul style="list-style-type: none"> (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing. <p>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.</p> <p>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.</p> <p>A1.4 Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <ul style="list-style-type: none"> (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. <p>A1.5 Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>	<p>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:</p> <ul style="list-style-type: none"> (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.

Written consent for the two new junctions to Briggs Road has not been issued by the road authority. Accordingly, the application must address the performance criteria.

The applicant's updated TIA addresses the performance criteria (Hubble Traffic, p27), by considering predicted daily vehicle movements, the nature of the traffic (predominantly light vehicles), the nature of Briggs Road (rural standard collector road) with a speed limit of 80km/h.

Council's officers have reviewed the TIA, and are satisfied that the performance criteria can be satisfied. A condition requiring a road opening permit is recommended.

Clause 7.6.1 P1.1 - Buildings and works within a waterway and coastal protection area:

Objective:	
That buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets.	
Acceptable Solution	Performance Criteria
<p>A1</p> <p>Buildings and works within a waterway and coastal protection area must:</p> <p>(a) be within a building area on a sealed plan approved under this planning scheme.</p> <p>(b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width; or</p> <p>(c) if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date.</p>	<p>P1.1</p> <p>Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:</p> <p>(a) impacts caused by erosion, siltation, sedimentation and runoff;</p> <p>(b) impacts on riparian or littoral vegetation;</p> <p>(c) maintaining natural streambank and streambed condition, where it exists;</p> <p>(d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;</p> <p>(e) the need to avoid significantly impeding natural flow and drainage;</p> <p>(f) the need to maintain fish passage, where known to exist;</p> <p>(g) the need to avoid land filling of wetlands;</p>

	<ul style="list-style-type: none"> (h) the need to group new facilities with existing facilities, where reasonably practical; (i) minimising cut and fill; (j) building design that responds to the particular size, shape, contours or slope of the land; (k) minimising impacts on coastal processes, including sand movement and wave action; (l) minimising the need for future works for the protection of natural assets, infrastructure and property; (m) the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and (n) the guidelines in the Tasmanian Coastal Works Manual.
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Officer's comment:

The proposal includes some works within the Waterway and Coastal Protection Code (Figure 5).

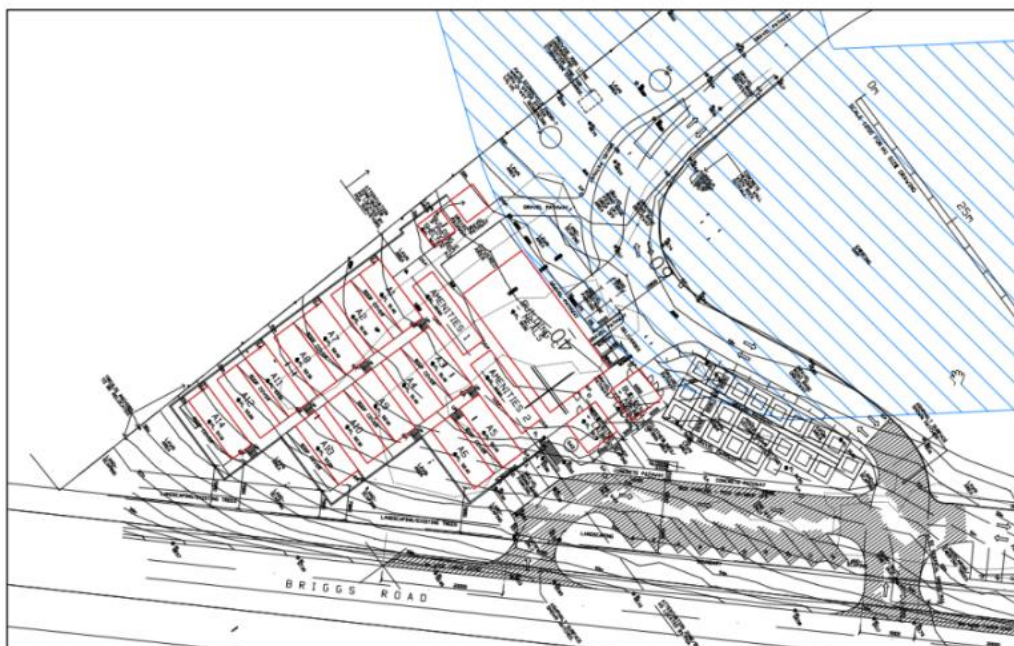


Figure 5: Waterway and Coastal Protection Overlay (Source: PDA report, 25/1/24, p4)

The works within the overlay include internal road works, some parking and a small corner of the proposed campsite located within the overlay area.

The applicant's proposal documents demonstrate that parking areas and the campsite will be outside the 1% AEP, as are the proposed buildings.

Accordingly, it is unlikely that the development will have any adverse impact on the natural values. It is considered that any site works can be managed through a soil and water management plan to be approved by Council's Municipal Engineer prior to commencement of works.

The proposal demonstrates compliance with P1.1.

Clause 12.5.2 P1 Vulnerable Use

Objective:	
That critical, hazardous and vulnerable uses, located within a flood-prone hazard area can achieve and maintain a tolerable risk from flood.	
Acceptable Solution	Performance Criteria
A1 No Acceptable Solution.	P1 A critical, hazardous, or vulnerable use within a flood prone hazard area must achieve a tolerable level of risk from flood, having regard to: <ul style="list-style-type: none"> (a) the type form and duration of the use; and (b) a flood hazard report that demonstrates that: <ul style="list-style-type: none"> (i) any increase in the level of risk from flood does not warrant any specific hazard reduction or protection measures; or (ii) the use can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.

Officer's comment:

The proposed Use is for Visitor Accommodation (seasonal workers accommodation), which is considered a Vulnerable Use under the Flood Prone Areas Code of the Tasmanian Planning Scheme - Brighton. There is no acceptable solution for this standard, so the performance criteria must be addressed.

Although the code is applied to the proposal, it is noted that the extent of the use subject to the potential risk of flooding within an identified flood prone area is the northern corner of the camping area. The applicant has submitted a stormwater report which demonstrates the tolerable risk from flood can be achieved.

The application proposes that the workers accommodation will only be utilised for the seasonal harvesting period from December to March. The duration of the Use is limited to summer months and the area (camp site) exposed to any risk of flood is just a small part of the development, which also easy to evacuate from in any case of extreme event.

The report demonstrates that all the buildings, including the campsite have the finish level above 50.50 AHD and above the 1% AEP flood level. Climate change is likely to increase the level of flood risk due to the increase in severity rainfall, however, all the buildings and development areas have sufficient floor levels to accommodate an RCP 8.5 climate change scenario.

The proposal demonstrates compliance with P1.

Clause 12.5.2 A4/P4 Vulnerable Use

<p>A4</p> <p>No Acceptable Solution.</p>	<p>P4</p> <p>In addition to the requirements in clause C12.5.2 P1, a vulnerable use within a flood-prone hazard area, must be protected from flood, having regard to:</p> <p>(a) any protection measures, existing or proposed;</p> <p>(b) the ability and capability of people in a flood event who may live, work or visit the site, to:</p> <p>(i) protect themselves;</p> <p>(ii) evacuate in an emergency; and</p> <p>(iii) understand and respond to instructions in the event of an emergency;</p> <p>(c) any emergency evacuation plan;</p>
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	<p>(d) the level of risk for emergency personnel involved in evacuation and rescue tasks;</p> <p>(e) the advice contained in a flood hazard report; and</p> <p>(f) any advice from a State authority, regulated entity or a council.</p>
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Officer's comment:

There is no acceptable solution for this standard, so the performance criteria must be addressed.

The vulnerable use relates to the site being used for visitor accommodation. As can be seen from Figure 5, a small amount of camping spaces are within the waterway and coastal protection area. However, as outlined in the PDA report, the residential areas which form the visitor accommodation component of the site are located outside the 1% AEP, with all buildings, camping site, main access and parking area limited to a H1 flood risk zone. The gravel driveway and pathway are exposed to H2 and H3 flood risk zones, but can be safely avoided in flood events by utilizing the main access from Briggs Road. Accordingly, it is considered that the risk for the visitor accommodation use is low and can be protected from flood.

A condition is recommended that an Emergency Management Plan be provided to Council, prior to commencement of use which specifies the procedures to be undertaken by the land owner in case of emergencies and extreme events.

The proposal demonstrates compliance with P1, with conditions.

Clause 12.6.1 A1/P1.1 and P1.2 Buildings and works within a flood-prone hazard area

Objective:	
<p>That:</p> <p>(a) building and works within a flood-prone hazard area can achieve and maintain a tolerable risk from flood; and</p> <p>(b) buildings and works do not increase the risk from flood to adjacent land and public infrastructure.</p>	
Acceptable Solution	Performance Criteria
<p>A1</p> <p>No Acceptable Solution.</p>	<p>P1.1</p> <p>Buildings and works within a flood-prone hazard area must achieve and maintain a tolerable risk from a flood, having regard to:</p>

	<p>(a) the type, form, scale and intended duration of the development;</p> <p>(b) whether any increase in the level of risk from flood requires any specific hazard reduction or protection measures;</p> <p>(c) any advice from a State authority, regulated entity or a council; and</p> <p>(d) the advice contained in a flood hazard report.</p> <p>P1.2</p> <p>A flood hazard report also demonstrates that the building and works:</p> <p>(a) do not cause or contribute to flood on the site, on adjacent land or public infrastructure; and</p> <p>(b) can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.</p>
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Officer's comment:

There is no acceptable solution for this standard, so the performance criteria must be address.

The flood-prone hazards area code has been applied to the proposed development, as the Applicant has addressed the overland flow in its supporting stormwater report by PDA Surveyors, Engineers & Planners (PDA). Clause C12.2.3 of the Tasmanian Planning Scheme – Brighton notes:

C12.2.3 This code applies to use in a habitable building, or development of land, identified in a report prepared by a suitably qualified person, that is lodged with an application for a permit, or required in response to a request under section 54 of the Act, as subject to risk from flood or that has the potential to cause increased risk from flood. [EMPHASIS ADDED]

Accordingly, the Performance Criteria for the code is addressed below.

P1.1

The applicant has submitted a report which demonstrates that the proposal can comply with P1.1. by achieving and maintaining a tolerable risk from flooding, and takes into account a RCP 8.5 climate change scenario. All buildings are situated above the 1% AEP flood levels, as are the camping and parking areas.

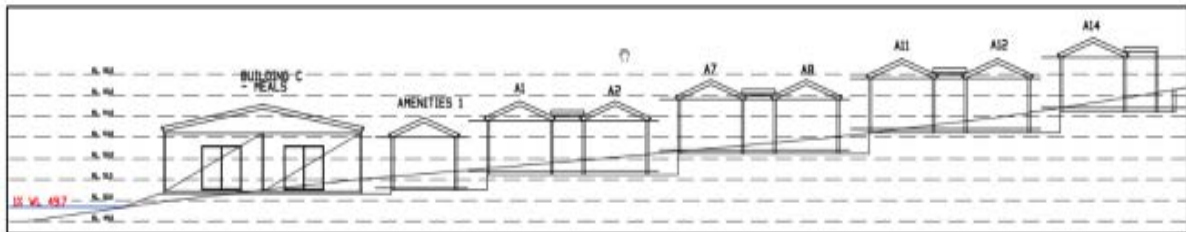


Figure 6. Cross-section through development showing buildings and 1% AEP flood level (PDA Stormwater Report – Revision 3, dated 25 Jan 2024).

Compliance with P1.2

The applicant's stormwater report indicates that the proposal can comply with P1.2 (a) & (b). There is an irrigation dam on the site which has capacity to accommodate stormwater runoff in a 1%AEP event. Calculations provided in the report demonstrates that the dam can also compensate for the increase in impervious surface created by the development. Therefore, the development will not contribute to flood risk on the site or adjoining properties.

The submitted flood hazard report demonstrates that the development on the site will be above the 1% AEP flood level and extent and is unlikely to require further flood protection measures.

The proposal demonstrates compliance with P1.1 and P1.2

5. OTHER MATTERS

5.1 Referrals

Development Officer/Engineer

The proposal was referred to Council's Development Officer/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 2025/00037-BTN dated 1st April 2025, which will also form part of any permit issued.

TasNetworks

TasNetworks has reviewed the proposal and advised that development is not likely to adversely affect TasNetworks' operations

5.2 Representations

One (1) representation was received during the statutory public exhibition period between 5th April 2025 and 28th April 2025, which was extended to incorporate public holidays over Easter and ANZAC day. The representation items are summarised in Table 1.

TABLE 1: SUMMARY OF A REPRESENTATION	
Issue Raised	Officer's Response
<p>Upon reviewing the submitted stormwater report, I wish to raise concerns that the document does not meet the requirements of a flood hazard report as specified under the Tasmanian Planning Scheme, C12.0 Flood-Prone Areas Code.</p> <p>Specifically: The report does not include a flood hazard, depth or velocity maps, nor does it quantify or spatially define flood impacts across the site.</p>	<p>The report quantifies the likely extent of flooding during a 1% AEP event using historical data, engineering logic and practical reasoning.</p> <p>Hazard, depth and velocity maps are not a requirement of the planning scheme to demonstrate compliance with Clause 12.0 Flood-Prone Areas Hazard Code .</p>
<p>It does not satisfy the minimum requirements outlined in the C12.2 definition of a "Flood Hazard Report", which must assess: Flood extents, depths, and velocities,</p> <p>Site-specific risks from a relevant design flood event, Compliance of proposed development with applicable hazard tolerances.</p>	<p>The planning scheme defines the requirements of a flood hazard report thus;</p> <p>A report prepared by a suitably qualified person for a site, that must include:</p> <ul style="list-style-type: none"> (a) details of, and be signed by, the person who b) confirmation that the person has the appropriate (c) confirmation that the report has been prepared as specified by a State authority; and (d) conclusions based on consideration of the project <p>(i) as to whether the use or development is likely to cause or contribute to the occurrence of flood on the site or on adjacent land;</p>

	<p>(ii) as to whether the use or development can achieve and maintain a tolerable risk for the intended life of the use or development, having regard to:</p> <ul style="list-style-type: none"> a. the nature, intensity and duration of the use; b. the type, form and duration of any development; c. the likely change in the level of risk across the intended life of the use or development; d. the ability to adapt to a change in the level of risk; e. the ability to maintain access to utilities and services; f. the need for flood reduction or protection measures beyond the boundary of the site; g. any flood management plan in place for the site and/or adjacent land; and h. any advice relating to the ongoing management of the use or development; and <p>(iii) any matter specifically required by Performance Criteria in this code.</p> <p>To this end, the report details the flood extents and demonstrates that the development, excluding areas of gravel driveway and path, are</p>
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	<p>above the 1% AEP flood level. Flood hazard ratings do not apply to these areas.</p> <p>Additionally, the FFL of all buildings exceed 300mm above the 1% AEP flood level. 300mm freeboard is the minimum required under the NCC and a figure adopted by Council at the Building Approvals stage.</p> <p>Alternative access to and from the site building and carpark is available upstream of the gravel driveway and path. The procedure for avoiding these areas during flood events will be documented in an emergency management plan for the site (noting this may require additional measures such as on-site signage). The emergency management plan will be a requirement of the planning permit.</p>
<p>In my view, there is sufficient evidence of flood inundation risk on this site, and a formal Flood Hazard Report must be provided before the application can be properly assessed. The application currently lacks critical hydraulic justification to demonstrate that the proposed development will not be subject to, or exacerbate, flood risk.</p> <p>We recommend that the applicant be requested to submit a compliant Flood Hazard Report that addresses the requirements of the C12 code and includes an appropriate flood mapping overlay to support a thorough planning assessment.</p> <p>The report demonstrates the development meets the requirements of Clause 12.0 Flood-Prone Areas Hazard Code.</p>	<p>The report demonstrates the development meets the requirements of Clause 12.0 Flood-Prone Areas Hazard Code.</p>
<p>Upon reviewing the submitted stormwater report, I wish to raise concerns that the document does not meet the requirements of a flood hazard report as specified under the Tasmanian Planning Scheme, C12.0 Flood-Prone Areas Code.</p>	<p>The report quantifies the likely extent of flooding during a 1% AEP event using historical data, engineering logic and practical reasoning.</p> <p>Hazard, depth and velocity maps are not a requirement of the planning scheme to demonstrate compliance with Clause 12.0 Flood-Prone Areas Hazard Code.</p>

Specifically: The report does not include a flood hazard, depth or velocity maps, nor does it quantify or spatially define flood impacts across the site.	
It does not satisfy the minimum requirements outlined in the C12.2 definition of a “Flood Hazard Report”, which must assess: Flood extents, depths, and velocities, Site-specific risks from a relevant design flood event, Compliance of proposed development with applicable hazard tolerances.	<p>The planning scheme defines the requirements of a flood hazard report thus:</p> <p><i>“A report prepared by a suitably qualified person for a site, that must include:</i></p> <ul style="list-style-type: none"> <i>(a) details of, and be signed by, the person who</i> <i>b) confirmation that the person has the appropriate</i> <i>(c) confirmation that the report has been prepared as specified by a State authority; and</i> <i>(d) conclusions based on consideration of the project</i> <ul style="list-style-type: none"> <i>(i) as to whether the use or development is likely to cause or contribute to the occurrence of flood on the site or on adjacent land;</i> <i>(ii) as to whether the use or development can achieve and maintain a tolerable risk for the intended life of the use or development, having regard to:</i> <ul style="list-style-type: none"> <i>a. the nature, intensity and duration of the use;</i> <i>b. the type, form and duration of any development;</i> <i>c. the likely change in the level of risk across the intended life of the use or development;</i> <i>d. the ability to adapt to a change in the level of risk;</i>

	<p>e. <i>the ability to maintain access to utilities and services;</i></p> <p>f. <i>the need for flood reduction or protection measures beyond the boundary of the site;</i></p> <p>g. <i>any flood management plan in place for the site and/or adjacent land; and</i></p> <p>h. <i>any advice relating to the ongoing management of the use or development; and</i></p> <p><i>(iii) any matter specifically required by Performance Criteria in this code."</i></p> <p>To this end, the report details the flood extents and demonstrates that the development, excluding areas of gravel driveway and path, are above the 1% AEP flood level. Flood hazard ratings do not apply to these areas.</p> <p>Additionally, the FFL of all buildings exceed 300mm above the 1% AEP flood level. 300mm freeboard is the minimum required under the NCC and a figure adopted by Council at the Building Approvals stage.</p> <p>Alternative access to and from the site building and carpark is available upstream of the gravel driveway and path. The procedure for avoiding these areas during flood events will be documented in an emergency management plan for the site (noting this may require additional measures such as on-site signage). The emergency management plan will be a requirement of the planning permit.</p>
<p>In my view, there is sufficient evidence of flood inundation risk on this site, and a formal Flood Hazard Report must be provided before the application can be properly</p>	<p>The report demonstrates the development meets the requirements of Clause 12.0 Flood-Prone Areas Hazard Code.</p>

<p>assessed. The application currently lacks critical hydraulic justification to demonstrate that the proposed development will not be subject to, or exacerbate, flood risk.</p> <p>We recommend that the applicant be requested to submit a compliant Flood Hazard Report that addresses the requirements of the C12 code and includes an appropriate flood mapping overlay to support a thorough planning assessment.</p> <p>The report demonstrates the development meets the requirements of Clause 12.0 Flood-Prone Areas Hazard Code.</p>	
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6. CONCLUSION

The proposal for **Seasonal Workers Accommodation** at **647 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 DA 2025/00037 for **Seasonal Workers Accommodation** at **647 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 use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings 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*.
- (4) Any works in, or adjacent, the waterway must be carried out in accordance with the environmental best practice guidelines in the *Waterways and Wetlands Works Manual* (DPIWE 2003).

Services

- (5) 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.
- (6) All service covers located in vehicle access ways are to be constructed as trafficable, to the appropriate standard and to the satisfaction of Councils Municipal Engineer.

Access Road

- (7) New vehicle accesses provided are to meet the requirements of the applicable Tasmanian Standard Drawings version 3 and to the satisfaction of Councils Municipal Engineer.
- (8) All parking, access ways, manoeuvring and circulation spaces must be provided in accordance the endorsed drawings, Australian Standard AS 2890 - Parking facilities, Parts 1-6, or as otherwise required by this permit, and include all of the following,
 - (a) be constructed with a durable all-weather pavement,
 - (b) be surfaced with a material to resist abrasion, prevent erosion and the transfer of sediment,
 - (c) be drained to convey stormwater through the stormwater network designed and approved by Council,
 - (d) have gradients in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6,
 - (e) provide for all vehicles to enter and exit the site in a forward direction,
 - (f) have an access width of not less than 5.5m,
 - (g) be delineated by linemarking, signage and or other physical means,
 - (h) have a pedestrian pathway throughout to service the development.
- (9) The extent of road seal is to extend from the lower turning bay to the last grated pit at the eastern end of the shown roadway and include all parking areas, delivery loading bays, circulation and manoeuvring ways.

TasWater

- (10) The development must meet all required Conditions of approval specified by Tas Water Submission to Planning Authority Notice TWDA 2025/00037-BTN dated 1st April 2025.

Parking and Access.

- (11) The vehicle accesses to Briggs Road must be provided in accordance with the following;
 - (a) Sealed rural style access in accordance with Council's Standard Drawings and Specification;
 - (b) Australian Standard AS 2890 - Parking facilities, Parts 1-6;

- (c) allow regular use vehicles to enter and exit the site without crossing the centreline of the public road to the extent that there is any interaction with the opposing direction of travel;
 - (d) The northern car park access must be restricted to entry only; and
 - (e) to the satisfaction of Council's Municipal Engineer
- (12) At least thirty (36) car parking spaces must be provided on the land at all times for the use of the development.
- (13) At least one (1) motorcycle parking spaces must be provided on the site all times for the use of the development
- (14) Pedestrian paths must be provided to parking areas in accordance with the following:
- (a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles,
 - (b) be signed and line marked at points where pedestrians cross access ways or parking aisles.
- (15) A loading bay must be provided on the site to service the development. The area and dimensions of the loading bay must be designed in accordance with Australian Standard AS 2890.2-2002, Parking facilities, Part 2: Off-street commercial vehicle facilities, for the type of vehicles likely to use the site.
- (16) All parking, access ways, manoeuvring and circulation spaces must be provided in accordance with the endorsed drawings, Australian Standard AS 2890 - Parking facilities, Parts 1-6, or as otherwise required by this permit, and include all of the following:
- (a) Constructed with a durable all weather pavement;
 - (b) Drained to the public stormwater system or contain stormwater on site.
 - (c) Have a minimum gravel surface that is designed, constructed and maintained to avoid dust or mud generation, erosion or sediment transfer on or off site.
 - (d) The accesses to Briggs Road, circulation area to be used by buses (as shown on plan SK01 rev.G) must be surfaced by asphalt or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement
 - (e) Have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6;
 - (f) Provide for all vehicles to enter and exit the site in a forward direction
 - (g) be delineated by line marking or other clear physical means.
 - (h) have a vertical clearance of not less than 2.1m above the parking surface level.
- (17) Prior to the development commencing, or application for building or plumbing permits, the developer must submit to Council a parking plan including:
- (a) pavement details,

- (b) design surface levels and gradients,
- (c) drainage,
- (d) turning and travel paths (where required to demonstrate compliance with AS2890),
- (e) dimensions (including clearances),
- (f) line marking,
- (g) lighting (where provided),
- (h) pedestrian paths (where provided including any signage, line marking, protective devices such as bollards, guard rails or planters),
- (i) signage
- (j) vehicular access from the road carriageway to the property boundary

The parking plan is to be certified by an engineer and shall form part of the permit once accepted.

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.

- (18) The completed parking and associated turning areas and access must be certified by a practicing civil engineer to the effect that they have been constructed in accordance with the endorsed drawings and specifications approved by Council before the proposed use commences.
- (19) Areas set aside for parking, turning and access must be completed before the use commences and continue to be maintained to the satisfaction of Council's Municipal Engineer.

Traffic Impact Assessment

- (20) All works required by the "Traffic Impact Assessment, Seasonal Employee Accommodation, Old Beach", updated March 2025, by Hubble Traffic must be completed to the satisfaction of Council's Municipal Engineer before the use commences.

Access to Public Road

Advice: No works on or affecting any Council road reservation is 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's Asset Services Department prior to the proposed date of commencement of any works.

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.

Engineering

- (21) Public works 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.
- (22) Prior to commencement of any works, or issue of permits pursuant to the Building Act 2016, engineering design drawings for all public works must be submitted to and approved by Council's Municipal Engineer.

Advice: Public works include all works within, or affecting, the road reservation including, but not limited to road pavement widening and stormwater drainage.

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 experienced civil engineer, or other person approved by Council's 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) 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 completion of public works. The appointed Supervising Engineer shall be the primary contact person on matters concerning the public works.

Maintenance and Defects Liability Period

- (26) Public works provided as part of the development 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.

Advice: A bond is to be lodged with Council during the maintenance and defects liability period equal to 10% of the value of public works in accordance with Council Policy 6.3.

- (27) Prior to placing works 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.

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

Stormwater

- (28) Stormwater from the proposed development must be retained on site or drain to a legal point of discharge to the satisfaction of Council's Municipal Engineer and in accordance with the Building Act 2016.
- (29) No new stormwater point discharge is allowed to a watercourse as part of this development.
- (30) The stormwater drainage system for the proposed development must be designed to comply with all of the following:
 - a. be able to accommodate a storm with a 2% AEP, when the land serviced by the system is fully developed;
 - b. stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.
 - c. Stormwater from the proposed development must be treated prior to entering the public stormwater system to:
 - i. achieve that the quality targets in accordance with the State Stormwater Strategy 2010.
 - ii. Ensure runoff entering the public stormwater system is visually free of any hydrocarbons.
- (31) The development must incorporate overland flow paths through the site to accommodate a 1% AEP (plus climate change) rainfall event.
- (32) The stormwater system within the development must continue to be maintained to ensure the quality targets, in accordance with the State Stormwater Strategy 2010, and flow rates discharging to the public stormwater system are maintained as per the approved design and water is conveyed so as not to create any nuisance to adjacent properties.
- (33) The driveway must be drained to minimise surface runoff over adjoining land (including road reservation) in accordance with the requirements of the Municipal Engineer and the Building Act 2016.

- (34) Prior to the lodgement of building or plumbing applications the developer must submit a Stormwater Management Report to Council's Municipal Engineer. 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 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.*

- (35) Driveways must be drained to minimise surface runoff over adjoining land in accordance with the requirements of the Municipal Engineer and in accordance with the Building Act 2016.
- (36) The Developer is to incorporate Water Sensitive Urban Design Principles into the development for the treatment and disposal of stormwater. These Principles will be in accordance with the Water Sensitive Urban Design Procedures for Stormwater Management in Southern Tasmania and to the satisfaction of the Council's Municipal Engineer.
- (37) The developer must provide a minor stormwater drainage system designed to comply with all of the following:
- (a) be able to accommodate a storm with an ARI of 100 years when the land serviced by the system is fully developed.
 - (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.
 - (c) The developer is to provide a major stormwater drainage system designed to accommodate a storm with an ARI of 100 years.
 - (d) Stormwater from driveways must captured in adequately sized grates and pits before it has an opportunity to flood public footpaths.
 - (e) Stormwater mains within the development are to be located away from structures and chambers located away from paths. A revised certified design to the satisfaction of Councils Municipal Engineer is to be submitted for approval prior to the issuing of a building and plumbing permit.

Emergency Management Plan

- (38) *Prior to the commencement of the Use, an Emergency Management Plan must be submitted to and approved by Council's Director Development Services to ensure the proposed use is protected from flood risk.*

Erosion and Sediment Control

- (39) 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.

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.*

- (40) 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.

Construction Amenity

- (41) 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.
- (42) 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.

- (43) Works associated with the development must only be carried out between the following hours unless otherwise approved by the Council's Chief Executive Officer
- 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
- (44) 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, waste water, 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.

- (45) 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 Chief Executive Officer.
- (46) 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.

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*.
- 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. The applicant is advised that an engineering plan assessment and inspection fee of 1% of the value of the approved public 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.

DECISION:

Cr Owen moved, Cr Geard 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 Owen	
Cr Whelan	

Meeting closed: 6.15pm

Confirmed:

(Mayor)

Date:

20 May 2025



**Brighton
Council**

MINUTES OF THE COMMUNITY DEVELOPMENT COMMITTEE

MEETING OF THE BRIGHTON COUNCIL HELD

IN THE COUNCIL CHAMBERS, COUNCIL OFFICES, OLD BEACH

AT 5.40 P.M. ON TUESDAY, 6 MAY 2025

PRESENT: Cr De La Torre (Chairperson); Cr Gray; Cr Curran; Cr De La Torre; Cr Geard; Cr Irons; Cr McMaster; Cr Murtagh; Cr Owen & Cr Whelan.

IN ATTENDANCE: Mr J Dryburgh (Chief Executive Officer); Ms J Banks (Director, Governance & Regulatory Services); Ms G Browne (Director Corporate Services); Ms A Turvey (Manager Community Development & Engagement) and Mrs K Murphy (Community Development Officer).

1. Acknowledgement of Country

2. Apologies

All members were present.

3. Public Question Time

There was no requirement for Public Question Time.

4. Declaration of Interest

In accordance with the requirements of Part 2 Regulation 8 of the *Local 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 Chief Executive Officer, 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. Business

5.1 Grants and Donations 2025/26

Author: Manager Community Development & Engagement (A Turvey)

Authorised: Chief Executive Officer (J Dryburgh)

Background

The annual grants program for 2025/26 can be summarised as follows:

- The Quick Response grants exclude adults and is for individuals – this grant is for full-time students under the age of 18 years, who have been selected to represent Tasmania or Australia in a sport, the arts or another chosen field of expertise. The amounts are \$100 if representing Tasmania and \$200 if representing Australia.
- The Major Impact Grant is removed from the program due to these funds being allocated to the appointment of the Youth Engagement Officer for the 2024/25 and 2025/26 financial years.
- The Small Community Development Grants (\$500-\$5,000).
- The Medium Community Development Grant (\$5,000-\$15,000).
- The Small and Medium Community Development Grants are offered as just **one round** that opens at the beginning of March each year for approximately a four (4) week period. There was no obvious community demand for a second round in 2024/25, and it is anticipated that should Council be approached to consider funding a community initiative, this can be taken to Council for decision on its merits, outside of the official grant program period.
- Recommendations have been made for Council's consideration in the attached applicant summary spreadsheet, which contains a 'Recommendation' column.

The broad aims of the Community Grants Program for community are to:

1. Be healthier by improving the provision of services and supports to our growing population.
2. Reduce loneliness by enhancing community connections and activities that bring joy to people's lives.
3. Feel safer by improving the respect and care for our community, our land and our assets.
4. Make life more comfortable by increasing community awareness, education and access to sustainable living initiatives.

The Small and Medium Grant applications opened on 26 February and closed 26 March 2025. A total of 26 applications were received.

Council received the grant submissions for review at a workshop on 1 April 2025 and prior to the Community Development Committee Meeting on 6 May 2025.

Consultation

Chief Executive Officer, SMT, Community Development Team.

Risk Implications

Nil

Financial Implications

A total budget of **\$75,000** has been allocated to Grants and Donations for 2025/26.

This needs to allow for the Quick Response grants and any additional incidental grants or donations that Council may be asked to consider during the year. In 2024/25 a total amount of \$62,600 was awarded for the Small and Medium Grants.

Strategic Plan

Goal 1:

- 1.1 Engage with and enable our community
- 1.4 Encourage a sense of pride, local identity and engaging activities

Goal 4:

- 4.4 Ensure financial and risk sustainability

Social Implications

The overall objective of the grants program is to build capacity of our community through collaborations to deliver effective place-based initiatives and programs.

Environmental or Climate Change Implications

Nil.

Economic Implications

N/A

Other Issues

Any other issues to be discussed at the meeting.

Assessment

The small and medium grants are awarded based on an assessment that they will have a positive impact on our local communities and deliver improved outcomes. The assessment should take into consideration that many of these grass roots community groups have limited funds from other sources available at their disposal.

Options

1. As per the recommendations provided in the grants summary spreadsheet.
 2. Other.
-

RECOMMENDATION:

That the grants and donations requests for the Small and Medium Grants for the 2025/26 financial year are allocated as per the recommendations provided in the grants summary.

DECISION:

Cr Gray moved, Cr Geard seconded that the grants and donations requests for the Small and Medium Grants for the 2025/26 financial year are allocated as per the recommendations provided in the grants summary, with the inclusion of DOSA receiving the full grant amount as requested.

CARRIED

VOTING RECORD

In favour	Against
-----------	---------

Cr Curran

Cr De La Torre

Cr Geard

Cr Gray

Cr Irons

Cr McMaster

Cr Murtagh

Cr Owen

Cr Whelan

5.2 Youth Engagement Officer - Progress Report (February to April 2025)

Author: Youth Engagement Officer (J Flack)

Approved: Manager Community Development & Engagement (A Turvey)

Background

The Community Development team has committed to providing a quarterly update on the work being undertaken by Council's Youth Engagement Officer. This is the fourth progress report provided for Council's information.

Relationship Building Activities (February – April 2025)

- Attended the Greater Hobart Homeless Alliance.
- Attended the Southern Council of The Salvation Army '**Street 2 Home**' network meeting, who were able to share some statistics for the Brighton Council Area in 2024.
 - 22 clients for the year.
 - 13 couch surfing.
 - 4 sleeping rough in tents or cars.
 - 5 family violence clients requiring help relocating to shelters and rapid rehousing.
 - 14 required a 1 bed house.
 - 2 required a 2 bed house single parent 1 child.
 - 5 required a 3 bed house mostly single parent with children.
 - 1 required a 5 bed house couple with children.
- There are many people in the Brighton LGA who are described as the hidden homeless and will not be included in these statistics.
- Received a **Youth Week Grant** and ran an event during Youth Week with support from the Brighton Youth Action Group. We had over 90 attendees.
- Attended and supported the Brighton Alive Network and Brighton Alive Youth Action Group meetings.
- Brighton Youth Action Group fortnightly meetings and action planning.
- Facilitating a film being made with BYAG by local film makers about "What teachers don't see."
- Attended the Youth Network of Tasmania Youth Symposium.

- Supported the removal of items from a “memorial” created at a TasNetwork transformer box in Killarney Road.
- Worked with a seniors drumming group to connect them to Gagebrook Primary School to drum with young people in the school, creating inter-generational relationships.
- Supported a student from the Big Picture School who is interested in youth work.
- Supporting the Jordan River Services Community Shed with future planning.
- Supporting a local mum to get her Inspiring Future Leaders project implemented with Build Up Tassie – ‘Build It Up Bridgewater’ for 12-16 year olds (free hands on learning workshops).
- Attended “Where’s Your Line” gendered violence training.
- Meet and greet with new Police Inspector and Sergeant.
- Supported the Anti-Racism Campaign and Walk Against Racism.
- Participated in the pitch process for funding for targeted early intervention and prevention place-based initiatives in Brighton as part of the Tasmanian Youth Justice Reform (DPAC). Working with several grass roots community groups who are applying for funding through the initiative.
- Participated in the Engage Youth Cove Creek Easter Event.
- Utilising the Communities for Children Activity Van on a regular basis pop up events for young people.
- Regular attendance at Bond Place in Gagebrook.
- Attended the Department of Health and Aged Care round table. Orygen has been engaged to lead a diverse consortium to deliver sector-led advice to the Australian Government on the existing system and potential new and/or refined models of care for mental health services for young people aged 12 to 25 years.

Key Observations:

- Young people are more aware of my role and are engaging with me when I am out and about.
- Brighton Youth Action Network is growing with more regular attendance from individuals with an interest in youth.
- Brighton Youth Action Group are being recognised statewide for their work and there has been interest from the wider community on the work they are doing.
- Individuals and agencies are wanting to work with the Brighton Youth Action Group. Recent request from The Link Youth Health Service to attend Brighton Alive meetings and connect with local events and young people.

Consultation

Local community members & organisations; Community Development Team.

Risk Implications

Nil.

Financial Implications

Nil.

Strategic Plan

S1.1 Engage with and enable our community

S1.2 Build resilience and opportunity

S1.4 Encourage a sense of pride, local identity and engaging activities

Social Implications

These activities collectively aim to build a more inclusive, engaged, and supportive community for young people in the Brighton area.

Environmental or Climate Change Implications

Nil.

Economic Implications

N/A

Options

1. As per the recommendation.
2. Other.

RECOMMENDATION:

That Council receives and notes the information in the Youth Engagement Officer's Progress Report (February to April 2025).

DECISION:

Cr Owen moved, Cr Murtagh seconded that Council receives and notes the information in the Youth Engagement Officer's Progress Report (February to April 2025).

CARRIED

VOTING RECORD

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

6. 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:
6.1 Brighton Council Community Volunteer Awards - Nominations	15(2)(g)

DECISION:

Cr Curran moved, Cr Owen 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 item:

Item 6.1 Brighton Council Community Volunteer Awards - Nominations

CARRIED**VOTING RECORD**

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

6.1 2025 Brighton Council Community Volunteer Awards - Nominations

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
6.1	2025 Brighton Council Community Volunteer Awards - Nominations	

DECISION:

Cr Owen moved, Cr Curran seconded 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
6.1	2025 Brighton Council Community Volunteer Awards - Nominations	Decision not to be released until after the 22 nd May 2025.

CARRIED

VOTING RECORD

In favour Against

Cr Curran
Cr De La Torre
Cr Geard
Cr Gray
Cr Irons
Cr McMaster
Cr Murtagh
Cr Owen
Cr Whelan

Meeting closed: 6.00pm

Confirmed: _____
(Mayor)

Date: 20 May 2025

Deputy Premier
Treasurer
Attorney-General
Minister for Justice

Level 10, 15 Murray Street, HOBART TAS 7000
GPO Box 123 HOBART TAS 7001
Phone: 03 6165 7678
Email: Barnett.correspondence@dpac.tas.gov.au



-7 MAY 2025

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

Dear Mayor

Thank you for your letter to the Premier, the Hon Jeremy Rockliff MP, dated 24 March 2025 regarding the potential privatisation of public transport in the greater Hobart area. The Premier has asked me to respond on his behalf.

I appreciate your feedback on this important issue and share your concerns for vulnerable Tasmanians who rely on public transport.

The Government has engaged independent economist Saul Eslake to undertake an initial assessment of the Government businesses to identify any businesses which he recommends the Government should consider for further investigation and scoping studies. Mr Eslake's work will include reviewing outcomes from other Government divestment processes within Australia and in other comparable economies. He will also be considering a range of factors and potential impacts associated with potential divestment, including community access, public benefit and the risk of service declines, reduction in service availability and price hikes.

Our Government will only consider selling Government businesses or privatising services if it is in the best interests of Tasmania, both now and in the future. I can assure you that any decision will be made with careful consideration of the long-term wellbeing of the State, including the matters you have raised.

Thank you again for taking the time to write on this issue.

Yours sincerely

Hon Guy Barnett MP
Deputy Premier
Treasurer

cc: Hon Jeremy Rockliff MP, Premier
Hon Eric Abetz MP, Minister for Transport
Hon Kerry Vincent MLC, Minister for Infrastructure



Submission to Planning Authority Notice

Application details

Council Planning Permit No.	RZ 2025/02
Council notice date	8/04/2025
TasWater Reference No.	TWDA 2025/00351-BTN
Date of response	28/04/2025
TasWater Contact	AI Cole
Phone No.	0439605108

Response issued to

Council name	BRIGHTON COUNCIL
Contact details	development@brighton.tas.gov.au
Development details	
Address	1 TIVOLI RD, OLD BEACH
Property ID (PID)	1916619
Description of development	Draft Planning Scheme Amendment – (South Brighton Specific Area Plan)

Schedule of drawings/documents

Prepared by	Drawing/document No.	Revision No.	Issue date
Brighton Council	RZ 2025/02	N/A	03/04/2025

Conditions

Pursuant to the *Water and Sewerage Industry Act 2008* (TAS) Section 56S(2) TasWater makes the following submission(s):

1. TasWater does not object to the draft amendment to planning scheme and has no formal comments for the Tasmanian Planning Commission in relation to this matter and does not require to be notified of nor attend any subsequent hearings.

Pursuant to the *Water and Sewerage Industry Act 2008* (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:

Declaration

The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.

AHR Instrument: AHDR9340

Applicant: Dang Van (Brighton Council)

Date: 30 APRIL 2025

RECORD OF ADVICE FROM ABORIGINAL HERITAGE TASMANIA

This document provides a record of advice relating to an application submitted in accordance with the [Aboriginal Heritage Standards and Procedures](#), as adopted by the [Guidelines](#) issued under section 21A of the *Aboriginal Heritage Act 1975*.

Activity: Notification of Draft Planning Scheme Amendment - RZ 2025/02 (South Brighton S)

Advice: Please see next page.

All Aboriginal heritage is protected under the *Aboriginal Heritage Act 1975*. It is an offence to destroy, damage, deface, conceal, or otherwise interfere with a relic (Aboriginal heritage) without a permit granted by the Minister. If at any time Aboriginal heritage is suspected, the process outlined in the [Unanticipated Discovery Plan](#) should be followed as there is an obligation to report findings of Aboriginal heritage as soon as practicable.

As explained in the Guidelines, obtaining this record of advice does not exempt a person from their obligations under the Act but is an important element of the actions summarised in the Guidelines. To be sure that you have “in so far as is practicable ... complied with the guidelines” (s.21(1) of the *Aboriginal Heritage Act 1975*), be sure to read the relevant part and take any other action that may be relevant to your situation.

This advice is valid for 12 months and only for the activity as described in the Aboriginal Heritage Desktop Review application.

Please contact Aboriginal Heritage Tasmania on 1300 487 045 or aboriginal@heritage.tas.gov.au if you require further information.

Disclaimer *The advice contained within this document is based on information available to Aboriginal Heritage Tasmania at the time of its preparation and is provided in good faith. It does not constitute legal advice, is not intended to be a substitute for legal advice and should not be relied upon as such. Proponents should seek specialist legal advice, if required, regarding the Aboriginal Heritage Act 1975 when applying the information to their specific needs.*

Further advice or comments:

Aboriginal Heritage Tasmania (AHT) has completed a search of the Aboriginal Heritage Register (AHR) regarding the Notification of Draft Planning Scheme Amendment - RZ 2025/02 (South Brighton Specific Area Plan).

AHT notes the purpose of the certified draft amendment is to:

- Amend Figure BRI-S11.2 – South Brighton Specific Area Plan Development Framework;

and

- Amend the policy title to accurately reference the relevant development standard BRI-S11.8.2 P1.2 within the South Brighton SAP.

As such, there is no ground disturbance works as part of the Draft Planning Scheme Amendment - RZ 2025/02.

Please note the advice provided is only for the Draft Planning Scheme Amendment - RZ 2025/02 outlined in your application. If there are future plans for any ground disturbance or construction on the properties (including for subdivision purposes which involves fencing, vegetation management etc.), please contact AHT in the very early planning stages.

Our records indicate that this area has had a previous Aboriginal heritage assessment, with several Aboriginal heritage sites located within the project area footprint.

Recommendations of the Aboriginal heritage assessments concluded that these sites be noted and avoided, one site to be conserved in situ and protected from any impacts via the recommended management strategies.

If impact cannot be avoided, a permit under the Aboriginal Heritage Act 1975 prior to works proceeding must be sought and obtained. To assist in making the application for a permit under the Act, please visit www.aboriginalheritage.tas.gov.au where you will find important information and a permit application form.



7 May 2025

Brighton Council
1 Tivoli Road, Old Beach
TAS 7017, Australia
development@brighton.tas.gov.au

Tasmanian Planning Scheme – Brighton Amendment RZ2025/02 (the Proposed Amendment)

Please accept this correspondence as a representation on the Proposed Amendment.

The submission is lodged on behalf of my client Ms Ramilya Khayrutdinova.

The Proposed Amendment will do nothing to fix the fact that the South Brighton Specific Area Plan (the Specific Area Plan) is fundamentally flawed and although no reason or purpose is expressed in the advertised documents as to why the Proposed Amendment is necessary, it is assumed that it is an attempt to correct the flaws. Rather than correct these flaws however, the Proposed Amendment will substantially compound them by:

1. Imposing a static plan of subdivision across a broader area,
2. Altering an already approved plan of subdivision and
3. Introducing a development standard around infrastructure contributions which is unenforceable Alternate Plan of Subdivision

Each of these issues is examined below.

Static Plan of Subdivision

Inserting a static Subdivision Plan into a planning scheme locks the planning scheme into only being able to deliver the exact plan in the planning scheme regardless of unforeseen circumstances including but not limited to:

- o Infrastructure location and requirements
- o Landowner expectations
- o Public open space requirements
- o Road alignment
- o Turning heads at the end of each stage of subdivision



Any plan of subdivision that does not directly align with that contained in the Planning Scheme can only be achieved via an amendment to the planning Scheme as is the case here. Each and every time the static plan of subdivision requires changing, an amendment to the *Tasmanian Planning Scheme Brighton Local Provisions Schedule*, no matter how minor is required. This would include amendments to provide for cul-de-sac turning heads at the end of each stage (none are provided) or even minor amendments to property boundaries. Introducing an expanded and altered static plan of subdivision into the Brighton Planning Ordinance creates the possibility of endless rounds of amendments to address even the smallest changes to the plan of subdivision.

The Tasmanian Planning Commission and the planning scheme amendment process legislated under the *Land Use Planning and Approvals Act 1993* (The Act) were established to address matters of strategic planning importance at a municipal and/or regional scale and were not developed to deal with individual plans of subdivision and future amendments to them. Section 56 of the Act specifically deals with minor amendments to planning permits and it is there any changes to approved plans of subdivision should be addressed.

These matters were raised as raised in my **client's** original submission on the amendment dated 4 December 2023 as attached to this submission and as summarised below.

- The Masterplan locks subdivision layout to Figure BRI-S11.2, requiring a full planning scheme amendment to make any changes.
- This approach is costly, inflexible, and impractical if market conditions, infrastructure needs, or landowner preferences shift.

Altering an already approved plan of subdivision

The Proposed Amendment provides a benefit to only two landowners within the area subject to the SAP one of whom has the greatest landholding (DOURIAS MGH PTY LTD) within the SAP as shown in Figure 1. The SAP if implemented would afford Dourias MGH Pty Ltd 30 residential lots.

The amendment provides no strategic benefit to the municipality or region other than increasing the length of a proposed road and providing an additional four lots on 14 Dylan Street as shown in Figures 2 and 3.



Figure 1: Extent of landholdings of Dourias MGH Pty Ltd within the SAP.



Figure 2: Existing plan of subdivision



Figure 3: Proposed Amendment showing changed subdivision layout.

No justification is included with the Proposed Amendment to explain why it is necessary or what its strategic purpose is, leaving one to query whether its purpose is to benefit one individual landowner. My clients previously approached Council with a proposed division of their property at Melinda Court, this plan is included as Figure 4. If Council can amend the SAP to provide a benefit to other individual landowners without any strategic justification, then Council should also amend the SAP to provide for my client as well.

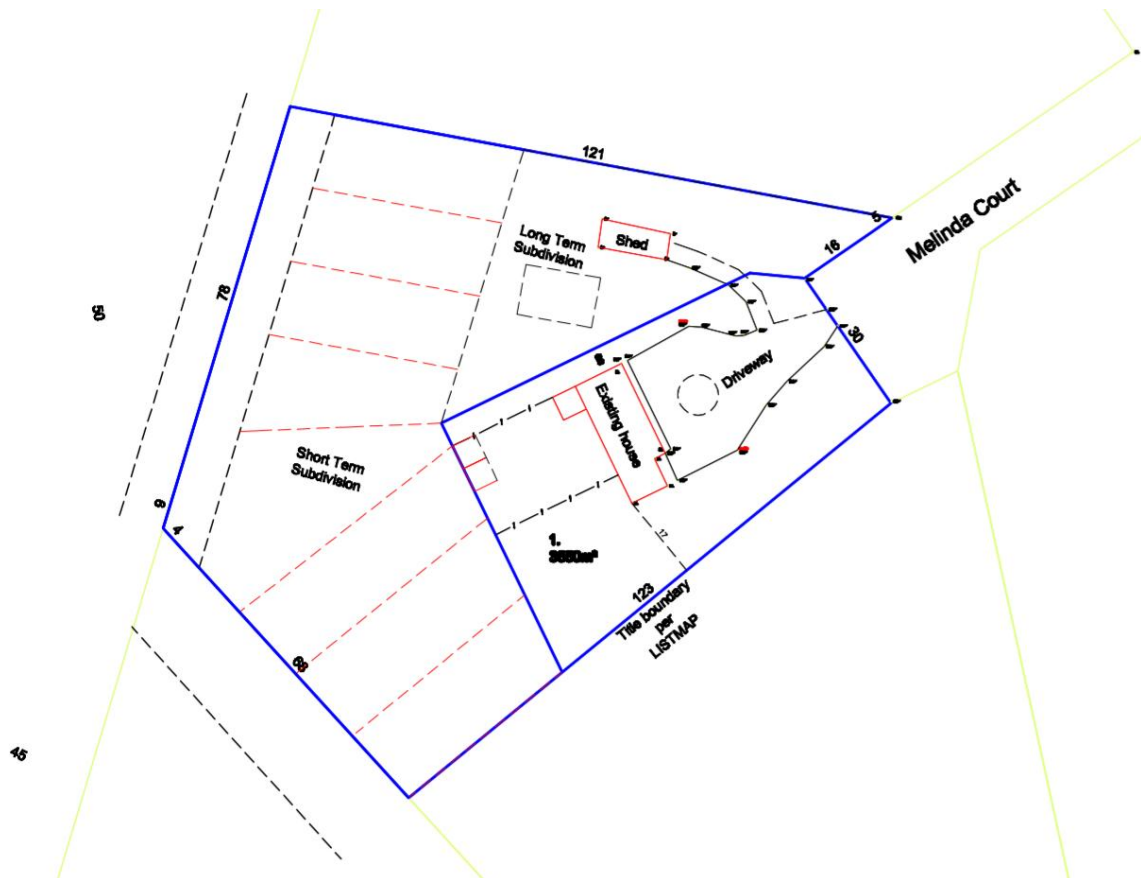


Figure 4: Potential plan of subdivision for 9 Melinda Court.

The SAP if implemented without the recommended changes, would result in significant loss of my clients land to public open space, public walkways, roads and stormwater management, without any recompense from the other landowners who would benefit from the SAP.

Flaws within the Plans of the Sap

Detailed investigations reveal that the geographical extent of the SAP differs under *Figure BRI-S11.1 The South Brighton Specific Area Plan Area* and *Figure BRI-S11.2 The South Brighton Specific Area Plan Development Framework*.

Figure BRI-S11.1 excludes the area subject to the Brighton Highway Services Precinct Specific Area Plan, whereas Figure BRI-S11.2 specifically includes it and designates this area as being for Retail-Potential for large format retail. Figure BRI-S11.2 goes further and specifies how the area must be subdivided, the areas that must be set aside for public open space and where roads and infrastructure must be constructed. This is reproduced in Figure 5 below. Figure 6 highlights the area designated as retail but not within the development framework.

Having an SAP applying inconsistently across separate areas one of which is subject to a potentially conflicting SAP/Code is clearly incorrect and is further evidence of why the SAP is flawed along with the process involved in attempting to correct it.

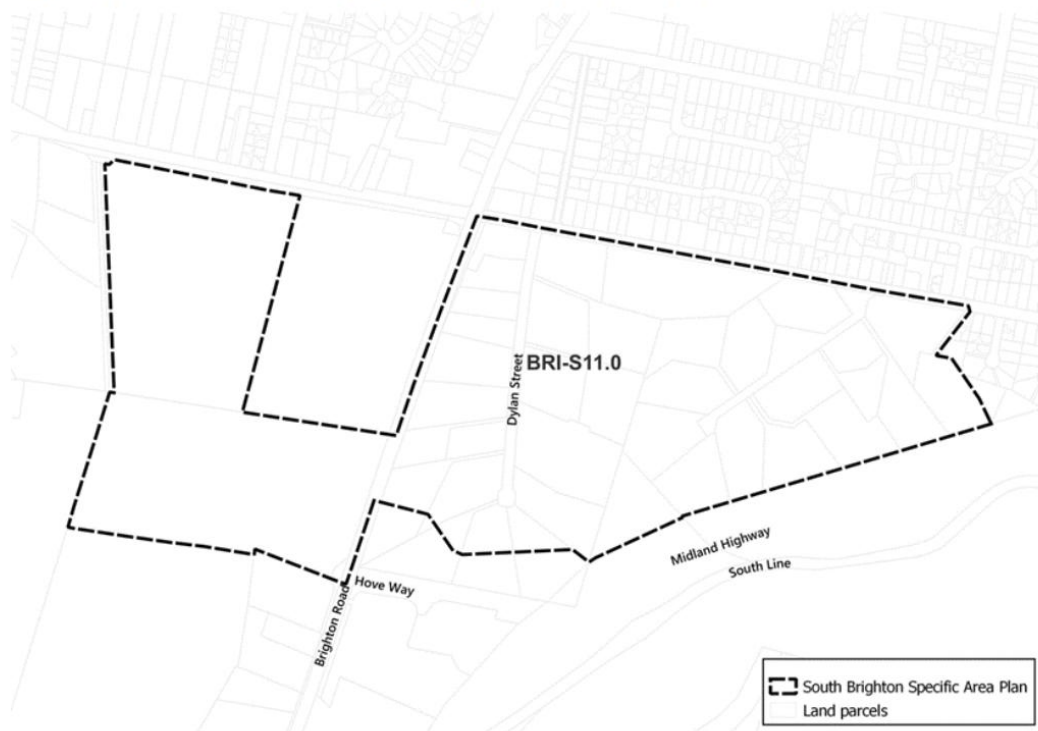
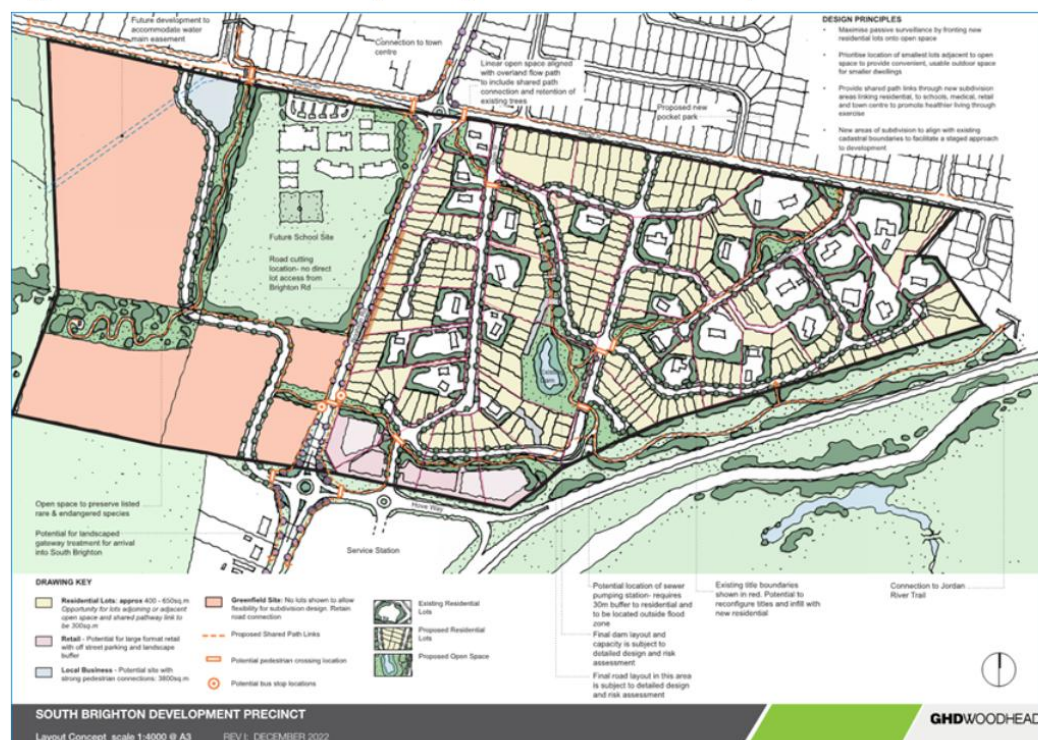
Figure BRI-S11.1 The South Brighton Specific Area Plan Area

Figure BRI-S11.2 The South Brighton Specific Area Plan Development Framework


Figure 5: Screenshot of the SAP highlighting that it applies to different geographic areas.



Figure 6: Area of the SAP within the Masterplan but not the development plan.

Development Standard for Infrastructure

The proposed Amendment seeks to introduce a development standard BRI-S11.8.2 Infrastructure Provision. Including such a development standard within a planning scheme ordinance is inappropriate and does nothing to overcome the problem created by imposing a static plan of subdivision over an already developed site with numerous landowners or the unequal infrastructure costs and benefits to individual landowners.

Council already has the legislative ability to impose infrastructure contributions via conditions in a planning permit issued via the *Land Use Planning and Approvals Act 1993* but only if for a planning purpose, relevant and reasonable.

Any such condition of a planning permit, would not address the issue of Unequal Infrastructure Costs & Benefits as raised in my client's original submission, which are summarised below.

- Some landowners would gain substantial subdivision benefits without contributing to infrastructure, while others bear significant costs.

- Example: 1 Dylan Street could be subdivided into 8 lots without constructing roads, while 5 Dylan Street would have to fund and construct roads to create 7 lots.
- The proposal lacks a structure for recouping infrastructure costs from landowners who benefit without paying.
- The Council's Infrastructure Policy, referenced in the amendment, is vague and lacks implementation details.
- Over 70 lots could be developed without new roads, which could undermine the intent of coordinated development.

The development standard does nothing to address this.

Lack of Supporting Information

No supporting information or documentation is provided with the Proposed Amendment to demonstrate why it is necessary or what its strategic planning benefit might be. There is no detail on how section 32(4) of the Act is satisfied or how amending the Brighton Local Provision Schedule may deliver significant social, economic or environmental benefit to the State, a region or a municipal area or why area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs

These are mandatory provisions of all proposed amendments to Local Provision Schedules and without such supporting documentation the Proposed Amendment must fail at the first step in the amendment process.

If you have any further queries, please do not hesitate to contact me on 0438 376 840 or email evan@e3planning.com.au.

Regards



Evan Boardman
Grad Dip URP, B ScEnv, B Econ MEIANZ

Dang Van

From: Anita Bourn <Anita.Bourn@tasnetworks.com.au>
Sent: Wednesday, 14 May 2025 5:51 PM
To: Dang Van
Subject: Re: Notification of Draft Planning Scheme Amendment - RZ 2025/02 (South Brighton Specific Area Plan)

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Caution: This is an external email and may be **malicious**. Please take care when clicking links or opening attachments.

Hi Dang,

Thanks for sending through the draft amendment for the South Brighton Specific Area Plan.

TasNetworks don't have any issues with the draft amendment.



Kind regards,



Anita Bourn *BSc, MEnvMgmt, MLead, MPIA, MEIANZ*
Principal Land Use Planner – Strategic Growth
Governance

P [03 6271 6413](tel:0362716413) | **M** [0458 015 441](tel:0458015441)
[1 – 7 Maria Street, Lenah Valley 7008](#)
[PO Box 606, Moonah TAS 7009](#)

www.tasnetworks.com.au

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From: Dang Van <dang.van@brighton.tas.gov.au>
Sent: Wednesday, May 14, 2025 4:27 pm
To: Anita Bourn <Anita.Bourn@tasnetworks.com.au>
Subject: RE: Notification of Draft Planning Scheme Amendment - RZ 2025/02 (South Brighton Specific Area Plan)

WARNING: This Message Is From an External Sender

Hi Anita,

Please find attached the email I sent to the Tasmanian Planning Commission, which includes all the relevant documents you may need.

The public exhibition period for this one was concluded yesterday. But you are more than welcome to provide feedback if needed.

Similar to the Burrows Avenue SAP amendment, this PSA proposes changes to the wording of Council's Infrastructure Contributions Policy. Additionally, it seeks to correct an error in the Development Framework for the South Brighton SAP. In summary, no new provisions are being introduced—this amendment is simply to correct existing errors and update the policy name.

Thank you,

DANG VAN
PLANNING OFFICER – DEVELOPMENT SERVICES



Brighton
going places



Click here to view the

2050
VISION

[\[brighton.ta\]](http://brighton.ta)

[s.gov.au\]](http://s.gov.au)

1 Tivoli Road, Old Beach TAS 7017

Tel: (03) 6268 7022

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

We acknowledge the traditional owners who once walked this country, the Mumirimina people, the original custodians of the skies, land and water of kutalayna (Jordan River). We forward our respect to the palawa/pakana (Tasmanian Aboriginal) community as the traditional and original owners of lutruwita (Tasmania).

CONFIDENTIALITY NOTICE AND DISCLAIMER:

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This disclaimer has been automatically added.

From: Anita Bourn <Anita.Bourn@tasnetworks.com.au>

Sent: Wednesday, 14 May 2025 4:15 PM

To: Dang Van <dang.van@brighton.tas.gov.au>

Subject: RE: Notification of Draft Planning Scheme Amendment - RZ 2025/02 (South Brighton Specific Area Plan)

Caution: This is an external email and may be **malicious**. Please take care when clicking links or opening attachments.

Hi Dang,

Can you send me a copy of the draft amendment for this one please?

Cheers,

Anita

From: Dang Van <dang.van@brighton.tas.gov.au>

Sent: Tuesday, 8 April 2025 3:59 PM

To: Land Use Planning TasNetworks <LandUsePlanning@tasnetworks.com.au>; Council Referrals <Council.Referrals@tasnetworks.com.au>

Subject: Notification of Draft Planning Scheme Amendment - RZ 2025/02 (South Brighton Specific Area Plan)

WARNING: This Message Is From an External Sender

[Report Suspicious](#)

Emails from this user are not from within TasNetworks. Be careful with links and requests for information or action and consider reporting it via the "Report Suspicious" button to be extra safe!

Good afternoon,

Please refer to the attached correspondence.

Should you have any questions, please don't hesitate to contact me.

Kind regards,

DANG VAN
PLANNING OFFICER – DEVELOPMENT SERVICES



Brighton
going places



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We acknowledge the traditional owners who once walked this country, the Mumirimina people, the original custodians of the skies, land and water of kutalayna (Jordan River). We forward our respect to the palawa/pakana (Tasmanian Aboriginal) community as the traditional and original owners of lutruwita (Tasmania).

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10/12/2024

Brighton Council
1 Tivoli Road,
OLD BEACH 7017

Dear Sir/Madam

DEVELOPMENT APPLICATION 12,15,16 & 17 DYLAN STREET, BRIGHTON - FILL

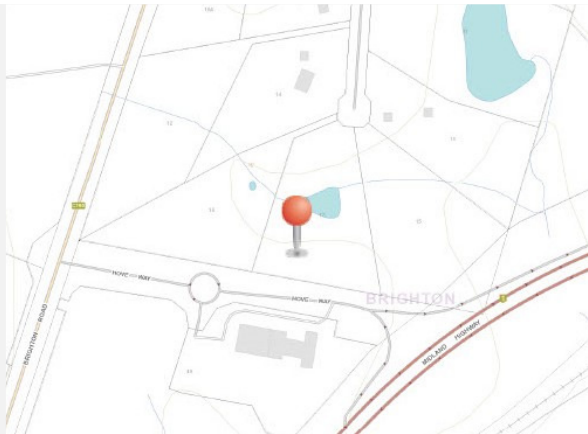
Poortenaar Consulting has been engaged by Dourias Group Holdings to prepare a design and development application for filling their properties at 12,15,16 & 17 Dylan Street, Brighton. This report has been prepared in support of the development application which is to be lodged with Brighton Council for assessment. The report details the proposed development and provides an assessment against the provisions of the *Tasmanian Planning Scheme – Brighton Local Provision Schedule* ('the Planning Scheme').



The following documents are enclosed in support of the application:

- Attachment 1 – Title Information
- Attachment 2 – Proposal Plans
- Attachment 3 - Construction environment management plan

Site Location and Context

Pertinent site information is provided below.

Landowner	Dourias Group Holdings
Site loca: on map	 <p>Figure 1. Site loca: on. Site boundary - red.</p>

Aerial view of the site	 <p>Figure 2. Aerial view of the site .</p>
Property address	12, 15, 16 & 17 Dylan Street, Brighton, TAS 7030
PID	2599096, 2599088, 2599061
Title Reference	143361/8,9,10,12
Site area	2.68 (Light Industrial area)
Planning Scheme	Tasmanian Planning Scheme (TPS) – Brighton
TPS Zoning	 <p>Light Industrial</p>
TPS Code overlay	<p>Bushfire</p> <p>No watercourse protec: on area over watercourse</p>

Existing services	Irrigation on main along southern boundary Domestic water supply off Dylan Street
Access	Existing driveways off Dylan Street
Existing elevation	40-56m AHD

Sources: the List.

The lots were originally developed as a rural residential subdivision with Dylan Street having access off William Street. The development of the Brighton Bypass and the construction of Hove Way linking Brighton Road and northbound Midland Highway lane resulting in the area fronting Hove Way being rezoned Light Industrial to act as a service precinct for highway traffic.

The area zoned light industrial is constrained by a watercourse to its north and varies between 120m and 47m wide. It's Hove Way frontage is 334m long. The westernmost area is wide and flat. It becomes progressively narrower and steeper further east requiring up to 7m of fill to create a level platform.

Proposed development

Proposed development	Filling to create level platform to enable future development
Site layout	Refer to Drawings 24436 sheets 01 to 08
Proposed commencement and completion dates	Start As soon as possible, the initial filling 10,000m ³ will be complete in March 2025 A total of 45000m ³ of fill is needed and this may take a couple of years to procure.
Work elements	Temporary works to access site Soil and water management Supply and stockpile suitable fill. Prepare surface by stripping topsoil and benching Mix fill and grade in layers and compact. Test each layer fill compaction Finish to design level, trim boundaries, Install surface drainage Remove temporary works Lightly grass or hydromulch
Quantities	Total 45,000m ³ of fill

Taswater is undertaking sewerage in Brighton to extend the sewer district. A pump station is also being built adjacent to 17 Dylan Street. The trenches and pump station are generating approximately 10,000m³ of fill. The fill is predominantly rock. The owner has made his land available for the disposal of the fill. This benefits Taswater and the community by saving on the cost of having to truck the waste rock to Bridgewater quarry. And it benefits the owner as the land needs to be filled to create usable platforms. Although the fill supplied is only a quarter of the total amount needed it is a good start as otherwise the filling on an opportunistic basis would take many years. The fill being rock is also a good fill material as it requires less compaction and does not settle. It also enables a steeper batter on the fill edge and it free draining.

The filling has been designed to form 4 platforms stepping down proceeding east. Although Hove Way is 1m lower than the Dylan St boundary it is not possible to lower this frontage and reduce the platform heights by 1m as there is a 630mm HDPE irrigation main along the frontage which would be prohibitively expensive to lower. A 2% fall towards the north is provided on the building platforms to enable drainage.

Taswater has provided a temporary track from their pump station site to the dump site. This includes a culvert over the drain. They have obtained EPA approval for the filling. They have installed sediment fence around the site.

There is a small dam on the watercourse. It is normally dry in summer. It is intended it be removed but it is useful for sediment settlement during the fill operation.

Impacts

Potential impacts considered:

- Visual impact
- Erosion of sediment to watercourse
- Dust
- Noise and traffic during construction
- Weed spread
- Truck movements on local roads

The construction impacts are addressed in the attached Construction Environment Management Plan incorporating weed management and soil and water management.

A key to minimising construction impacts is to undertake the filling operation as expeditiously as possible. This could be challenging given the opportunistic nature of fill availability. It is in the interest of the owner to actively procure suitable fill to complete the platforms as soon as possible to increase the saleability of the blocks.

Regarding visual impact the only place the fill batter will be visible will be from the end of Dylan Street turning circle. The batter will be hydro mulched and can be potentially vegetated with



mass plantings and shrubs to look natural but this will depend on the nature of the final development.

Policy Assessment

The applicable planning instrument in the assessment of the application is the *Tasmanian Planning Scheme – Brighton Local Provisions Schedule* ('the Planning Scheme').

The fill proposal has been assessed against each of the below listed scheme elements:

Light Industrial Zone [18.0]

The application is not for a use, building or subdivision, as such all provisions and sub-clauses are not applicable.

Bushfire- Prone Areas Code C13.0

The application is not for a use, building or subdivision, as such all provisions and sub-clauses are not applicable.

Natural Assets Code [C7.0]

There is no Watercourse Protection overlay but as the watercourse is class 4 with a 10m wide watercourse protection area.

The Light industrial zone is more than 10m clear of the watercourse as such all provisions and sub-clauses are not applicable.

Brighton Local Provisions Schedule

Brighton Highway Services Precinct Specific area Plan applies. BRI- S3.0

The application is not for a use, building or subdivision, as such all provisions and sub-clauses are not applicable.

Conclusion

The site has been zoned Light Industrial to attract a Highway Service Precinct. However the site is steep and is not usable without filling to construct level platforms for buildings and carparks. Cut and fill is not practical as the site needs to be at the same level as Hove Street which is at the top side. Approximately 45000m³ of fill is required. It would be prohibitively expensive to purchase fill and fill is usually available for free from construction activities. Thus it is proposed to fill the site when fill becomes available. The first phase is occurring currently with Taswater needing to dispose of 10,000m³ of fill.



The construction impacts can be appropriately managed to minimise nuisance to the public and impact on the environment.

Yours Faithfully

A handwritten signature in black ink, appearing to read 'Hein Poortenaar', is written over a faint, light grey circular watermark.

Hein Poortenaar
Poortenaar Consulting Pty Ltd

Attachments:

Drawings
Fill Plan detailing quality assurance during construction
Construction Environmental management Plan
Weed management Plan

Dang Van

From: hein@poortenaarconsulting.com.au
Sent: Monday, 7 April 2025 1:40 PM
To: Dang Van
Cc: 'Tony Dourias Jnr'
Subject: RE: Request for additional information - DA 2024/233 (12 Dylan Street, Brighton & 15 Dylan Street, Brighton & 16 Dylan Street, Brighton & 17 Dylan Street, Brighton)
Attachments: 42436-B.pdf
Follow Up Flag: Flag for follow up
Flag Status: Flagged

Caution: This is an external email and may be **malicious**. Please take care when clicking links or opening attachments.

Hello Dang Van

Please find attached the amended drawings with the additional information : design contours, levels etc. Also added a soil and water management plan.

I have moved the fill works 5m away from the irrigation pipeline so there will be no cut or fill or traffic movements over the pipeline at this stage. In the future we may have to undertake works in the vicinity of the pipeline but that will be subject to a further application.

Regards,

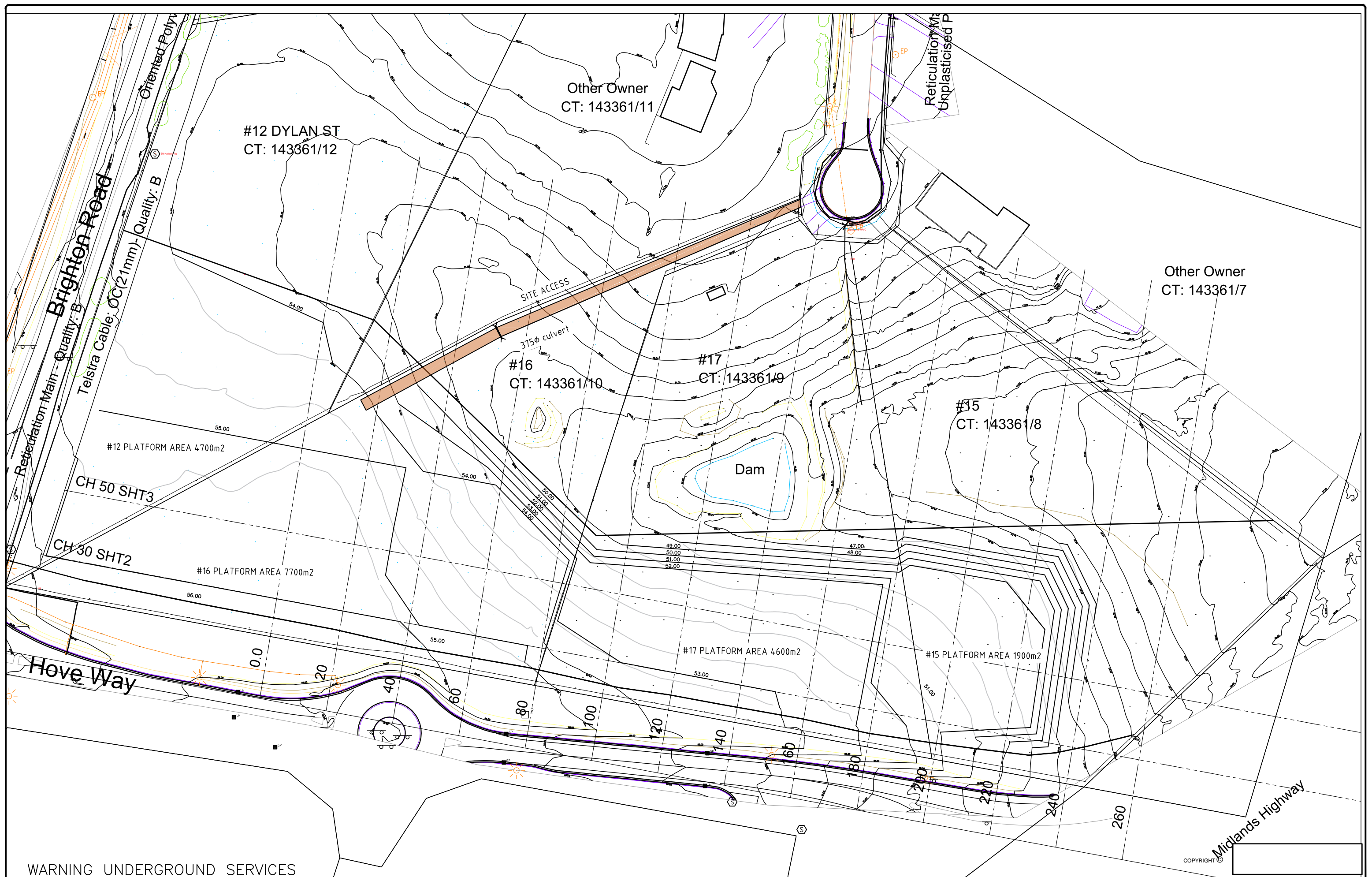
Hein Poortenaar

hein@poortenaarconsulting.com.au
M: + 0448 440 346
77 Banksia Road, Mountain River, TAS 7109
www.poortenaarconsulting.com.au



From: Dang Van <dang.van@brighton.tas.gov.au>
Sent: Wednesday, 26 February 2025 3:33 PM
To: hein@poortenaarconsulting.com.au
Subject: Request for additional information - DA 2024/233 (12 Dylan Street, Brighton & 15 Dylan Street, Brighton & 16 Dylan Street, Brighton & 17 Dylan Street, Brighton)

Good afternoon Hein,



WARNING UNDERGROUND SERVICES

THE CONTRACTOR IS TO ARRANGE UNDERGROUND SERVICE LOCATIONS PRIOR TO EXCAVATION. UNDERGROUND SERVICES ARE TO BE PROTECTED AND THE CONTRACTOR WILL BE LIABLE FOR DAMAGE. WHERE UNDERGROUND SERVICES PREVENT THE WORKS AS DESIGNED FROM BEING UNDERTAKEN THEY ARE TO BE REFERRED BACK TO THE ENGINEER. RELOCATIONS OF SERVICES IF UNAVOIDABLE WILL BE PAID FOR BY THE DEVELOPER.

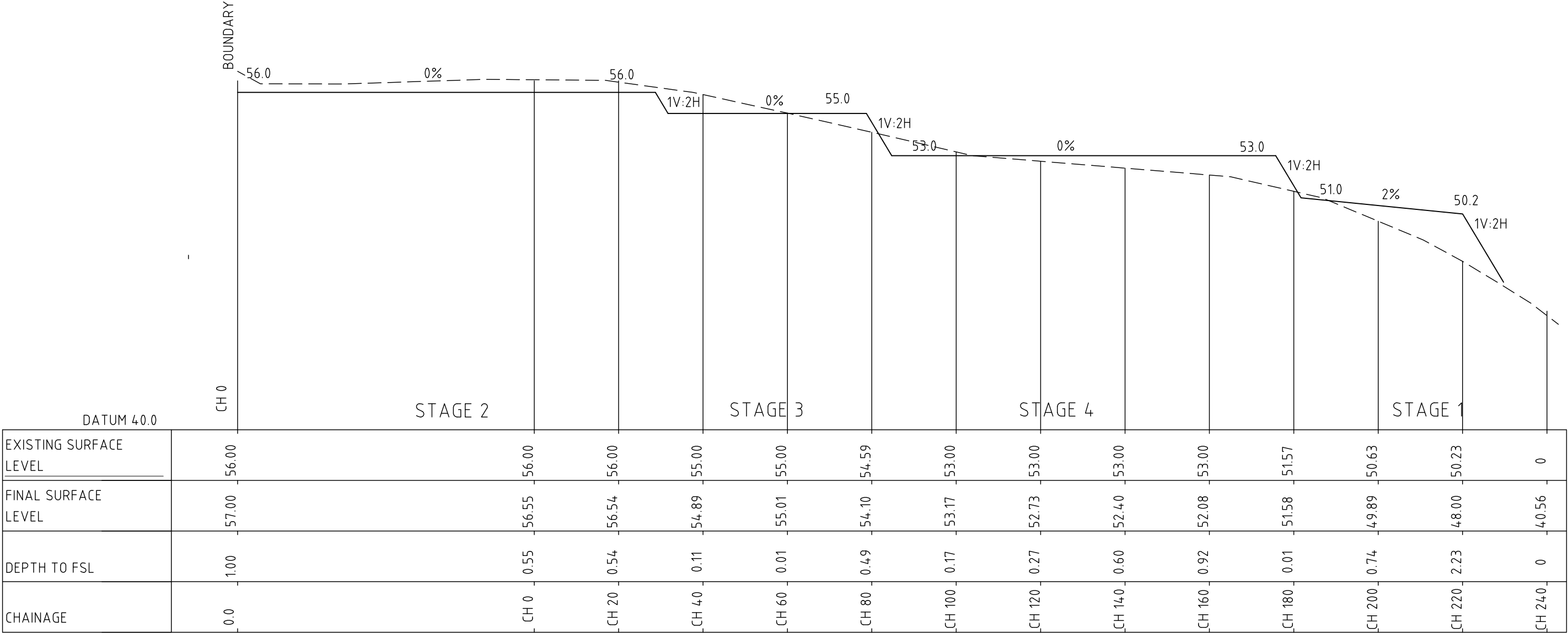
Rev No	Revision note	Date	Approved
A	FOR INFO	SEPT 24	HJP
B	AMENDMENTS	APR25	HJP



POORTENAAR CONSULTING

ABN 40 672 032 737
PH 62664708
hein@poortenaarconsulting.com.au

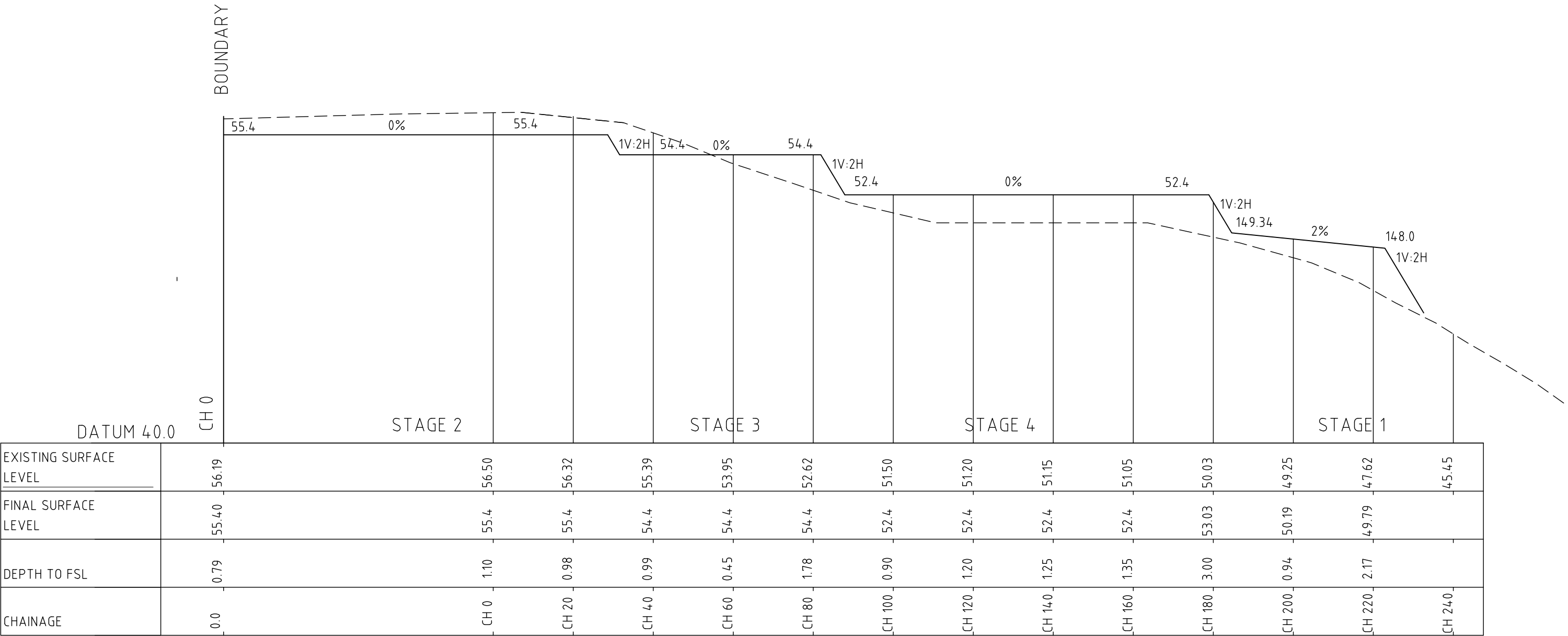
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Project	12,15,16&17 DYLAN STREET, BRIGHTON - FILLING
Title	PLAN
Scale	1:500
Designed By:	H.POORTENAAR
Date	SEPT24
A1	Drawing No.
24436-01	Rev
B	



CH30 LONG SECTION
SCALE 1:500 HORIZONTAL. (A3)
SCALE 1:200 VERTICAL.

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Rev No	Revision note	Date	Approved	<div><p>POORTENAAR CONSULTING</p><p>ABN 40 672 032 737 PH 62664708 hein@poortenaarconsulting.com.au</p></div>	Client DOURIAS HOLDINGS						
A	FOR INFO	SEPT 24	HJP		Project 12,15,16 &17 DYLAN STREET, BRIGHTON - FILLING						
B	AMENDMENTS	APR25	HJP		Title LONG SECTIONS						
					Scale as shown Designed By: H.POORTENAAR Date SEPT24 A1 Drawing No. 24436-02 Rev B						



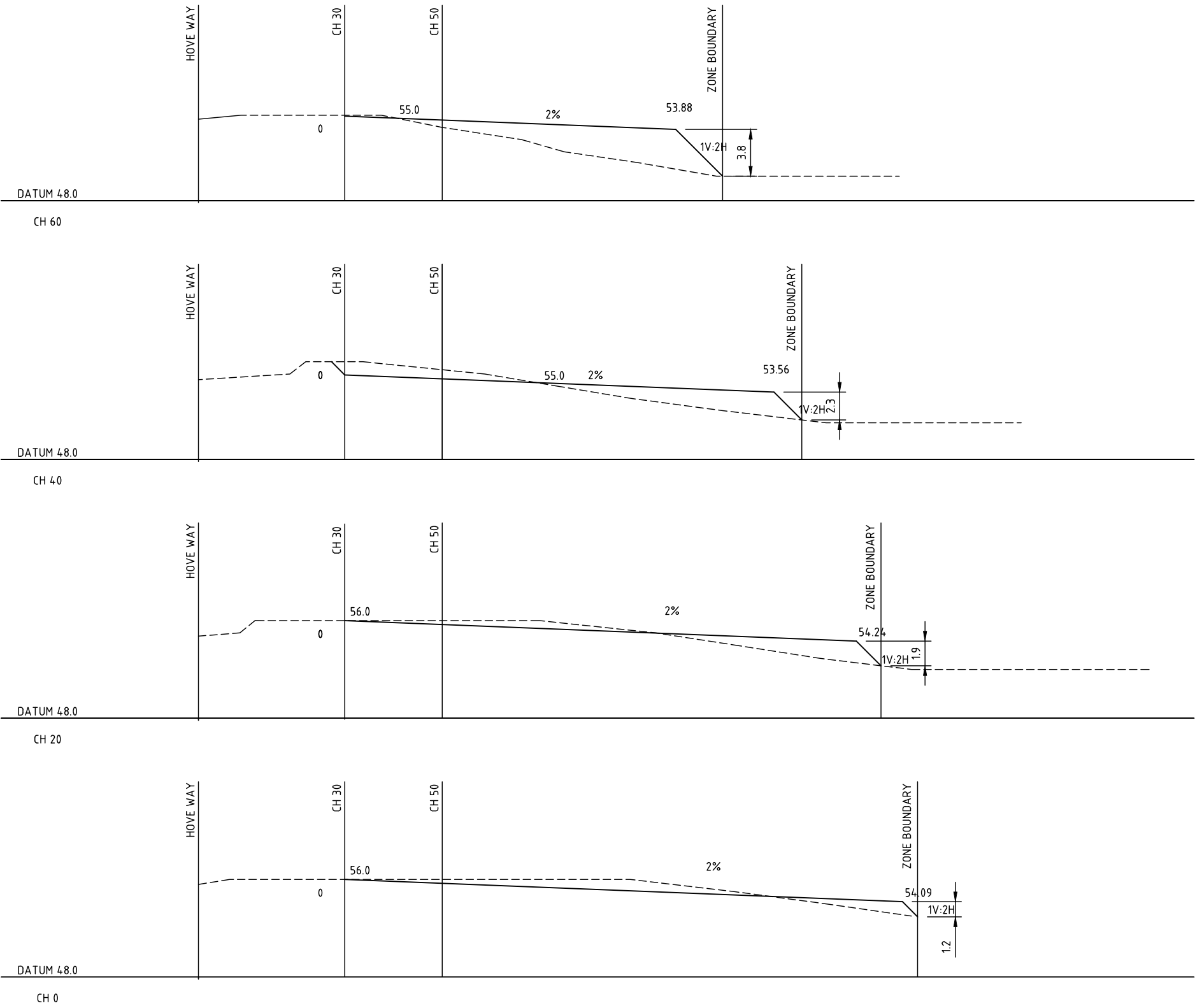
CH 50 LONG SECTION

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SCALE 1:200 VERTICAL.

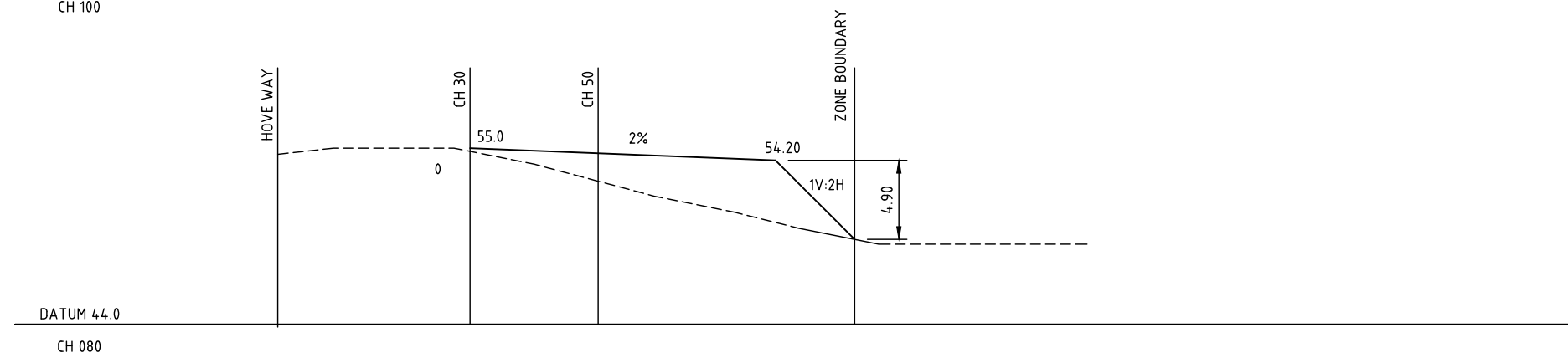
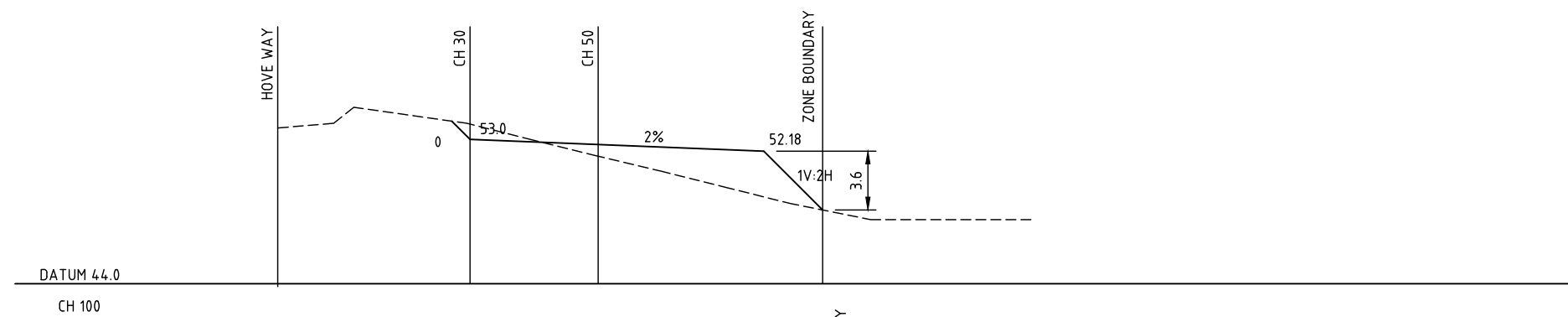
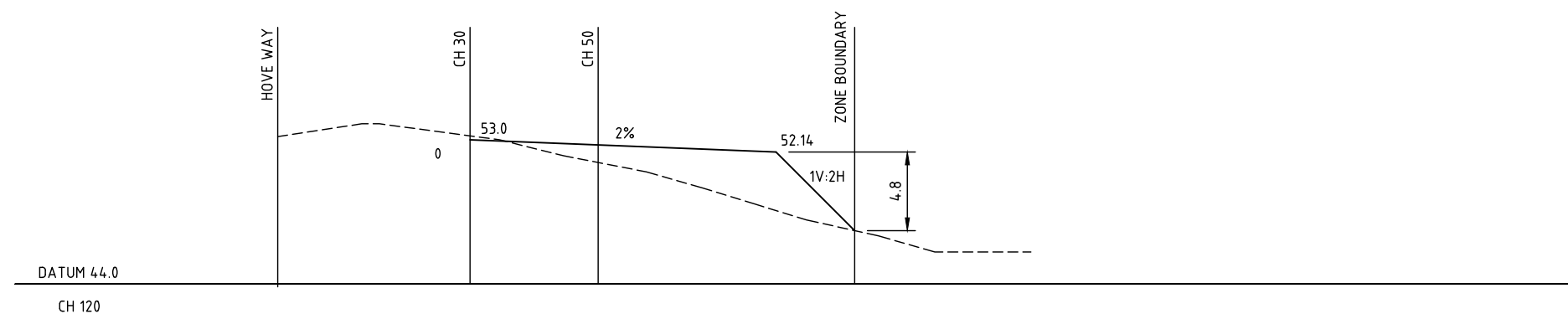
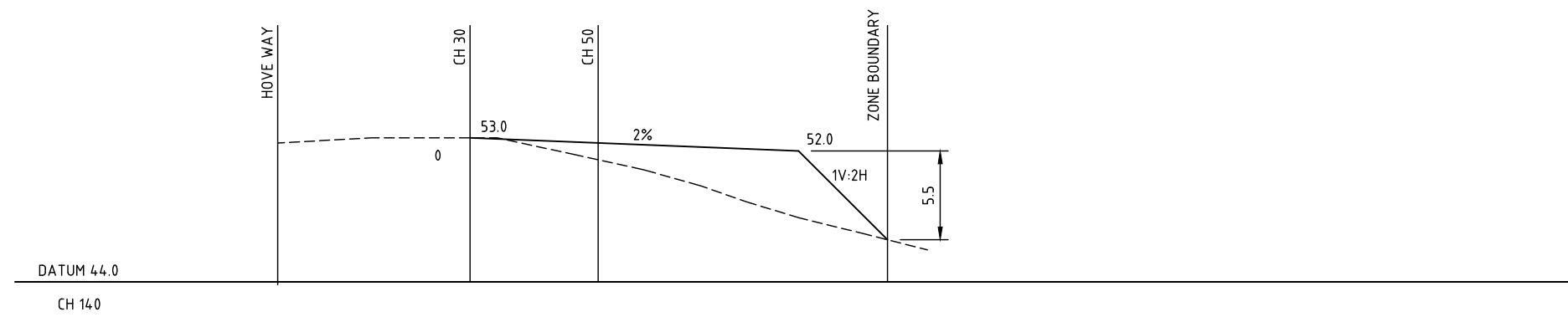
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Rev No	Revision note	Date	Approved	<div><p>POORTENAAR CONSULTING</p><p>ABN 40 672 032 737 PH 62664708 hein@poortenaarconsulting.com.au</p></div>	Client	DOURIAS HOLDINGS									
A	FOR INFO	SEPT 24	HJP		Project	12,15,16 & 17 DYLAN STREET, BRIGHTON - FILLING									
B	AMENDMENTS	APR25	HJP		Title	LONG SECTIONS									
					Scale	as shown	Designed By:	H.POORTENAAR	Date	SEPT24	A1	Drawing No.	24436-03	Rev	B



CROSS SECTIONS
SCALE 1:800 HORIZONTAL.
SCALE 1:400 VERTICAL.

Rev No	Revision note	Date	Approved	<div><p>POORTENAAR CONSULTING</p><p>ABN 40 672 032 737 PH 62664708 hein@poortenaarconsulting.com.au</p></div>	Client	DOURIAS HOLDINGS								
A	FOR INFO	SEPT 24	HJP		Project	12,15,16&17 DYLAN STREET, BRIGHTON - FILLING								
B	AMENDMENTS	APR25	HJP		Title	SECTIONS								
				Scale	as shown	Designed By:	H.POORTENAAR	Date	SEPT24	A1	Drawing No.	24436-05	Rev	B

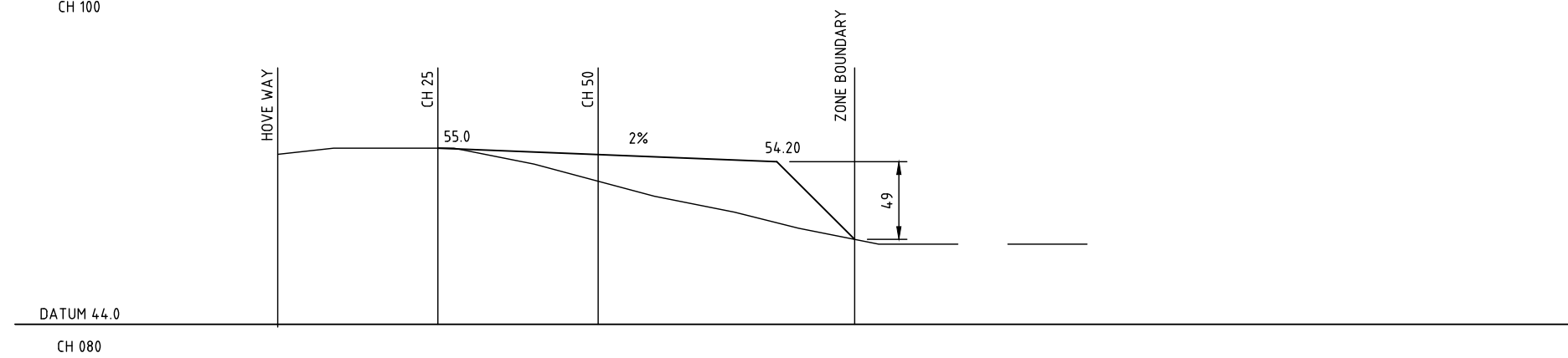
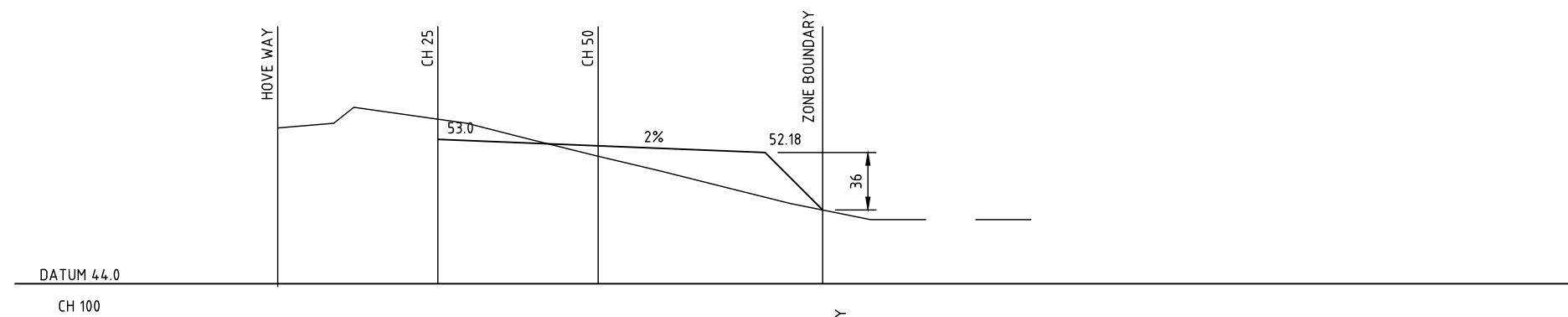
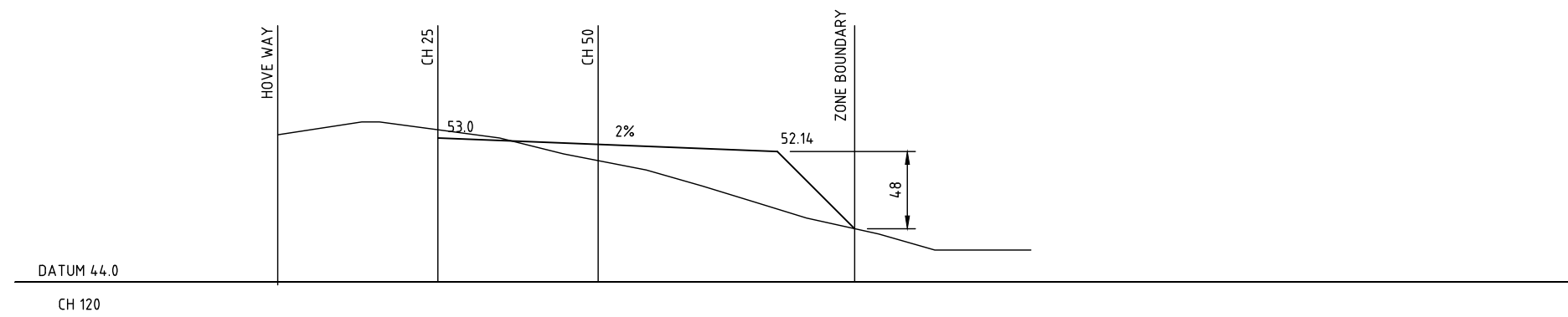
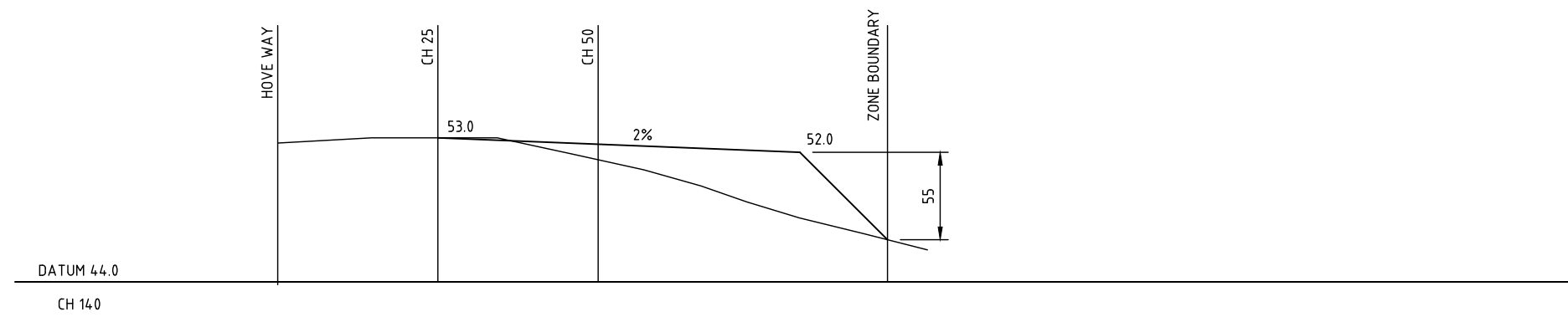


CROSS SECTIONS

SCALE 1:800 HORIZONTAL.

SCALE 1:400 VERTICAL.

Rev No	Revision note	Date	Approved	<div><p>POORTENAAR CONSULTING</p><p>ABN 40 672 032 737 PH + 62664708 hein@poortenaarconsulting.com.au</p></div>	Client DOURIAS HOLDINGS				
A	FOR INFO	SEPT 24	HJP		Project 12,15,16&17 DYLAN STREET, BRIGHTON - FILLING				
B	AMENDMENTS	APR25	HJP		Title SECTIONS				
					Scale as shown				
					Designed By: H.POORTENAAR				
					Date SEPT24				
				A1					
				Drawing No. 24436-06					
				Rev B					



CROSS SECTIONS

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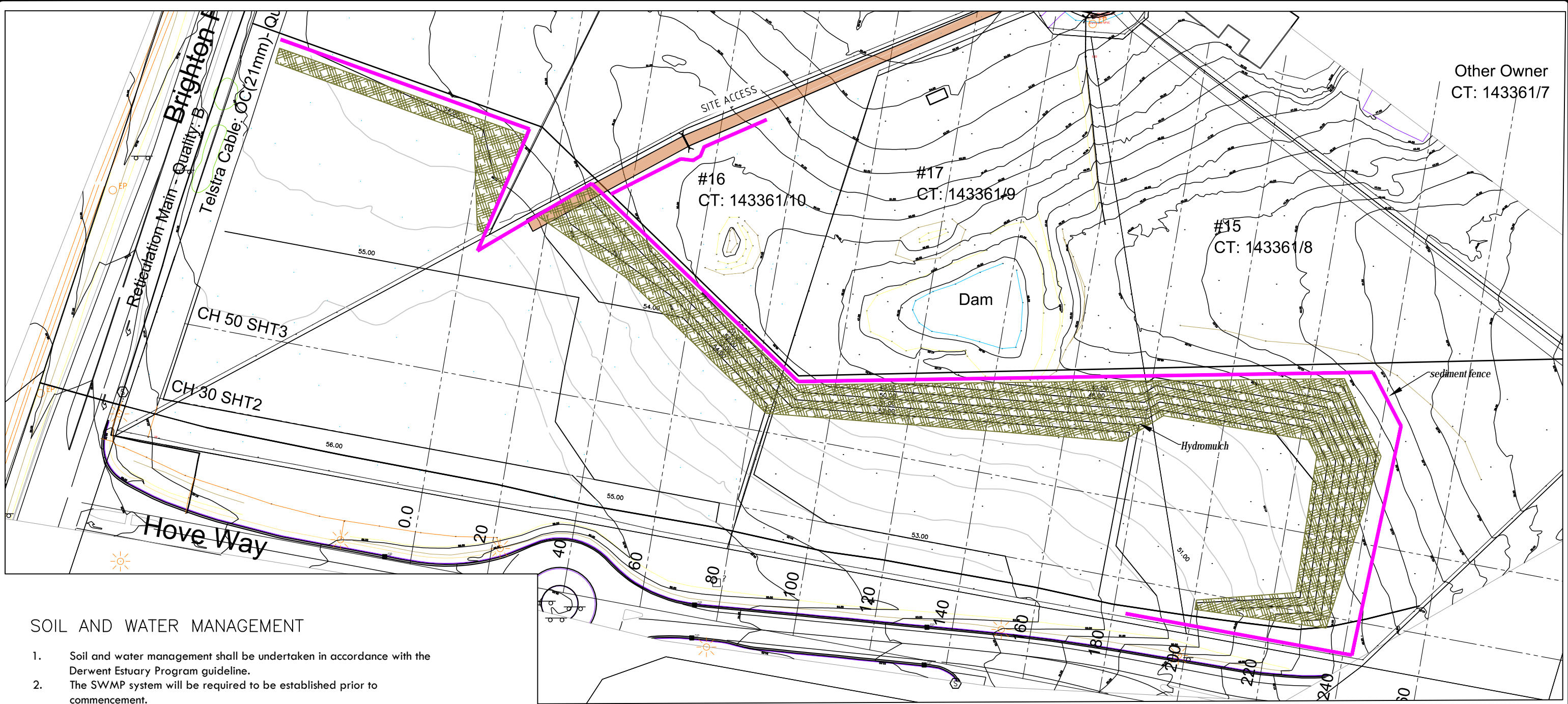
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POORTENAAR
CONSULTING

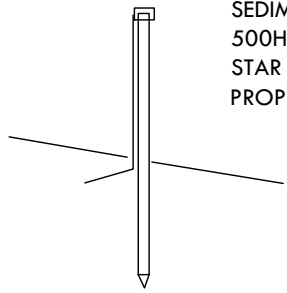
ABN 40 672 032 737
PH 62664708
hein@poortenaarconsulting.com.au

Client	DOURIAS HOLDINGS									
Project	12,15,16&17 DYLAN STREET, BRIGHTON - FILLING									
Title	SECTIONS									
Scale	as shown	Designed By:	ILPOORTENAAR	Date	SEPT24	A1	Drawing No.	24436-06	Rev	A



SOIL AND WATER MANAGEMENT

1. Soil and water management shall be undertaken in accordance with the Derwent Estuary Program guideline.
2. The SWMP system will be required to be established prior to commencement.
3. The SWMP shall be maintained including cleaning out sediment.
4. The effectiveness of the SWMP shall be monitored and adjusted if required.
5. Discharge water quality shall be monitored.
6. The system shall be inspected after each storm event to monitor effectiveness and identify areas needing reinstatement.
7. The SWMP shall be removed once all surfaces are stabilized.
8. Natural drainage from above the site shall where practical be diverted around the site in a stabilized drain.
9. Open drains are to be graded where possible at 1% to 5% grade.
10. Steeper drains should be stabilized with rock or check dams.
11. Where practical site runoff shall be diverted from discharge to watercourses by disposal by reuse, irrigation, dust control or soakage.
12. The area of soil exposed to rain and surface flow shall be minimized by stabilizing with gravel, installing drainage systems.
13. The duration of exposure should be minimized by re-topsoiling, seeding as soon as practical.
14. Steeper areas of exposed soils shall be protected by : minimizing length of slope, diverting water, stabilizing with mulch, topsoil or grass as soon as practical.
15. Sediment fences shall be used across concentrated flowpaths or sheet flow paths where sediment may be mobilized. Appropriately sized sediment basins shall be used at discharge points. These will enable runoff to be stored for reuse and also enable monitoring of sediment captured and quality of discharge water.



SEDIMENT FENCE PER FACT SHEET 14 DERWENT ESTUARY PROGRAM
500HIGH EMBEDDED 200
STAR PICKET WITH SAFETY CAP 2m APART
PROPRIETARY SILT FENCE WITH 2.5Ø TENSIONING WIRE

LEGEND

- SEDIMENT FENCE
- SEDIMENT FENCE OVER FLOW PATH
- RIP RAP PROTECTION
- HYDROSEEDED BATTER
- STORMWATER DIVERSION

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Rev No	Revision note	Date	Approved	Client
A	FOR INFO	SEPT 24	HJP	TONY DORIAS JR
POORTENAAR CONSULTING				Project 12,15,16&17 DYLAN STREET, BRIGHTON - FILLING
ABN 40 672 032 737 PH 62664708 hein@poortenaarconsulting.com.au				Title SOIL AND WATER MANAGEMENT PLAN
Scale 1:500		Designed By: H.POORTENAAR	Date SEPT24	A1 Drawing No. 24436-08
				Rev B

WEED HYGIENE AND CONTROL PLAN

12, 15,16 &17 DYLAN STREET, BRIGHTON

PREPARED FOR:	Tony Dourias
PREPARED BY:	Ben Poortenaar Ecologist for Poortenaar Consulting Pty Ltd 77 Banksia Road, Mountain River, TAS 7109 M 0448 440 346 E Hein@poortenaarconsulting.com.au
REPORT DATE:	October 2024
LIMITATIONS:	Due to site conditions such as seasonal influences on species detectability (i.e., non-survey periods for some species) there may be some weed species present on the site that were not identified.

1. PURPOSE OF THIS WEED HYGIENE AND CONTROL PLAN

This report constitutes the Weed Hygiene and Control Plan (WHCP) for the development at 12, 15,16 &17 Dylan Street, Brighton. The WHCP was prepared in support of the filling plan.

2. SITE DETAILS

Landowner	Dourias Group Holdings
Property address	12, 15,16 &17 Dylan Street, Brighton
Site area	2.68 (Light Industrial area)
Planning Scheme	Tasmanian Planning Scheme (TPS) – Brighton
Zoning	Light Industrial
TPS Planning scheme overlays	Bushfire Prone Areas, priority vegetation in lot 15.
Natural values on the site	<ul style="list-style-type: none"> Verified records of: <ul style="list-style-type: none"> threatened flora¹: Records of <i>Calocephalus citreus</i> in adjacent lots. threatened fauna¹: none threatened vegetation communities²: none Tasveg 4.0 communities: (FUR) Urban areas
Declared weeds, Weeds of National Significance and other local priority weeds within 500m of the site	<p>None within the site.</p> <p>Records within 500m: slender thistle (<i>Carduus pycnocephalus</i>), white horehound (<i>Marrubium vulgare</i>), hoary cress (<i>Lepidium draba</i>), gorse (<i>Ulex europaeus</i>), African boxthorn (<i>Lycium ferocissimum</i>), blackberry (<i>Rubus fruticosus</i>), fennel (<i>Foeniculum vulgare</i>).</p>
Biosecurity risks within 500m of the site	None on record.

Source: the LIST

¹ As listed under the Tasmanian Threatened Species Protection Act 1995 (TSP) and/or Environment Protection & Biodiversity Conservation Act 1999) (EPBC).

² As listed under the Threatened Native Vegetation Communities 2014 (TNVC 2014) dataset

3. PROPOSED DEVELOPMENT

Council planning permit	Nil yet
Proposed development	Filling
Site layout	Refer to Drawing 24436-01
Proposed commencement and completion dates	Start As soon as possible, complete in March 2025
Proposed works	Fill to provide a level platform to enable the property to be developed.
Area cleared	Area already clear (historically farmland).
Earthworks	45000m ³ of local fill
Soil imported/exported	Soil from the Brighton area.
Material imported	Rock, subsoil, trace amounts of topsoil.

4. SITE ASSESSMENT

Weeds observed

The site survey was undertaken by Poortenaar Consulting in October 2024. No evidence of pathogens were found. Roughly 50 bushes of hawthorn (*Crataegus monogyna*) and sweet briar (*Rosa rubiginosa*) were present. Neither species are declared weeds or Weeds of National Significance, but they are considered environmental weeds, and sweet briar is recognized as a priority weed by the Brighton Council.

5. WEED HYGIENE

Weeds risk

The site currently has two weed species. The risk is these will spread around or off the site. Additionally, weed seed could be imported on machinery or materials. It is therefore important to ensure the current weeds are controlled/eradicated, and that no weed seed is imported from offsite.

Weeds hygiene

Current weeds will be eradicated and burnt on site. Due to the nature of the fruit the risk of seed transport off site is low.

To prevent import of seeds machinery will be cleaned before coming to site. No mulch or plant materials will be imported. The only materials to be imported will be fill from surrounding areas.

Monitoring

In the year following construction the construction footprint will be closely monitored and any weeds emerging dealt with appropriately.



Hygiene measures

Table 4 Weed hygiene actions.

Action #	Action	Timing	Responsibility
1	<u>Weed eradication</u> <ul style="list-style-type: none"> Current weeds will be hand pulled or cut and painted. Material will be burnt on site. 	Before earthworks.	Contractors (site manager/supervisors)
2	<u>Weed Hygiene Plan</u> <ul style="list-style-type: none"> The contractors doing the earthworks must work within the following hygiene plan: <ul style="list-style-type: none"> Cleandown protocols when travelling between clean and contaminated areas within the development footprint. Cleandown protocols for vehicles and machinery entering or leaving the site. Location and management of cleandown areas and facilities, including management of effluent. Logbooks detailing adherence to hygiene protocols. Material hygiene (soils, gravel, plant material etc.) – ensuring that materials potentially contaminated with weed propagules (seed, propagative vegetative material), pathogens or other pests are not imported into or exported from the site. <p>A suggested WHP template is provided in Appendix D. A summary of weed hygiene practices is provided in Appendix E.</p>	During works for each stage of the project.	Contractors (site manager/supervisors and drivers/operators) Landowner
3	<u>Movement of fill material</u> <u>Topsoil</u> <ul style="list-style-type: none"> Trace amount imported, and none exported. Turf will be stripped and used for landscaping within the site. All topsoil should be treated as contaminated with weed seed and will require monitoring for ongoing weed regeneration. <u>Rocks and subsoil</u> <ul style="list-style-type: none"> After turf and topsoil are stripped, earthworks to fill will be undertaken. Care will be taken to keep topsoil and subsoil separate so subsoil is not contaminated with weed seed. No subsoil or rocks will leave site. 	As part of earthworks	Contractors (site manager/supervisors)
6	<u>Auditing of weed hygiene</u> <ul style="list-style-type: none"> Works will be monitored by environmental consultant (Poortenaar Consulting). 	As part of earthworks	Environmental consultant

7	<u>Ongoing monitoring after completion</u> <ul style="list-style-type: none"> Site will be monitored by environmental consultant (Poortenaar Consulting) for 5 years. 	After completion	Environmental consultant
TOTAL			

APPENDIX B –WEED SPECIES PROFILES AND GROWTH CALENDAR

This weed growth calendar provides information on the best time to monitor for weed growth and the optimum time for herbicide control. N.B. Herbicide control is not necessarily limited to these times, it can depend on the type of herbicide being used (refer to species specific information on timing of herbicide control < http://dpi.pwe.tas.gov.au/invasive-species/weeds >)			dark grey = most common time for growth stage light grey = extended growth period under suitable conditions												
			JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	
HAWTHORN <i>Crataegus monogyna</i>	<p>A deciduous, thorny shrub to 10m. Leaves small and lobed. Flowers in dense clusters, pink/white. Red berries with yellow flesh and 1 hard seed in summer.</p> 														
		FLOWERING													
		SEEDING													
		HERBICIDE CONTROL (optimal)													
		COMMENTS: The seeds have a hard, water-resistant coating which allows them to remain dormant in the soil for up to 30 years													
SWEET BRIAR <i>Rosa rubiginosa</i>	<p>Erect or scrambling deciduous shrub up to 3m. Thorny stems with prickly and fragrant leaves. Flowers 3cm wide, pink, with 5 petals, flowering in winter/spring. Numerous seeds in a red rosehip.</p> 														
		FLOWERING													
		SEEDING													
		HERBICIDE CONTROL (optimal)													
		COMMENTS: A mature bush can produce millions of seeds each year. Seeds can persist in the soil seedbank for 4 years or more. Plants can live to 40 years.													

APPENDIX C - GENERAL ADVICE FOR WEED CONTROL

GENERAL ADVICE

- Try to co-ordinate weed management activities with neighboring landholders where weed problems cross property boundaries.
- Get in early - for new infestations, eradicate before the plants reach the flowering stage: once plants begin seeding, control becomes more difficult and expensive.
- Don't rely on one attempt at removal - follow-up is essential.
- For species specific information on weeds and weed management, refer to <https://nre.tas.gov.au/invasive-species/weeds>

CHEMICAL CONTROL METHODS

- Herbicides can only be used if the product is registered for that purpose under relevant legislation. When using chemicals, seek professional advice and always read and follow the label instructions including wearing all the required personal protective clothing. Further advice on herbicides and control is available through the Tasmanian Department of Natural Resources and Environment website.
- Some chemicals should only be applied by a qualified person under the Work Place Health and Safety Act 1995.
- Carefully consult the product label for specific directions regarding the use of wetting agents or adjuvants.
- Many herbicides can cause damage to waterways and wetlands. Check the herbicide label directions carefully before use near waterways and wetlands. For more information see https://nre.tas.gov.au/Documents/herbicide_guidelinesFINAL2012.pdf
- When using a foliar spray, treat only on wind still warm days.
- Treat with herbicide during the active growth phase.
- Herbicides should not be applied to stressed plants. Any conditions which stress a plant and decrease its growth, such as drought periods or times of severe low or high temperatures, can decrease the effectiveness of herbicide action.

PHYSICAL CONTROL METHODS

- Keep soil disturbance to a minimum to reduce the risk of stimulating germination and establishment of other weeds. Press disturbed soil back in place by foot when pulling seedlings
- Hand pulling is easier when the ground is moist, remove as much of the root system as possible many weeds will re-sprout from a small bit of root.
- Follow-up monitoring and control is essential.

DISPOSAL OF WEEDS SAFELY

- The majority of weeds treated by foliage spraying will remain in-situ.
- Declared weeds that are removed by physical methods and are carrying viable seeds, should be stockpiled close to the infestation, and burnt (subject to approval by TFS). Alternatively, weed debris should be double bagged and removed from the site to an approved waste disposal facility. The latter will require a permit from the Department of Natural Resources and Environment prior to transport of any declared weed material. A permit generally stipulated measures to minimise the opportunity for weed seed or debris to spread during transport and correct disposal procedures. This may include ensuring weed material is well covered and tied down during transport and ensuring weed material is not mixed with general rubbish or added to green waste piles.

APPENDIX D – WEED HYGIENE PLAN TEMPLATE

Date	
Weed Hygiene Plan # and version	
DA number (if applicable)	
Address of site	
Stage of works	
Estimated dates for duration of works	
Site Manager	Name: Email: Mobile:
Responsible person for weed hygiene measures	Name: Email: Mobile:
Weed Management Plan (WMP) reference that applies to the site (if applicable)	
List of Declared weeds present of the site; degree of infestation (low, medium, high); and seasonal conditions and seed load of these weed species.	
Does the WMP stipulate any restrictions regarding the movement of soil, gravel, sand and rock material (summarize here if applicable)	
Source of fill coming onto the property (if relevant and attach supporting documentation of weed free declaration)	
Provide a map indicating the following: <ul style="list-style-type: none"> • entry and exit points • administration area • clean down areas • quarantine/exclusion zones • Control points/areas • traffic routes • designated parking areas • material storage areas for soil, sand and gravel • silt trap location for top soil piles • Location of signage notifying clean-down requirements for site (on entry/exit) 	
Description of weed hygiene protocols to be undertaken for duration of works on site to ensure weeds not spread around or from property	e.g.: <ul style="list-style-type: none"> • Cleandown protocols for vehicle, machinery and equipment movement between clean and contaminated areas within the site and also entering or leaving the site. • disposing of waste at washdown sites • Vehicle and machinery inspection procedures.

	<ul style="list-style-type: none"> • Logbook to document sources and movement of material on or off site (soils, gravel etc.). Logbooks to document vehicle and machinery cleandown activities. • Other issues specific to project.
List of equipment that will be available on site at all times to: <ul style="list-style-type: none"> • enable clean-down measures to be undertaken • to undertake inspections 	
List of ways weed hygiene measures will be communicated to relevant on-site staff and contractors.	e.g.: <ul style="list-style-type: none"> • training • site induction • toolbox training.
What documents will be provided to operation staff?	e.g.: <ul style="list-style-type: none"> • summary of hygiene protocols • check lists • maps • list of available cleandown resources and locations • list of cleandown procedures • signage (WEED SEED RISK AREA – prior to undertaking work in this area report to the site office for procedures).
Inspection, monitoring, auditing to be undertaken (scope, interval and responsibility)	e.g.: <ul style="list-style-type: none"> • Daily inspection of vehicles within each zone • random inspection of log books and washdown registers
Corrective action	e.g. equipment/vehicles failing inspections will be subject to be rewashed prior to certification
List of records to be maintained and person responsible	e.g.: <ul style="list-style-type: none"> • washdown logs for vehicles/plant/equipment • record of inspections/monitoring undertaken • induction and training records • incoming and outgoing soil, gravel and sand delivery details (source and delivery locations; type of material; known contaminants). • incident reports and corrective action • noncompliance reports.
Identify the review period for this Weed Hygiene Plan	As a minimum, the plan should be reviewed prior to initiated each subdivision stage.

For further information, refer to Section 4 of [Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania.](#)

APPENDIX E – WEED HYGIENE PRACTICES

Responsibility	<ul style="list-style-type: none"> Managers/Supervisors are responsible for the implementation of this protocol Drivers/Operators are responsible for ensuring their vehicles and machinery (unless exempt) has a valid weed hygiene inspection report
Inspecting your equipment	<p>Ensure all inspections are:</p> <ul style="list-style-type: none"> Documented in a vehicle or machinery logbook to demonstrate compliance with weed hygiene policies and protocols Undertaken in a safe location as per your organisations occupational health and safety guidelines.
Tools for inspecting equipment	<p>Where regular vehicle and machinery inspections are required, it is useful to keep a set of tools to assist you with the task. Weed seeds, plant material and soil can become lodged in areas that are hard to see and difficult to access. The following tools may help you:</p> <ul style="list-style-type: none"> Mirrors Tools to remove covers or guards (eg sockets, spanners) Torch Probe or rod Wire Safety glasses Gloves Tray and bags for contaminated material Books or identification guides Checklist for critical inspection points Camera
When to inspect	<p>Inspecting machinery, vehicles or equipment must be undertaken:</p> <ul style="list-style-type: none"> Before leaving the depot Before entering the site At designated clean down or check points when moving across the site Before leaving the site.
Checklists for inspecting your equipment	<p>Refer below to:</p> <ul style="list-style-type: none"> Table C1 for weed hygiene key inspection points for vehicle and machinery cleaning. Example vehicle/machinery weed hygiene inspection report. Vehicle/machinery specific information in Section 4 of Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania.
When to clean	<p>Cleaning machinery, vehicles and equipment must be undertaken:</p> <ul style="list-style-type: none"> After working in a weed infested area Before machinery, vehicles or equipment move between infested and clean areas on-site (including roadsides when slashing) Operating along riverbanks, roadsides, controlled access tracks or remote areas Transporting weeds or soil known to be infected with weed seeds or plant pathogen If the machinery is contaminated with weed seed or plant material Before leaving the site.
Considerations in selecting a cleaning site	<p>Cleaning areas must be fit for purpose and be:</p> <ul style="list-style-type: none"> Included on the site plan Close to the exit/entry points Mud free, to ensure machinery, vehicles and equipment is not recontaminated At least 30m from a waterway or drainage line Clear of sensitive vegetation or wildlife habitat On level ground to reduce run-off (if there is extensive run-off the area may need to be bunded and a sump constructed to safely dispose of the effluent)

	<ul style="list-style-type: none"> • Adequate space for vehicle manoeuvring • Clear of potential hazards e.g. power lines • Free from fuel, oils or grease.
Methods for cleaning	<p>Depending on the conditions a combination of the following methods may be required:</p> <ul style="list-style-type: none"> • Hand removal of plant seed or material • Washing with a high-pressure hose – particularly for when work is undertaken in wet or damp conditions (more suitable to depot washdowns) • Air blasting – suitable in dry conditions • Vacuuming – removing plant materials from machinery and vehicle interiors. <p>For more detailed information on cleaning equipment and disinfectant guide, refer to Section 4 of Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania.</p>
Disposing of waste at wash down sites	<p>If weed material cannot be safely disposed of on-site (eg. deep burial) then alternative means of disposal should be identified. This may involve arranging for incineration, deep burial or composting at a refuse centre. Where this material requires transportation from one site to another a permit may be required.</p>
Logbooks	<p>Following inspection and clean down, all records should be entered into a vehicle or machinery logbook. The logbook should include:</p> <ul style="list-style-type: none"> • Driver details • Date and time • Site details and uses • Record of inspection and clean down activities for the vehicle or machine.

Sources:

[Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania.](#)
[Best practice serrated tussock weed hygiene guide, Victorian Serrated Tussock Working Party 2020](#)

Appendix E - Table E1 Weed Hygiene - key inspection points for vehicle and machinery cleaning

Cabin	Underside & other parts	Track area	Wheels & Steering	Blades & Buckets	Lights & accessories	Arms/Booms	Engine	Attachments
Carpets	Guards & belly plates	Shoe	Treads	Front & back of cutting edge	Lights	Pivot points	Chain cases	Tyres & rippers
Mats	Chassis rails & brackets	Links	Outside and inside rims	Teeth	Toolbox	Hydraulic rods	Plates	Support frame
Foot wells	Recesses	Sprockets	Wheel arches	Pivot points & trunnions			Radiator fins & grille	Hydraulic hoses
Pedals	Swing drive area	Idler wheels	Mud flaps	Turning circle			In between the cooling cores	
Controls	Around counter weight	Track adjuster guards	Brackets & brake	Hydraulic rods			Engine Mounts	
Seats	Around fuel tank	Lubrication points	Steering components	Inside and back of the bucket			Recesses in the engine manifold	
Air conditioner filter	Axle housing	Inside the track area		Hydraulic hoses			Floor of the engine	
External surrounds	Ledges gaps or crevices in the body including damaged areas where dirt may lodge			Area where the cutting edge is fixed			Air filter	
				Cutting edge			Battery box	
				Wear plates				
				Pivot points				

Appendix E – Example vehicle/machinery weed hygiene inspection report

Date:		Type:	
Time:		Make/Model	
Inspecting personnel:		Registration:	
Inspection location:		Origin:	
Owner:		Destination:	
Notes:			

ITEM	Pass	Fail	N/A		Remedial action taken (e.g. wet wash, dry wash, vacuum)	Pass	Fail	N/A
Cabin								
Underside								
Track area								
Wheels & Steering								
Blades & buckets								
Lights & accessories								
Arms/booms								
Engine								
Attachments								
Other (specify)								
Other (specify)								
Other (specify)								

The vehicle including attachments was inspected and found to be clean and free of weeds ☐

INSPECTORS NAME	INSPECTORS SIGNATURE

A copy of this report must be kept within the vehicle. The report must be available to view upon request.

This inspection report has been completed on the machine/vehicle defined above to confirm that the item has been methodically cleaned in order to reduce the possibility of the transfer of weed seeds. Whilst all care has been taken in the inspection, the inspector nor the employees accept any responsibility or liability for any weed contamination which may occur as a result from any inaccuracy or omission resulting from this inspection.

APPENDIX F – GENERIC WEED AUDIT FORM

Audit ID						
WMP Reference						
Previous audit references						
Audit location						
Auditors name/organisation						
Land owner						
Client						
Contractor						
Date of this audit						
Date of last audit (if relevant)						
Audit Scope						
Audit Objectives						
Audit methodology						
Phase of works						
Date works commenced at this site						
Expected completion date						
Weather, ground conditions						
Limitations						
Item	Audit Criteria	Comments/Assessment	Further requirements	Timing	Responsibility	Estimated Cost
1	WMP Action #1					
2	WMP Action #2					
3	WMP Action #3					
13	New or modified WMP action required					
14	Have actions identified in previous audit(s) been undertaken					
<u>Summary of observations and findings</u>						

Auditor: Signature:

CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN

10
December
2024

12,15,16&17 Dylan Street, Brighton - Filling

PREPARED FOR DOURIAS GROUP HOLDINGS

REPORT PREPARED FOR:

Dourias Group Holdings.

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INTRODUCTION..... 3

LIMITATIONS AND DISCLAIMER..... 3

STANDARD 3

PROJECT DESCRIPTION 3

 Project Timeframes.....3

 Construction Methodology & Materials.....3

 Operating Hours.....4

SITE DETAILS 4

 Surrounding Area and Stakeholders5

RESPONSIBILITY 5

 Implementation.....5

 Monitoring and auditing.....6

OTHER RELATED APPROVALS AND CONTROLS..... 6

 Council Permits6

 Emergency management.....6

 OH&S management6

ENVIRONMENTAL MANAGEMENT..... 6

SITE SPECIFIC CONTROLS 24

CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN

12,15,16&17 DYLAN STREET, BRIGHTON - FILLING

INTRODUCTION

Poortenaar Consulting has been engaged by Dourias Group Holdings to prepare a design and development application for filling his properties at 12,15,16 & 17 Dylan Street, Brighton. This CEMP has been prepared in support of the development application which is to be lodged with Brighton Council for assessment.

LIMITATIONS AND DISCLAIMER

The recommendations contained within this plan are based on the known issues. It is the responsibility of the contractor to maintain the plan and amend it as required.

The effectiveness of the management measures and recommendations provided in this report are dependent on their effective implementation and maintenance for the duration of the construction period or until such time as the site conditions are substantially stabilized.

STANDARD

This Construction Environment Management Plan is prepared in accordance with DSG General Specification G10 - Construction Environment Management Plan.

PROJECT DESCRIPTION

An area along Hove Way is zoned Light Industrial as part of the Brighton Highway Service precinct. It is proposed to import and compact fill to form level platforms to enable development

Project Timeframes

Works have started as Taswater have been stockpiling fill on the site. the duration of the filling is not known as it will depend on the availability of fill but it is anticipated it will take a couple of years.

Phase 1 by Taswater is for 10,000m3 of fill. It is expected to be complete in February 2025.

Construction Methodology & Materials

Works include:

- Temporary access road,
- Soil and water mnanagement
- Carting fill to the site
- Preparing the surface by stripping any topsoil and benching

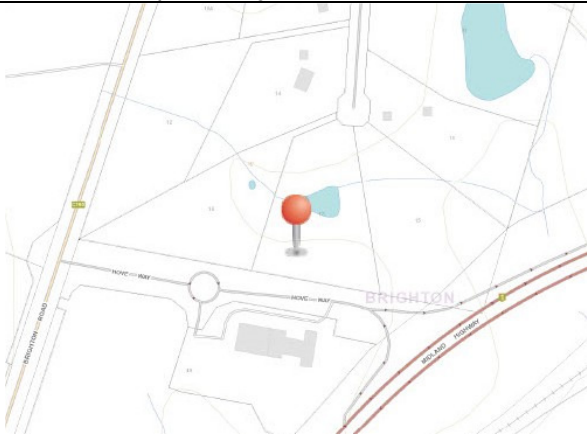
- Mixing, spreading in 400mm layers,
- Compaction
- Grading surface and trimming batters
- Temporary stabilization with topsoil and hydro mulch


The construction methodologies and materials are typical for municipal works in Tasmania. The works will be undertaken generally in accordance with DSG, municipal and water industry standards. The works will be undertaken by experienced Tasmanian contractors that are familiar with the standards, legislation and their obligations in respect to safety and the environment.

Operating Hours

Onsite working hours will be subject to any development application (DA) or Council conditions but will generally be undertaken as follows: Monday to Friday between 7am and 6pm.

SITE DETAILS

Landowner	Dourias Group Holdings
Site location map	<div><p>Figure 1. Site location. Site boundary - red.</p></div>

Aerial view of the site	 <p>Figure 2. Aerial view of the site .</p>
Property address	12, 15, 16 & 17 Dylan Street, Brighton, TAS 7030
PID	2599096, 2599088, 2599061
Title Reference	143361 /8,9,10,12
Site area	2.68 (Light Industrial area)
Planning Scheme	Tasmanian Planning Scheme (TPS) – Brighton
TPS Zoning	Light Industrial
TPS Code overlay	Bushfire No watercourse protection area over watercourse
Existing services	Irrigation main along southern boundary Domestic water supply off Dylan Street
Access	Existing driveways off Dylan Street
Existing elevation	40-56m AHD
Catchment details	Jordan River

Surrounding Area and Stakeholders

Rural residential to North. Roads around other sides.

RESPONSIBILITY

Implementation

This Construction Environment Management Plan will be the overarching document for the site.

During the duration of the project there will be a number of different contractors.

The contractor will have a designated person responsible for environment (often safety and environment). This person will report to the Superintendent for the project at the regular contract meeting.

Monitoring and auditing

The Superintendent will monitor Environmental controls and incidents on an ongoing basis. This will include a number of hold points:

- Environment Controls in place prior to commencement of any new phase of construction.
- Environmental controls at practical completion
- Environmental controls at end of maintenance period.

The Superintendent will audit the contractors environmental documentation on a quarterly basis or as required.

The superintendent may issue Non-conformance notices (NCR) (minor or major) under the contract. The contractor will be required to respond to the NCR with incident report that will include corrective actions and 'Root causes' to enable learnings from incidents.

OTHER RELATED APPROVALS AND CONTROLS

Council Permits

Works will be required to be conducted in accordance with the planning permit issued and the DA documentation.

Emergency management

The contractor shall have an emergency response procedure covering all plausible emergencies.

OH&S management

The contractor shall have an OH&S policy and Standard Operating Procedures (SOPs) and site-specific hazard assessments prepared.

ENVIRONMENTAL MANAGEMENT

The Environmental Protection Guidelines (EPGs) below, list the specific environmental management measures that must be implemented in order to mitigate against potential adverse impacts upon the environment.

Table 1. EPG 1: General

Item	Issue	Management measures	Check	Compliance Notes
1	Vehicle areas	Vehicles and equipment must stay within the designated work area and access roads.		
2	Works footprint/exclusion zones	No disturbance is permitted outside the designated work areas.		
3	Pets and guns	Pets and guns are prohibited from the site.		
4	Inductions	<p>All new staff, contractors and visitors to the site must be given a site induction including but not limited to:</p> <ul style="list-style-type: none"> • Safety • Site familiarization • Works area and exclusion zones • Environmental considerations • This CEMP 		
5	Toolbox meetings	Minimum weekly toolbox meetings will be held to maintain worker knowledge about current and upcoming construction activities, and changes to circumstances and any new or emerging environmental risks arising from ongoing or planned construction activities		
6	Construction drawings	Site specific environmental controls from this CEMP will be marked on construction drawings.		

Table 2. EPG 2: Clearing

The site is pasture. Clearing is limited to weeds, rubbish piles and fencing.

Item	Issue	Management measures	Check	Compliance Notes
1	Vegetation to be cleared and retained	Only vegetation within the designated construction zones may be cleared.		
2	Construction and exclusion zones	Construction zone boundaries must be shown on construction drawings and delineated on the ground.		
3	Previously undetected discoveries	If potential threatened fauna, flora or heritage is discovered then it shall be marked off with an exclusion zone and referred to the Superintendent for investigation by a specialist.		
4	Clearance minimization	Vegetation clearance must be minimized as much as practical.		
5	Retained vegetation	Retained vegetation is to be protected by an exclusion zone to prevent disturbance or compacting of drip zone. <i>N.B. Refer to permit condition #4 regarding retaining standing oak trees</i>		
6	Vegetation stockpiling	Cleared vegetation should be stockpiled clear of other vegetation to be retained and should be reused as mulch where possible.		

Table 3. EPG 3: Topsoil management

Item	Issue	Management measures	Check	Compliance Notes
1	Topsoil salvaging	All topsoil shall be carefully stripped, handled and stockpiled to maximize reuse.		
2	Saturated soils	Avoid stripping or handling topsoil in wet conditions.		
3	Stockpiling	Topsoil shall be graded so that contaminated topsoil is treated separately from clean topsoil.		
		Topsoil shall be stockpiled separately from other materials and vegetation.		
		Locate piles of topsoil away from neighboring residential properties to prevent dust nuisance.		
		Stockpiles shall be clear of flowpaths and be surrounded by sediment fence where necessary.		
4	Maintain soil structure	Handling should be minimized. Soils shall be lightly compacted only		
5	Soil Stability	Topsoils shall be placed and seeded in early autumn or early spring and irrigated if required in order to rapidly establish grass and prevent wind or water erosion		
6	Topsoil movement	No topsoil will enter or leave the site.		

Table 4. EPG 4: Waste management

Item	Issue	Management measures	Check	Compliance Notes
Solid Inert Wastes				
1	Builders waste	Builders waste and the like shall be stockpiled and removed to a suitable waste facility.		
2	Salvageable waste	Reusable and recyclable waste must be stockpiled separately and transported to a suitable site for salvage.		
3	General Refuse	General refuse will be stored on site in bins and removed periodically to a municipal waste transfer station.		
		Cover bins or use front lift bins to reduce litter escaping		
Liquid Inert Wastes – surface water drainage and ground water				
4	Drainage	Runoff will be managed in accordance with the SWMP to minimize ponding, mud and erosion.		
Hazardous wastes				
5	Legislative obligations	Hazardous waste shall be managed in accordance with relevant regulatory requirements and standards.		
6	Sewage	Portable toilets will be used. Waste will be removed by an authorized sewage waste transporter.		
7	Chemicals	All waste chemicals shall be stored appropriately and collected for safe transport off site to an authorized facility for disposal/treatment.		
8	Hydrocarbons	Hydrocarbon waste shall be collected for safe transport off site to an authorized facility for disposal/treatment.		
9	Spill trays and bunding	Hazardous waste storage areas must be suitably designed to adequately contain any spills within an impervious tray or bund.		

10	Contaminated soils	In the event of a spill, any hydrocarbon contaminated soils shall be immediately removed off site to an authorized facility for disposal/treatment. The EPA must be notified within 24 hours of a spill that causes environmental nuisance or harm.		
		Contaminated soils must be managed according to their location, their concentration of contaminants, their tendency to leach and extent of area affected. Appropriate disposal options must be determined in consultation with the relevant environmental protection authorities.		

Table 5. EPG 5: Reinstatement and Rehabilitation

Item	Issue	Management measures	Check	Compliance Notes
1	Progressive reinstatement	Temporary disturbed areas or areas where construction is completed shall be reinstated as soon as practical.		
2	Re-profiling	Any flowpaths disturbed by construction shall be restored to the original or stable profile.		
3	Crowning over trenches	A low crown over backfilled trenches to compensate for settlement and prevent water following the trench line is recommended.		
4	Imported topsoil	NA		
5	Seedstock resspreading	Stockpiled topsoil, turf and seedstock shall be resspread as soon as practical to assist natural regeneration of existing grasses.		
6	Reseeding	Additional new seed shall be applied where natural regeneration is less successful.		
7		Seed shall be appropriate for the area and conditions.		
8	Fertilizer	Rehabilitated areas shall be fertilized with a suitable general purpose fertilizer.		

Table 6. EPG 6: Soil and Water Management

Item	Issue	Management measures	Check	Compliance Notes
Soil and water management				
1	Soil and water management	Soil and water management shall be undertaken in accordance with Tasmanian Subdivision Guidelines' Clause 16 – Erosion and Sediment Control during Construction		
2	Site specific plans	Not necessary.		
3	Pre-commencement holdpoint	The SWMP system will be required to be established prior to commencement.		
4	Maintenance	The SWMP shall be maintained including cleaning out sediment.		
5	Monitoring	The effectiveness of the SWMP shall be monitored and adjusted if required. Discharge water quality shall be monitored.		
6	Storm events	The system shall be inspected after each storm event to monitor effectiveness and identify areas needing reinstatement.		
7	Removal	The SWMP shall be removed once all surfaces are stabilized.		
Water Management				
8	Clean water diversion	NA		
9	Stabilize drains	Open drains are to be graded where possible at 1% to 5% grade. Steeper drains should be stabilized with rock or check dams.		
10	Minimize discharge	NA		
Erosion control				
11	Minimize exposed areas	The area of soil exposed to rain and surface flow shall be minimized by stabilizing with gravel, installing drainage systems.		
Sediment control				

12	Sediment fence	Sediment fences shall be used across concentrated flowpaths or sheet flow paths where sediment may be mobilized.		
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Table 7. EPG 7: Heritage

Item	Issue	Management measures	Check	Compliance Notes
Unanticipated discovery during construction				
1	Discovery of Aboriginal Cultural Heritage material	If an Aboriginal relic is suspected during construction works then activities must cease in the vicinity.		
		A buffer zone of 10m x 10m should be established around the suspected heritage item with no unauthorized access.		
		Suspected heritage finds shall be reported to the Aboriginal Heritage office Tasmania.		
2	Skeletal Remains	If skeletal remains are discovered local police must be notified. Skeletal remains shall not be touched or disturbed. It is a potential crime scene and tampering with a crime scene is a criminal offence.		
		Any person who believes they have uncovered skeletal remains should notify all employees or contractors that are working in the area that all earth disturbance works must cease immediately.		
		A buffer zone of 50mx50m must be established around skeletal remains. No unauthorized access until the remains have been assessed.		
		Should the skeletal remains be determined to be of Aboriginal origin, the Coroner will contact an Aboriginal organization approved by the Attorney-General, as per the Coroners Act 1995.		
3	Discovery of European Heritage Material	All project excavation activity will be restricted to the confines of the Project Area to avoid any disturbance of unknown European Heritage sites.		
		If potential European Heritage objects are found during construction works, they shall be salvaged and managed according to advice from a suitably qualified archaeologist.		

Table 8. EPG 8: Dust and Air Emissions

Item	Issue	Management measures	Check	Compliance Notes
1	Dust control	Areas of exposed soil at risk of generating dust from wind or vehicles shall be treated with water application.		
2	Vehicle speeds	Vehicle speeds shall be restricted to 40km/hr on construction site roads.		
3	Vehicle and plant maintenance	Vehicles and plant shall be maintained and monitored to minimize emissions.		
4	Stockpiles	Stockpiles of soil at risk of generating dust from wind could be watered on windy days or covered. Locate piles of topsoil away from neighboring residential properties to prevent dust nuisance.		
5	Temporary halts	If activities on dry windy days are causing excessive dust that is unable to be controlled with water then that activity (truck movements) should cease.		

Table 9. EPG 9: Weeds, pests and diseases

The site has a large amount of boxthorn and briar rose.

Item	Issue	Management measures	Check	Compliance Notes
Weeds				
1	Imported topsoil or mulch	No imported topsoil or mulch is proposed. If any topsoil is imported then it shall be certified weed free.		
2	Imported materials	Imported quarry products, plants or other materials are to be sourced from a quarry or nursery currently certified as weed, <i>Phytophthora</i> and other known pathogen free.		
3	Machinery	All machinery transported to the site will be cleaned at the previous site and accompanied by weed hygiene documentation. Machinery should also be cleaned prior to leaving the site.		
4	Weed management	The site and regeneration areas are to be monitored for weeds and the weeds controlled by a weed specialist. Refer to site specific Weed Management Plan for specific weed management control issues		

Table 10. EPG 10: Bushfire Management

Item	Issue	Management measures	Check	Compliance Notes
Preparedness				
1	Bushfire Emergency Plan	The contractors Safe Work Procedures shall cover bushfire emergency and be communicated to all workers and visitors.		
2	Compliance with fire restrictions.	All fire restrictions, permitting procedures issued by TFS shall be monitored and adhered to.		
3	Total fire ban days	Construction activities that pose a fire risk shall be discontinued on total fire ban days. If there are any fires in the vicinity, then the site should be evacuated.		
4	Work scheduling	Construction activities that could generate sparks shall be scheduled to avoid high fire danger days.		
5	Hot work arrangements	Hot works should be undertaken on hardstand areas away from vegetation or fire resistant mats used.		
6	Fuel reduction and fuel management areas	The site surrounds should be maintained in a fuel reduced condition by mowing or removing fuel.		
7	Machinery maintenance	Machinery must be maintained and operated with the relevant standards to minimize fire risk.		
8	Machinery parking	Machinery and vehicles should be parked in designated areas which are in a fuel reduced condition.		
9	Access	Roads shall be maintained so that they do not obstruct access by fire fighting equipment.		
10	Security	The various sites and parked machinery shall be secure and monitored to reduce the risk of arson.		
Response				
11	Fire fighting equipment in vehicles	Vehicles and machinery should be equipped with fire extinguishers as a minimum.		

12	Training	The workforce and operators are to be briefed and trained on response, responsibilities, safety and prevention in the event of a bushfire.		
13	Fire fighting	Fire fighting by the workforce is only expected for basic fire suppression of small fires or to protect life. Fighting of large fires should be left to the TFS.		
14	Assembly point	Assembly shall be at parking area near canal bridge for briefing in the event of the fire		
15	Evacuation	Evacuation shall be south to the hotel.		
16	Communication	Any fire that is not able to be extinguished immediately is to be reported to the site fire warden who will report it to the TFS.		
		The fire warden will assemble staff and direct evacuation if required.		

Table 11. EPG 11: Hazardous materials

Item	Issue	Management measures	Check	Compliance Notes
Fuel and chemical storage				
1	Storage	The storage and handling of fuels, chemicals and explosives (if applicable) must comply with requirements of the National Code for the Storage and Handling of Workplace Dangerous Goods. (NOHSC) and H1 Storage and handling of Hazardous materials		
		Spill trays and bunds in fuel storage and refueling areas must be capable of containing 110% of the total volume of the contained hazardous good.		
2	Handling	Equipment maintenance and refueling must occur within an appropriately bunded area(s).		
		Where practical fuels and chemicals should not be stored or handled in the vicinity of natural or built waterways or ponds.		
		Appropriate fuel and chemical handling procedures must be adopted aiming to avoid spills onto land (eg use of spill mats) and workforce training undertaken.		
3	Spill response	Appropriate spill response kits including containment and recovery equipment must be carried on fuel tankers and stored on site in accordance with H2 Spill Kits.		
		Spill response procedure training must be provided to site workers.		

Table 12. EPG 12: Earthworks

Item	Issue	Management measures	Check	Compliance Notes
1	Standards	Earthworks are to be planned and undertaken efficiently in compliance with DSG standard R22		
2	Setout	Earthworks including stripping, excavation and fill areas are to be clearly setout to minimize unnecessary disturbance.		
3	Soil and water management	Undertake soil and water management in accordance with EPG6 to avoid erosion and sedimentation and contamination of water.		
4	Scheduling of earthworks to protect subgrade	Schedule earthworks for drier part of year and cover exposed subgrade with gravel pavement to protect it from water and rutting.		
5	Minimize double handling	Schedule construction so that suitable excavated materials that are able to be used as fill are able to be placed and compacted without stockpiling and double-handling.		
6	Excavation dewatering	Ensure appropriate dewatering equipment and discharge ponds are available to dewater excavations that may fill during wet weather.		

Table 13. EPG 13: Emergency management

Item	Issue	Management measures	Check	Compliance Notes
1	Contractors Emergency Plan	As part of their accreditation each Contractor will be required to show their Emergency Plan prepared in accordance with G10 Emergency Response Plan		
2	Dial 000	In the event that an emergency occurs and emergency authorities are required to attend first ring '000'.		
3	Safety	In an emergency event the construction team is to ensure their own safety first prior to providing any assistance		
4	Reporting	The Superintendent/site manager is to be notified as soon as practical of the incident.		
		The contractor will then report in detail on the nature, cause, response and outcomes of the incident.		

Table 14. EPG 14: Public Relations

Item	Issue	Management measures	Check	Compliance Notes
1	Prevent nuisance	The contractor should be considerate of adjacent residents and minimize noise, dust, odour, vibration etc. Privacy should be respected.		
2	Resident notification	Residents shall be notified prior to works commencing		
3	Hours of operation	Adherence to hours of operation		
4	Maintain access and services	Access and supply of services such as water, power, telecom are to be maintained to existing residents and stakeholders. Any interruptions are to be minimized and 24 hours notice provided.		
5	Safety	Where residents and users must pass through the construction site particular this shall be managed to ensure their safety.		
6	Dilapidation report	The contractor shall arrange a dilapidation report for adjacent infrastructure prior to construction.		
		Vibration from compaction and rockbreaking shall be monitored and minimized close to any existing dwellings		
7	Complaints	The contractor shall keep a register of any complaints and shall inform the Superintendent		
8	Courtesy and discretion	All staff and subcontractors shall be courteous to the public. All staff and subcontractors shall avoid providing any information to the public but shall direct any queries to the supervisor.		

SITE SPECIFIC CONTROLS

To be completed by construction management team. Attach relevant sketch plans showing management measures.

Table 14. Clearing/stripping

Applicable EPGs						
EPG1. General	✓	EPG5. Reinstatement and Rehabilitation	✓	EPG 9. Weeds, pests and diseases	✓	
EPG2. Clearing	✓	EPG6 Soil and water management	✓	EPG 10. Bushfire management	✓	
EPG3. Topsoil	✓	EPG7. Heritage	✓	EPG11. Hazardous materials		
EPG4. Waste management		EPG8. Dust and other air emissions	✓	EPG 12. Excavations		
EPG13 Emergency	✓	EPG14 Public relations	✓			
Site specific issues and controls						
ID	Issue	Potential impacts	Controls	Responsibility	Checked	Closed out

Table 15. Trenching/pipeworks

Applicable EPGs						
EPG1. General	✓	EPG5. Reinstatement and Rehabilitation	✓	EPG 9. Weeds, pests and diseases		
EPG2. Clearing		EPG6 Soil and water management	✓	EPG 10. Bushfire management		
EPG3. Topsoil		EPG7. Heritage		EPG11. Hazardous materials		
EPG4. Waste management	✓	EPG8. Dust and other air emissions		EPG 12. Excavations		✓
EPG13 Emergency	✓	EPG14 Public relations	✓			
Site specific issues and controls						
ID	Issue	Potential impacts	Controls	Responsibility	Checked	Closed out

Table 16. Earthworks/Pavement works

Applicable EPGs						
EPG1. General	✓	EPG5. Reinstatement and Rehabilitation	✓	EPG 9. Weeds, pests and diseases	✓	
EPG2. Clearing		EPG6 Soil and water management	✓	EPG 10. Bushfire management		
EPG3. Topsoil		EPG7. Heritage		EPG11. Hazardous materials		
EPG4. Waste management		EPG8. Dust and other air emissions	✓	EPG 12. Excavations	✓	
EPG13 Emergency	✓	EPG14 Public relations	✓			
Site specific issues and controls						
ID	Issue	Potential impacts	Controls	Responsibility	Checked	Closed out

Table 17. Concrete works

Applicable EPGs						
EPG1. General	✓	EPG5. Reinstatement and Rehabilitation		EPG 9. Weeds, pests and diseases		
EPG2. Clearing		EPG6 Soil and water management	✓	EPG 10. Bushfire management		
EPG3. Topsoil		EPG7. Heritage		EPG11. Hazardous materials		✓
EPG4. Waste management	✓	EPG8. Dust and other air emissions		EPG 12. Excavations		
EPG13 Emergency	✓	EPG14 Public relations	✓			
Site specific issues and controls						
ID	Issue	Potential impacts	Controls	Responsibility	Checked	Closed out



Submission to Planning Authority Notice

Application details

Council Planning Permit No.	DA 2024/233
Council notice date	18/02/2025
TasWater Reference No.	TWDA 2025/00146-BTN
Date of response	04/03/2025
TasWater Contact	AI Cole
Phone No.	0439605108

Response issued to

Council name	BRIGHTON COUNCIL
Contact details	development@brighton.tas.gov.au

Development details

Address	12 DYLAN ST, BRIGHTON
Property ID (PID)	2599117
Description of development	Filling of Land to Create Level Platforms

Schedule of drawings/documents

Conditions

Pursuant to the *Water and Sewerage Industry Act 2008 (TAS)* Section 56P(1) TasWater does not object to the proposed development and no conditions are imposed.

Advice

While the subject land does not currently contain TasWater assets or infrastructure, the proposed fill should be engineered and placed to allow for the future installation of water and/or sewer infrastructure to service future development.

Angela Turvey

Subject: Request for funding for the Butterflies and Boots Gala Ball 31 May.

From: Ondine Adey <ondine12@hotmail.com>

Sent: Tuesday, 13 May 2025 8:20 PM

To: Kylie Murphy <Kylie.Murphy@brighton.tas.gov.au>

Subject: Request for funding for the Butterflies and Boots Gala Ball 31 May.

Caution: This is an external email and may be **malicious**. Please take care when clicking links or opening attachments.

Hi Brighton Council,

I am writing to you on behalf of the **Butterflies and Boots** team who are holding a function to celebrate victim survivors of Domestic and Family Violence.

I understand we may have missed the deadline to apply for a council grant, but I am reaching out in the hope you may be able to support this inaugural event.

Did you know May is designated as Domestic and Family Violence Prevention Month in Australia? To our knowledge nothing like this has been delivered in Tasmania before.

Why butterflies and boots?

Butterflies symbolise, transformation, rebirth, personal growth, hope, freedom, change, and joy.

Boots represent grounding, stability and resilience. The tougher the boot, the more difficult the path it can handle, mirroring our capacity to overcome hardship and maintain stability even in the most challenging circumstances.

Call out for donations of \$500 funding to help cater food and drinks for the event.

When: Saturday 31st May 6.00 pm - 10.00 pm

Where: Brighton Civic Centre, Green Point Rd, Bridgewater.

This event celebrates the women in our communities who have experienced domestic and family abuse while raising awareness of DFA within the wider community. It will be an uplifting and affirming event that will provide women the opportunity to enjoy themselves in a safe space. This is a women only event. Butterflies and Boots are delivering this event without any grant or other source of funding. Only relying on donations and offers of volunteer support.

The team are still trying to secure the following:

- offers of **Vouchers** to go towards lucky door prizes

offers of **cash donations** to go towards catering our event

It is important for you to know that this event is being organised by 2 women with lived experience. One an adult child of a mother murdered by her abusive ex partner; the other experienced an abusive relationship in her late teens and early twenties over 30 years ago. 2 passionate women from different generations determined to make generational change for women and children to come.

I look forward to hearing from you.

Kind regards,

Ondine Adey
Butterflies and Boots volunteer
PH: 0431135112



15/04/2025

Butterflies and Boots

ABN 13 203 468 783

butterfliesandboots44@gmail.com

0457270064



Dear Brighton Council,

we are writing to request a fee waiver for hire of the Brighton Civic Centre for Saturday 31st May, 9.00 am until 11.00 pm. We are hoping to utilise the main hall, the theatre and the kitchen.

We are planning a Gala Ball for women who have experienced domestic and family abuse and violence. This event is being held in honour of all the women and children who have experienced domestic and family abuse. It is to be an uplifting celebration of the resilience and tenacity of women and children.

We want to nurture women who have experienced abuse and provide a safe, enjoyable space and event for them to feel wonderful, acknowledged and respected. We want to banish the shame associated with DFA and raise awareness of the impacts of DFA not just on individuals but on communities as a whole.

We the organisers both have lived experience – Nicki, a relationship in my late teens and early 20s and Kira – I lost my mother Jacqui Purton 2 years ago to her abuser taking her life by running her down in a car.

I am (Nicki) a family support worker with Uniting for 2 1/2 years supporting women who have experienced abuse; Kira – I am studying in order to work in this sector to make a difference and I have a dream of establishing a youth hub for children impacted by DFA.

As part of the event we are seeking nominations for 20 women who have experienced DFA. We opened this up just over 4 weeks ago and we already have 18 women nominated.

We are providing them a nurturing afternoon which will then be followed by the gala ball which will be open to the general public. We will provide the 20 women, hair, makeup and nails professionally done; a gown and accessories; a wellness pack; child care and transport if needed.

We aim for this to become an annual event. After this year we will be seeking NFP and corporate sponsorship, but this year we are hoping for donations and other in kind support. To date we have a beauty salon; a few op shops – including Hobart City Mission; and some individuals already offering their support, mainly around the provision of formal outfits for the women and makeup and hair support. Hobart Rotary are funding the wellness packs.

The response we have had via messenger and emails has been incredible – people think this is an amazing idea and they want to support it. Even to the point where we have had a lady nominated by her friend who both live in SA – these 2 women are flying to Tassie to attend the event! And now this lady is talking about doing something similar in SA next year. Our FB page that we set up just for this event has obtained nearly 200 followers in 5 weeks of being live.

A source of funding that we hope to secure this year is via offering 20-30 by invitation tickets that we will sell for \$100 each. We have 11 tickets sold and a couple of cash donations. The bulk of the tickets however will only be \$20 or free depending upon people's circumstances – we want it to be mainly for women in our local communities.

The money raised from ticket sales will go towards providing food and drink for the afternoon participants and for attendees at the ball; and costs related to the provision of child care and transport

At present we have no grant funding or significant offers of cash funding. Hence our request for a fee waiver.

We also plan to establish ourselves as a registered NFP – but due to the complexities around this we have just run out of time this year.

Obviously if council are able to support us in this, we will publicly thank Brighton Council through our socials – and be extremely grateful!

I, (Nicki), really value the support that Council has shown towards past activities I have undertaken within my role with Uniting – in particular providing the civic centre without charge for the music event in October of last year.

The Civic Centre is a fabulous venue and it is truly wonderful how accessible council make it for people working and living in the community.

Please get in touch with us if you require further information.

Warmest of wishes,

Nicki Kastner and Kira Robertson





Risk Appetite Statements

Brighton Council

March 2024

Contents

1. Executive Summary.....	1
• Risk Appetite Distribution	2
2. Risk Appetite Summary	3
• Table 1 – Risk Appetite Levels and Definitions	3
• Table 2 – Summary of Council's Risk Appetite Positions	4
3. Risk Appetite Statements	5
4. Conclusion.....	9
• Next Steps	9
5. Contacts	9

Section 1

Executive Summary

Risk Appetite is an articulation of an organisation's willingness to take, retain or accept risk and, because it operates at Strategic and Operational levels, it is an integral part of any risk management capability. In order to influence strategies and objectives it should be considered and reviewed during Strategic Planning. Additionally, risk appetites are a key influence, along with the cost/benefit of mitigation considerations, when determining the Target Risk Ratings of specific risks. Understanding and applying effective Risk Appetite considerations is highly beneficial in managing risk.

Brighton Council ("Council") has articulated its appetite for taking, retaining or accepting risk through qualitative Risk Appetite Statements that are based on nominated Risk Categories. Council has chosen to identify its risks within 10 Risk Categories that contain primary and secondary positions of Risk Appetites.

Through a workshop exercise involving the Councillors, the Executive Team and Directors, Risk Appetite levels have been determined for each of Council's Risk Categories. The Risk Appetite levels produced are based on an ordinal scale of four levels: **Avoid**; **Resistant**; **Accept**; and **Receptive**. In this order, the levels provide an indication of an increasing willingness to take, retain or accept risk, where Avoid and Resistant are considered more conservative, and Accept and Receptive are considered more risk-taking.

Council has a Primary Risk Appetite position that is considered moderately conservative. Of the ten Risk Categories, there are none with a primary risk appetite of Receptive and only two with a Primary Risk Appetite of Accept (20%). The remaining eight Risk Categories have a Primary Risk Appetite level of Resistant (60%) and Avoid (20%).

Seven of the ten Risk Categories have a Secondary Risk Appetite distributed across three of the four risk appetite levels (the exception being the Resistant level). **Six out of seven Risk Categories which had a Secondary position, shifted towards a less conservative appetite (Accept or Receptive) while a single risk had a more conservative Secondary Appetite (Resistant to Avoid).**

The three Risk Categories without a secondary position were Health and Safety, Environment, Heritage and Sustainability and Governance Legal & Compliance. Council did not require a Secondary Risk Appetite Statement for the aforementioned, as the primary rating reflected Council's position at all times towards mitigating threats towards these Risk Categories.

The distributions of Primary and Secondary levels of Risk Appetite for Council are illustrated in Diagrams 1 and 2.

Risk Appetite Statements provide guidance on Council's appetite for risk with regard to certain Risk Categories and should be used in conjunction with other variables during decision making, when taking, retaining or accepting risk.

Risk Appetite Distribution

Diagram 1 – Primary Risk Appetite distribution for Brighton Council

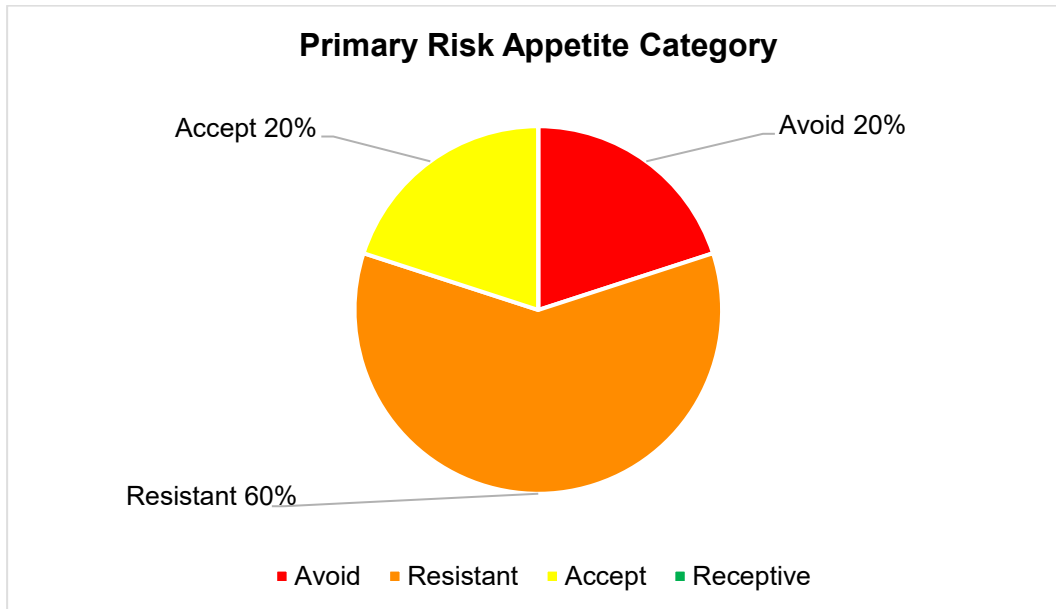
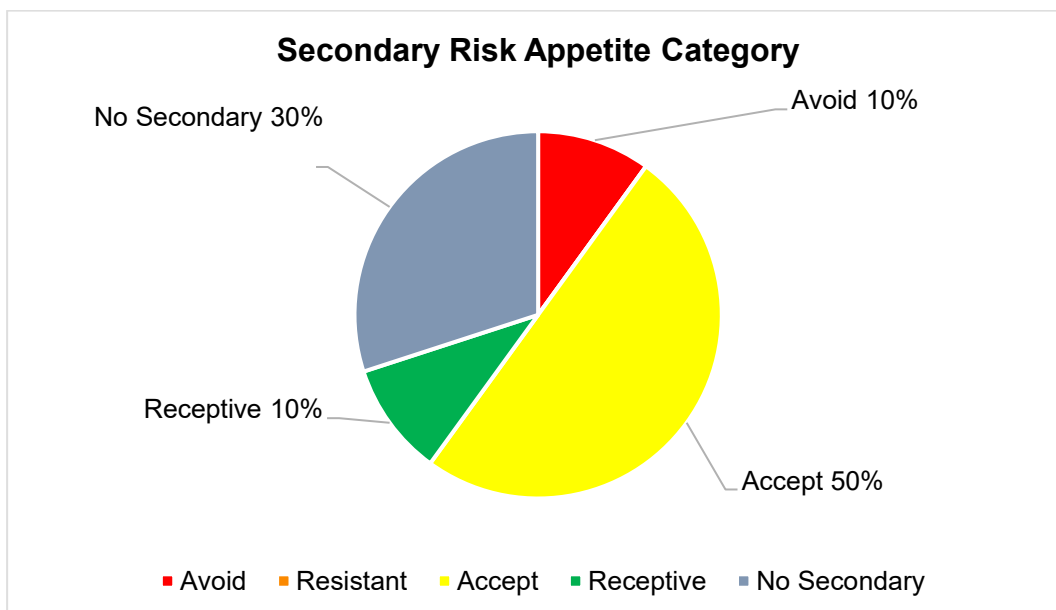


Diagram 2 – Secondary Risk Appetite distribution for Brighton Council



An important caveat to well-articulated qualitative Risk Appetite Statements is that they are, by their nature, not readily measurable (quantitative). In order to fully operationalise the concept of Risk Appetite, the development of several representative Risk Tolerance Metrics for each Risk Category is required. These tolerances will provide an adjustable and ongoing ability to measure whether Council continues to operate within its stated Risk Appetites.

Section 2

Risk Appetite Summary

The Risk Appetite Statements for Brighton Council are based on the amount of risk that the Council is willing to take, retain or accept in pursuit of its objectives over the life of the current Council Plan period. Appetites for risk can vary across the different operations in pursuit of Strategic Objectives. Therefore, Council's Risk Appetite Statements have been developed against each of Council's Risk Categories. These Statements use a four-level ordinal scale to indicate the amount of risk Council is willing to take, retain or accept for each category. Table 1 illustrates the four-level ordinal scale, with a definition for each.

Table 1 – Risk Appetite Levels and Definitions

AVOID	RESISTANT	ACCEPT	RECEPTIVE
(little-to-no appetite)	(small appetite)	(medium appetite)	(larger appetite)
Avoidance of adverse exposure to risks even when outcome benefits are higher	A general preference for safer options with only small amounts of adverse exposure	Options selected based on outcome delivery with a reasonable degree of protection	Engagement with risks based more on outcome benefits than potential exposure

Table 2, provides a summary of Council's Risk Appetite positions across its identified Risk Categories. Each category has one coloured cell, which represents the Primary Appetite position and one 'greyed' cell, which represents the Secondary Appetite position for those categories with an identified Secondary Appetite.

These positions are defined as follows:

Primary Appetite: indicates a general appetite for taking, retaining or accepting risk for the given risk category.

Secondary Appetite: indicates an appetite-by-exception position for taking, retaining or accepting risk in specific circumstances. It is not necessary for all risk categories to have a Secondary Appetite position.

Table 2 – Summary of Council's Risk Appetite Positions

Risk Category	Avoid	Resistant	Accept	Receptive
Financial Management		Primary	Secondary	
People & Culture		Primary	Secondary	
Health & Safety	Primary			
Reputational		Primary	Secondary	
Environment, Heritage & Sustainability			Primary	
Governance, Legal & Compliance	Primary			
IT & Cybersecurity	Secondary	Primary		
Infrastructure & Asset Management		Primary	Secondary	
Business & Service Delivery		Primary	Secondary	
Strategic Projects			Primary	Secondary


Section 3

Risk Appetite Statements


The tables below contain the Primary and Secondary Risk Appetite Statements for each Risk Category of Brighton Council. These statements are qualitative in nature and designed to provide an indication of Council's general position when deciding to take, retain or accept risk, in pursuit of its Strategic Objectives.

▲ ▲ ▲ ▲ ▲ - Indicates the Secondary Risk Appetite


Financial Management

	Level	Risk Appetite Statement
	Resistant	<p>To achieve its objectives, Council is Resistant to risk relating to its Financial Management activities and obligations. Council prefers safer options with only small amounts of adverse exposure.</p> <p>▲ However, in certain circumstances, Council will Accept options based on outcome delivery where there remains a reasonable degree of protection.</p>


People & Culture

	Level	Risk Appetite Statement
	Resistant	<p>To achieve its objectives, Council is Resistant to risk relating to its People & Culture. Council has a general preference for safer options with only small amounts of adverse exposure.</p> <p>▲ However, in certain circumstances, Council will Accept options based on outcome delivery where there remains a reasonable degree of protection.</p>


Health & Safety

	Level	Risk Appetite Statement
	Avoid	<p>In respect to outcomes relating to Health & Safety, Council will Avoid risk where possible. Council maintains an avoidance of adverse exposure to risks, even when outcome benefits are higher.</p> <p>▲ Council does not feel that a Secondary Risk Appetite is necessary for this Risk Category.</p>


Reputational

	Level	Risk Appetite Statement
	Resistant	<p>Council is Resistant to risk relating to its Reputational objectives. Council has a general preference for safer options with only small amounts of adverse exposure to the reputation of its people and organisation.</p> <p>▲ However, in certain circumstances, Council will Accept options based on outcome delivery where there remains a reasonable degree of protection.</p>

Environment, Heritage & Sustainability

	Level	Risk Appetite Statement
	Accept	<p>Regarding Environment, Heritage & Sustainability, Council has a medium appetite for risk in achieving its objectives, and will Accept exposures, based on outcome delivery with a reasonable degree of protection.</p> <p>▲ Council does not feel that a Secondary Risk Appetite is necessary for this Risk Category.</p>



Governance, Legal & Compliance

	Level	Risk Appetite Statement
	Avoid	<p>Council will Avoid risk where possible for matters relating to its obligations across Governance, Legal & Compliance. Council maintains an avoidance of adverse exposure to risks, even when outcome benefits are higher.</p> <p>▲ Council does not feel that a Secondary Risk Appetite is necessary for this Risk Category.</p>



IT & Cybersecurity

	Level	Risk Appetite Statement
	Resistant	<p>Council is Resistant to risk relating to its IT & Cybersecurity objectives. Council has a general preference for safer options with only small amounts of adverse exposure to its systems.</p> <p> However, in certain circumstances, Council will Avoid exposure to risk as much as practicable, to its IT & Cybersecurity systems.</p>


Infrastructure & Asset Management

	Level	Risk Appetite Statement
	Resistant	<p>Council is Resistant to risk relating to its Infrastructure & Asset Management. Council has a general preference for safer options with only small amounts of adverse exposure.</p> <p> However, in certain circumstances, Council will Accept options based on outcome delivery where there remains a reasonable degree of protection.</p>

Business & Service Delivery

	Level	Risk Appetite Statement
	Resistant	<p>Council is Resistant to risk relating to its Business & Service Delivery objectives. Council has a general preference for safer options with only small amounts of adverse exposure.</p> <p> However, in certain circumstances, Council will Accept options based on outcome delivery where there remains a reasonable degree of protection.</p>

Strategic Projects

	Level	Risk Appetite Statement
	Accept	<p>Regarding objectives associated with Strategic Projects, Council will generally Accept risks, where there remains a reasonable degree of protection.</p> <p>▲ However, in carefully evaluated circumstances, Council will be Receptive towards some risks, based more on outcome benefits than potential exposure.</p>

Conclusion

The Risk Appetites expressed in this document will provide guidance to decision-makers as to where Council's general position is with regard to the level of risk it is willing to take, retain or accept in pursuit of its objectives over the life of the current Council Plan period. The statements should be considered and reviewed during Strategic Planning and can be used as an influence when determining whether to increase or decrease control activity on specific risks, or whether to pursue opportunities.

Additionally, it is better practice to review the Risk Appetite Statements thoroughly at least on a semi-annual basis and also every time there is a substantial shift in Brighton Council's operating environment.

The development of Risk Appetite Statements will help Council to continue an upward trajectory towards risk management maturity, and ultimately facilitate a capability for robust, repeatable and consistent quality decision-making.

Next Steps

If more robust guidance is required, then Council should implement quantifiable Risk Tolerances for each of its Risk Categories. These tolerances will provide guidance on whether the Risk Appetite levels are set appropriately as well as provide indicative measures of whether Council is operating within its expressed appetite level for taking risks.

Contacts

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**BRIGHTON COUNCIL
DRAFT - BUDGET 2025/2026**

Brighton Council Budget 2025/2026 Index

	Page
Budget Summary	1
Rates & Grants	2
Corporate Services	2-3
General Management	4-5
Governance	6
Asset Services	7-8
Development Services	9
Infrastructure Maintenance	10
Capital Renewal & New Works Summary	11-12
Plant & Vehicles Purchases/Sales	13
Furniture & Equipment Purchases & Sales	14
Work in progress & Other Reserves	15
Fees & Charges	16-26

Brighton Council Budget Summary 2025/26

Department Net Results	Budget 25/26 P/L	Budget 25/26 Cash
Rates & Grants	(24,104,259)	(24,045,123)
Corporate Services	1,552,618	1,189,227
General Management	2,795,726	2,795,726
Governance	393,447	393,447
Asset Services	11,557,673	7,815,736
Development Services	1,221,918	1,221,918
Plant Surplus	(165,000)	(165,000)
Total Operating (Profit)/Loss	(6,747,876)	(10,794,068)

Capital Expenditure/Revenue		Budget 25/26 Cash
Capital Improvements		4,687,247
Capital Renewal		5,420,000
Capital Works Carried Forward		525,009
Capital Grant income accrued		0
Property Purchases/Sales		0
Plant & Vehicles Purchase/Sales		296,000
Furniture & Equip. Purchase/Sales		289,500

Total Capital Expenditure/Revenue		11,217,756
Total cash (surplus)/deficit		423,688
Cash movements from reserves		(525,009)
Total cash (surplus)/deficit including reserve movements		(101,321)

Rate Variation Summary	24/25 \$	25/26 \$
General Rate	11,261,297	12,597,202
FOGO	503,562	515,616
Solid Waste Management (Fixed)	2,211,444	2,530,395
Waste Levy	156,780	240,810
Total Rates	14,133,083	15,884,023

Fire Levy Variation Summary	24/25 Levy	25/26 Levy
Total Fire Levy	1,112,860	1,160,838

Rate changes	24/25	25/26 \$
Non residential Properties		
Residential non-vacant Bwater / Gbrook / Hcove	\$ 1,046.00	\$ 1,145.00
Residential non-vacant Other	\$ 1,161.00	\$ 1,260.00
Residential vacant	\$ 530.00	\$ 580.00
Garbage	\$ 282.00	\$ 315.00
Waste Levy	\$ 20.00	\$ 30.00
FOGO	\$ 82.00	\$ 82.00
Total Rate Variation		8.50%

No.	Description	Budget 25/26 P/L	Cash	Adopted 24/25 Cash
	Rates & Grants			
	Rates & Grants Revenue			
	Rates Income			
621001	Rates General	(12,597,202)	(12,597,202)	(11,261,297)
621003	Rates Garbage	(2,530,395)	(2,530,395)	(2,211,444)
621007	Waste Levy	(240,810)	(240,810)	(156,780)
621002	Rates Fire Service Levy	(1,197,509)	(1,197,509)	(1,160,838)
621006	FOGO	(515,616)	(515,616)	(503,562)
629101	Tas Water Dividend	(798,336)	(739,200)	(739,200)
626102	Rates Penalties	(26,000)	(26,000)	(22,000)
	Total Rates Income	(17,905,868)	(17,846,732)	(16,055,121)
	Grant Income			
624104	Financial Assistance Grant	(2,131,583)	(2,131,583)	(2,131,583)
624103	Road to Recovery Grant	(399,308)	(399,308)	(249,567)
624102	Capital Grant	(3,617,500)	(3,617,500)	(654,000)
624101	Operational Grant	(50,000)	(50,000)	(35,000)
	Total Grant Income	(6,198,391)	(6,198,391)	(3,070,150)
	Total Rates & Grants Revenue	(24,104,259)	(24,045,123)	(19,125,271)
	Rates & Grants Expenditure			
726121	Other Grants	0	0	0
	Total Rates & Grants Expenditure	0	0	0
	Net Result Rates & Grants	(24,104,259)	(24,045,123)	(19,125,271)
	Corporate Services			
	Corporate Services Revenue			
623137	Miscellaneous Revenue	(2,000)	(2,000)	(10,300)
622103	Certificates Admin	(120,000)	(120,000)	(115,000)
626101	Interest Bank	(350,000)	(350,000)	(350,000)
623136	Insurance Claims			
623139	Payment Agency Surcharge	(2,500)	(2,500)	(2,500)
623134	Fire Levy Commission	(45,000)	(45,000)	(45,000)
628101	Profit on Sale	(100,000)	(100,000)	
627403	Property Rent	(330,000)	(330,000)	(350,000)
625101	Public Open Space Contributions	(150,000)	(150,000)	(150,000)
627402	Lessee Costs Recovered	(45,000)	(45,000)	(40,000)
	Total Corporate Services Revenue	(1,144,500)	(1,144,500)	(1,062,800)
	Corporate Services Expenditure			
	Staff Costs			
721005	Salaries	910,565	910,565	883,892
	Transport	14,000	14,000	14,000
721006	Superannuation	133,349	133,349	129,277
721009	Training / Conferences	17,397	17,397	16,870
721011	Payroll Tax	45,722	45,722	44,344
721012	FBT	0	0	0
721008	Workers Comp	12,265	12,265	18,389
721007	Long Service Leave	0	0	0
	Total Staff Costs	1,133,297	1,133,297	1,106,772

No.	Description	Budget 25/26 P/L	Cash	Adopted 24/25 Cash
	Office Expenses			
722196	Printing & Stationery	30,000	30,000	35,000
722191	Postage	30,000	30,000	30,000
722216	Telephones	65,000	65,000	65,000
	Total Office Expenses	125,000	125,000	130,000
	Computer Expenses			
722121	Software	5,000	5,000	5,000
722163	Hardware	20,000	20,000	50,000
722178	WAN/LAN/Wifi	5,000	5,000	5,000
722157	Consumables	3,000	3,000	3,000
	Software Support & Licence Fees	36,000	0	0
722170	Maintenance Agreements	220,910	220,910	236,887
722181	WWW	5,000	5,000	5,000
722175	Security	3,500	3,500	3,500
	Total Computer Expenses	298,410	262,410	308,387
	Other Expenses			
722126	Insurance Premiums	350,000	350,000	306,542
722146	Advertising	12,000	12,000	12,000
722166	Journals & Publications	2,000	2,000	2,000
722171	Office Equipment	5,000	5,000	5,000
722168	Legal Expenses	20,000	20,000	20,000
724101	Depreciation	327,391	0	0
726101	Audit Fees	45,000	45,000	45,000
722101	Bank Charges	35,000	35,000	35,000
722105	Cash collections	12,000	12,000	12,000
722106	Debtor Collections	17,000	17,000	17,000
722161	Equipment maintenance	2,000	2,000	2,000
723108	Valuations	200,000	200,000	40,000
722136	Land Tax	70,000	70,000	75,000
722147	Uniforms	5,000	5,000	5,000
722173	Risk Management	10,000	10,000	10,000
722174	Rounding's Account	20	20	20
726106	Bad Debts	13,000	13,000	13,000
722107	Payment Agency Fees	10,000	10,000	10,000
722127	Insurance Premiums Excess	5,000	5,000	5,000
727101	Profit/Loss on Sale		0	0
	Total Other expenses	1,140,411	813,020	614,562
	Total Corporate Services Expenditure	2,697,118	2,333,727	2,159,721
	Net Result Corporate Services	1,552,618	1,189,227	1,096,921

No.	Description	Budget 25/26 P/L	Cash	Adopted 24/25 Cash
	General Management			
	General Management			
629109	Microwise commission	0	0	(85,000)
	Total General Management Revenue	0	0	(85,000)
	Community Development & Engagement			
623120	Newspaper advertising	(15,000)	(15,000)	(15,000)
623133	Community events revenue	(200)	(200)	(200)
	Total Community Development & Engagement Revenue	(15,200)	(15,200)	(15,200)
	Workforce Development			
624101	Reg WP income (Anthony McConnon)	(710,000)	(710,000)	(668,850)
	Total Workforce Development Revenue	(710,000)	(710,000)	(668,850)
	Total General Management Revenue	(725,200)	(725,200)	(769,050)
	General Management Expenditure			
	Staff Costs			
721005	Salaries	573,082	573,082	545,815
	Transport	24,000	24,000	24,000
721006	Superannuation	68,862	68,862	63,966
721009	Training / Conferences	9,453	9,453	9,444
721011	Payroll Tax	25,737	25,737	24,290
721008	Workers Comp	6,970	6,970	10,182
721007	Long Service Leave	0	0	0
	Total Staff Costs	708,104	708,104	677,697
	Other Expenses			
722146	Advertising	3,000	3,000	3,000
722166	Journals & Publications	1,000	1,000	1,000
722171	Office Equipment	5,000	5,000	5,000
722168	Legal Expenses	6,000	6,000	6,000
722195	Child & Youth Safe Framework Investigations	10,000	10,000	10,000
722193	Child & Youth Safe Framework Training	5,000	5,000	5,000
722162	GM Meetings & LGAT	10,000	10,000	10,000
722155	Business Culture Improvement & Planning	40,000	40,000	40,000
722172	Promotion of Municipality	30,000	30,000	30,000
722169	Long Term Planning	40,000	40,000	40,000
722158	Corporate Communications	5,000	5,000	5,000
722112	Health & Well Being	5,000	5,000	5,000
723102	Cycling South	3,000	3,000	3,000
722176	SES	10,000	10,000	10,000
722152	Annual Report	3,000	3,000	3,000
	Total Other expenses	176,000	176,000	176,000
	Members Expenses			
726111	Members Allowances	233,792	233,792	230,463
726112	Members Conferences & Professional Development	12,000	12,000	10,000
726113	Members Elections	10,000	10,000	20,000
726114	General Meeting Expenses	15,000	15,000	11,000
726115	Members Civic Functions	5,000	5,000	5,000
726116	Members Reimbursements	2,000	2,000	2,000
726117	Members Payroll Tax	10,521	10,521	10,371
	Total Members Expenses	288,313	288,313	288,834
	Subscriptions & Levies			
723106	Greater Hobart Committee & Southern Regions	35,000	35,000	35,000
723104	LGAT Subscription	55,000	55,000	50,000
723105	State Fire Commission	1,197,509	1,197,509	1,160,838
723103	Derwent Estuary Contribution	17,000	17,000	16,602
	STRULS	10,000	10,000	
723110	Committee for Greater Hobart	5,000	5,000	5,000
	Total Subscriptions & Levies	1,319,509	1,319,509	1,267,440

No.	Description	Budget 25/26 P/L	Cash	Adopted 24/25 Cash
	Community Development & Engagement			
722141	Community Newspaper	82,000	82,000	75,000
	Civic Decorations & Event	50,000	50,000	
722192	Public Art Strategy	25,000	25,000	25,000
722156	Community Development Engagement & Events	45,000	45,000	50,000
726122	Community Grants & Transportation	75,000	75,000	71,000
722236	Major Impact Grant	0	0	0
722237	Youth Engagement Activities	25,000	25,000	30,000
722240	School Programs - Community Creators	17,000	17,000	6,000
	Total Community Development & Engagement Expenses	319,000	319,000	257,000
	Workforce Development			
722145	Workforce Development	710,000	710,000	668,850
	Total Workforce Development Expenditure	710,000	710,000	668,850
	Total General Management Expenditure	3,520,926	3,520,926	3,335,821
	Net Result General Management	2,795,726	2,795,726	2,566,771

No.	Description	Budget 25/26 P/L	Cash	Adopted 24/25 Cash
	Governance			
	Governance Revenue			
	Plumbing Revenue			
622302	Plumbing Fees	(200,000)	(200,000)	(200,000)
	Total Environmental Health Revenue	(200,000)	(200,000)	(200,000)
	Animal Control Revenue			
622203	Infringements Dogs	(80,000)	(80,000)	(80,000)
623102	Dog Licenses	(220,000)	(220,000)	(220,000)
623107	Kennel Licenses	(10,000)	(10,000)	(12,000)
623109	Other Animal Income	(200)	(200)	(200)
	Total Animal Control Revenue	(310,200)	(310,200)	(312,200)
	Building Revenue			
622301	Building Fees	(85,000)	(85,000)	(85,000)
623131	BCITB Levy	(500)	(500)	(500)
623132	Building training board	(5,000)	(5,000)	(5,000)
	Total Building Revenue	(90,500)	(90,500)	(90,500)
	Total Governance Revenue	(600,700)	(600,700)	(602,700)
	Governance Expenditure			
	Staff Costs			
721005	Salaries	673,466	673,466	645,846
	Transport	34,000	34,000	34,000
721006	Superannuation	89,199	89,199	95,157
721009	Training / Conferences	13,331	13,331	14,310
721011	Payroll Tax	31,266	31,266	33,345
721008	Workers Comp	8,385	8,385	13,829
721007	Long Service Leave	0	0	0
	Total Staff Costs	849,647	849,647	836,487
	Other Expenses			
722146	Advertising	3,000	3,000	3,000
722166	Journals & Publications	1,000	1,000	1,000
722171	Office Equipment	5,000	5,000	5,000
722168	Legal Expenses	15,000	15,000	15,000
722179	Warren Lee Scholarship	5,500	5,500	5,500
	Total Other expenses	29,500	29,500	29,500
	Animal Control			
722160	Dog Control Costs	20,000	20,000	22,000
723101	Dogs Home Operations	85,000	85,000	82,000
723111	Cat Contribution - Ten Lives	10,000	10,000	10,000
	Total Animal Control	115,000	115,000	114,000
	Total Governance Expenditure	994,147	994,147	979,987
	Net Result Governance	393,447	393,447	377,287

No.	Description	Budget 25/26 P/L	Cash	Adopted 24/25 Cash
	Asset Services			
	Asset Services Revenue			
623152	WTS Steel	(10,000)	(10,000)	(10,000)
623111	Road Permit Fees	(5,000)	(5,000)	(5,000)
623103	Engineering Fees	(30,000)	(30,000)	(30,000)
623141	Waste Management Bins	(4,000)	(4,000)	(4,000)
623150	Tip entrance fees	(350,000)	(350,000)	(350,000)
623112	State Govt Verge contract	(71,500)	(71,500)	(71,500)
627301	Hire Flocon / Plant	0	0	(30,000)
623135	Heavy vehicle motor tax	(30,000)	(30,000)	(20,000)
627302	Private Works Revenue	0	0	(5,500)
623113	Interim WSUD Contribution	0	0	(40,000)
625102	Subdivision Donation	(100,000)	0	0
627303	Professional Services	(5,000)	(5,000)	0
623104	Ground Hire	(30,000)	(30,000)	(25,000)
623105	Hall Hire	(30,000)	(30,000)	(25,000)
627401	Brighton Football Club Lights	0	0	(4,000)
623140	RV Rest Stop Fees	0	0	(2,500)
	Total Asset Services Revenue	(665,500)	(565,500)	(622,500)
	Asset Services Expenditure			
	Staff Costs			
721005	Salaries	1,386,702	1,386,702	1,363,963
	Transport	52,000	52,000	52,000
721006	Superannuation	201,839	201,839	196,901
721009	Training / Conferences	26,883	26,883	26,619
721011	Payroll Tax	66,824	66,824	65,616
721008	Workers Comp	36,134	36,134	45,441
721007	Long Service Leave	0	0	0
	Total Staff Costs	1,770,382	1,770,382	1,750,540
	Other Expenses			
722146	Advertising/Notices	15,000	15,000	4,000
722166	Journals & Publications	1,000	1,000	1,000
722171	Office Equipment	5,000	5,000	5,000
722168	Legal Expenses	6,000	6,000	3,000
725103	Private Works expense	0	0	5,000
	Total Other expenses	27,000	27,000	18,000
	Overheads			
722122	CAD & Other Software	56,000	56,000	50,000
722123	Geographic Inform System	4,000	4,000	30,000
722153	Asset condition assessment	17,000	17,000	17,000
722116	Fire Abatement Officer	19,000	19,000	14,000
722221	NRM Works & Weed Control Management	80,000	80,000	80,000
	Weight Testing - Plant & Trailer compliance	30,000	30,000	15,000
725104	Flocon Hire	0	0	
728110	Interest on Bonds	0	0	100
	Total Overheads	206,000	206,000	206,100
	Roads			
	Maintenance Job Costing	1,023,863	1,023,863	979,731
724101	Depreciation	2,537,758	0	0
	Total Roads	3,561,621	1,023,863	979,731
	Bridges			
728101	Maintenance Job Costing	69,052	69,052	66,076
724101	Depreciation	187,927	0	0
	Total Bridges	256,979	69,052	66,076

No.	Description	Budget 25/26 P/L	Cash	Adopted 24/25 Cash
	Reserves			
	Maintenance Job Costing	1,304,876	1,304,876	1,248,631
728106	Fixed Overheads	140,000	140,000	120,000
	Total Reserves	1,444,876	1,444,876	1,368,631
	Stormwater			
	Maintenance Job Costing			
724101	Depreciation	397,036	0	0
	Total Stormwater	397,036	0	0
	Buildings			
	Maintenance Job Costing	392,062	392,062	375,163
724101	Depreciation	694,216	0	0
728151	Fixed Overheads	200,000	200,000	143,000
	Total Buildings	1,286,278	592,062	518,163
	Street Lighting			
728114	Fixed Overheads	140,000	140,000	140,000
724101	Depreciation	25,000	0	0
	Total Street Lighting	165,000	140,000	140,000
	Solid Waste Management			
722201	Recycling Kerbside Collection Contract	342,000	342,000	281,000
722234	Waste Levy	248,000	248,000	225,000
722232	FOGO Kerbside Collection Contract	212,000	212,000	168,856
722235	FOGO Gatefee Disposal Costs	104,000	104,000	94,265
722226	WTS Maintenance	10,000	10,000	10,000
722211	Waste Bin Deliveries	35,000	35,000	35,000
722213	Waste Education	27,000	27,000	27,000
	Waste Authority Contribution	5,000	5,000	5,000
722227	Refuse Disposal Gatefee Costs	825,000	825,000	620,000
722212	Waste Bin Replacements	0	0	64,000
722206	Refuse Kerbside Collection Contract	350,000	350,000	208,000
722202	Recycling Gatefee Disposal Costs	272,000	272,000	218,000
722228	WTS Operation	269,000	269,000	235,000
722229	Tyre Recycling	30,000	30,000	15,000
722230	Hard/Green Waste Collection	170,000	170,000	100,000
722231	WTS Cartage	209,000	209,000	154,000
	Total Solid Waste Management	3,108,000	3,108,000	2,460,121
	Total Asset Services Expenditure	12,223,173	8,381,236	7,507,362
	Net Result Asset Services	11,557,673	7,815,736	6,884,862

No.	Description	Budget 25/26 P/L	Cash	Adopted 24/25 Cash
	Development Services			
	Development Services Revenue			
622401	Planning Fees	(300,000)	(300,000)	(260,000)
	Total Planning Revenue	(300,000)	(300,000)	(260,000)
	Environmental Health Revenue			
623101	Caravans	(300)	(300)	(300)
622202	Health Infringements	(3,000)	(3,000)	(3,000)
623108	Licenses Health / Food Premises / Public Entertainment	(20,000)	(20,000)	(16,000)
623106	Immunisation Notifications	(1,000)	(1,000)	(200)
	Total Environmental Health Revenue	(24,300)	(24,300)	(19,500)
	Total Development Services Revenue	(324,300)	(324,300)	(279,500)
	Development Services Expenditure			
	Staff Costs			
721005	Salaries	904,439	904,439	827,382
	Transport	38,000	38,000	34,000
721006	Superannuation	130,411	130,411	118,933
721009	Training / Conferences	18,758	18,758	17,747
721011	Payroll Tax	46,568	46,568	42,584
721008	Workers Comp	12,542	12,542	17,733
721007	Long Service Leave	0	0	0
	Total Staff Costs	1,150,718	1,150,718	1,058,379
	Office Expenditure			
722166	Journals & Publications	500	500	500
722171	Office Equipment	5,000	5,000	5,000
722146	Advertising	40,000	40,000	40,000
	Total Other expenses	45,500	45,500	45,500
	Other Expenses			
722186	Planning Scheme	5,000	5,000	12,000
722187	Planning Legal Expenses	40,000	40,000	40,000
722190	Climate Change Resilience	12,000	12,000	5,000
722177	Strategic Projects unplanned	40,000	40,000	40,000
722188	Strategic Projects & Plans	230,000	230,000	235,000
	Total Other expenses	327,000	327,000	332,000
	Environmental Health			
722165	Immunisation Costs	12,000	12,000	12,000
722168	Legal Expenses	10,000	10,000	10,000
722151	Testing Fees	1,000	1,000	1,000
	Total Environmental Health	23,000	23,000	23,000
	Total Development Services Expenditure	1,546,218	1,546,218	1,458,879
	Net Result Development Services	1,221,918	1,221,918	1,179,379

Infrastructure Maintenance Budget 25/26

Account Number	Description	Budget 25-26	Maintenance
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Summary - Maintenance

Total Roads	1,023,863.11
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Total Bridges	69,052.19
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Total Buildings	392,062.31
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Total Reserves	1,304,876.47
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TOTAL MAINTENANCE	2,789,854.07
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Description	Renewal 25/26	New 25/26	Item not in budget
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Roads

Digouts
 Chip Reseals
 Asphalt Reseals
Reconstruction
 Briggs Road
 Fouche Avenue
 Munday Street/William St intersection
 Back Tea Tree Road
 Baskerville Road
 Fergusson Road Seal
 Ravensbourne Place Intersection
 South Brighton Works
 Sign & Sign Replacement

Footpaths

Concrete path repairs
 Asphalt path repairs
 Gravel Path Repairs
 Roads Rural Sealed Shouldering/Hotmix Edging
 Disabled Access Kerb Ramps
 Pontville Park to Jordan River with SW Works
 Rural walking tracks
 Downie Street Northside
 Survey & Design
 Brighton Active Transport Project

K&C and Drainage

K&C repair/replace
 Open drains
 Pollutant traps & Stormwater
 Stormwater management plans
 Demountable litter trap rollout
 Potential contribution to Cove Hill Stormwater Network

Grading and Resheeting

Gravel Road Resheet
 Gravel Road Grading

Street lighting

Replacement of lighting poles
 New light poles

Sustainability & Environment

Greening Brighton Strategy implementation

Total of Roads	\$	5,201,000	\$	4,103,813	\$	1,149,408
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Bridges

Guard Rail Improvement Program
 Bridge and Culvert Repairs

Total of Bridges	\$	55,000	\$	-	\$	-
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Buildings

Grandstand - Repair of decking
 Council Offices General Refurbishment
 Asbestos Removal
 Building Internal Fitout Replacements
 Energy Efficiency Works
 Building Upgrades

Description	Renewal 25/26	New 25/26	Item not in budget
Upgrade EV Charge			
New WTS facility			
Total of Buildings	\$ 80,000	\$ 80,000	\$ 825,000

Reserves/Playgrounds/Ovals

Concrete paths within Reserves
Gravel paths within Reserves
Soft fall Replacement
Oval Refurbishment
New Equipment
Sensory Park
Rubbish Bin Improvements
Old Beach Foreshore Track
Walking tracks - Ongoing funds for concreting
Shelters and seats on foreshore walkways
Oval irrigation upgrades

Total of Reserves	\$ 84,000	\$ 503,434	\$ -
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GRAND TOTAL CAPITAL RENEWAL WORKS	\$ 5,420,000	\$ 4,687,247	\$ 1,974,408
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Summary	Renewal	Improvements	Not in budget
Total Roads	\$ 5,201,000	\$ 4,103,813	\$ 1,149,408
Total Bridges	\$ 55,000	\$ -	\$ -
Total Buildings	\$ 80,000	\$ 80,000	\$ 825,000
Total Reserves	\$ 84,000	\$ 503,434	\$ -
Total Capital	\$ 5,420,000	\$ 4,687,247	\$ 1,974,408

Plant & Vehicles Purchases & Sales			2025/26		
Plant No.	Description	Department		Estimated Sale Price	Purchase Price
Sales					
F01	Toyota Hilux	Asset			
F18	Toyota Rav 4	Development			
F25	Mitsubishi Triton	Asset			
F29	Mitsubishi Triton	Asset			
F38	Toto Reelmaster Mower	Asset			
F65	Mitsubishi Triton	Asset			
Total Brighton Plant & Vehicle Sales				\$128,000	
Purchases					
F01	Utility	Asset			
F18	Sedan	Development			
F25	Utility	Asset			
F29	Utility	Asset			
F38	Oval Mower - Hybrid	Asset			
F50	Flocon	Asset			
F58	Outfront Mower	Asset			
F65	Utility	Asset			
Total Brighton Plant & Vehicle Purchases					\$424,000
Plant & Vehicle Cash Flow (Surplus) / Deficit		\$296,000			

Furniture & Equipment Purchases & Sales 2025/26					
Asset No.	Responsible Officer	Description	Department	Transaction Date	Purchase Cost
Sales					
Total Brighton Furniture & Equipment Sales					\$0
Purchases					
		Wheelie Bin Replacement			
		Small Plant Replacement - \$6000 each for Garden, Reserve & Road Crew			
		Unit 17 Toolbox			
		Unit 51 extra amount required for J4 code Compliance			
		Weight Testing repairs of plant & trailers			
		Computer & Monitor Replacement			
		Depot Ipad Replacement program			
		Video Condition Assessment Equip			
		Security - Upgrade of cameras & locks each year on Council owned facilities			
		Chairs & Trolley Pontville Hall			
		Civic Centre Projector & touch screen upgrades			
Total Brighton Council Purchases					\$289,500
Furniture & Equipment Cash Flow (Surplus) / Deficit					\$289,500

Work in Progress & Carried Forward Reserves 2025/2026			
Description	Responsible Officer	Department	Cfwd Year
Work in Progress Carried Forward			
Expenditure			
Energy Efficiency B/Fwd - Pontville Pavilion			
Industrial Hub HVRA			
EDH Shared Pathway			
Tivoli Green & Lennox Park Plans			
Council Office upgrades			
Spine Pathway			
Braeview Road & Drainage works			
Old Beach Foreshore Walkway			
Baskerville Road			
Seymour Street Masterplan			
Road off Baskerville			
Elderslie Road Replacement Design			
Grand Total Brighton Council Work in Progress Carried Forward			525,009
Income / expense Carried Forward			
Grants carried fwd			\$0
Total Other Reserves		Corporate Services	
Grand Total Brighton Council Reserves Carried Forward			\$ 525,009

Brighton Council Fees & Charges		2025/2026		
Description	Current Fees 2024/25	Proposed Fees 2025/26		
COUNCIL RATES				
Non-Vacant Residential - Bridgewater or Gagebrook & Herdsmans Cove	\$1,046.00	\$1,145.00		\$99.00
Non-Vacant Residential Brighton, Dromedary, Honeywood, Old Beach, Pontville and Tea Tree	\$1,161.00	\$1,260.00		\$99.00
Vacant Residential	\$530.00	\$580.00		\$50.00
General rate (cents in the dollar of assessed annual value)				
Used - Commercial Purposes - Minimum \$1260	7.150881	7.758971		\$0.61
Used - Public Purposes - Minimum \$818	9.417983	10.224571		\$0.81
Used - Industrial - Minimum \$1260	5.706162	6.191451		\$0.49
Used - Primary Production Purposes - Minimum \$1260	3.794115	4.116701		\$0.32
Used - Sporting or Recreation Purposes	22.253977	24.146678		\$1.89
Not Used - Community Purpose - Minimum \$580	19.92671	21.621476		\$1.69
Not Used - Environmental Management	19.92671	26		\$6.07
Not Used - Agriculture - Minimum \$580	9.395113	10.194167		\$0.80
Not Used - Business - Minimum \$580	13.851199	15.029261		\$1.18
Not Used - General Industrial - Minimum \$580	5.708664	6.193851		\$0.49
Not Used - Light Industrial - Minimum \$580	9.290777	10.080971		\$0.79
Not Used - Open Space	19.501699	21.160285		\$1.66
Not Used - Rural	26.00	26.00		No change
Not Used - Rural Living Minimum \$580	9.395058	9.395058		No change
Not Used - Urban Mixed	11.649448	12.640208		\$0.99
Not Used - Utilities	26.00	26.00		No change
Not Used - Residential Minimum \$580	26.00	26.00		No change
Service Charges				
Garbage Charge	\$282.00	\$315.00		\$33.00
FOGO	\$82.00	\$82.00		No change
Waste Levy	\$20.00	\$30.00		\$10.00
Fire Levy (cents in the dollar of assessed annual value)				
Urban Fire Rate - Minimum \$49	1.130842	TBA		
Brighton Rural Fire Rate - Minimum \$49	0.305872	TBA		
Rural Fire Rate - Minimum \$49	0.283147	TBA		

Brighton Council Fees & Charges		2025/2026		
Description		Current Fees 2024/25	Proposed Fees 2025/26	
HALLS & GROUNDS				
GROUNDS				
All charges per hour unless specified otherwise - For lighting only ground hire to be charged on top of lighting cost.				
Thompson Oval - 200 lux for 4 towers		\$86.00	\$87.00	\$1.00
Ferguson Oval - 200 lux for 4 towers		\$64.00	\$65.00	\$1.00
Weily Park		\$20.00	\$20.00	\$0.00
All charges per hour unless specified otherwise				
Equestrian Area Pontville Park		\$45.00	\$46.00	\$1.00
Kennel Area Pontville Park		\$55.00	\$56.00	\$1.00
Thompson Oval		\$45.00	\$46.00	\$1.00
Fergusson Oval & Gunn Oval - Summer Sports (Oct to March) Seniors		\$79.00	\$80.00	\$1.00
Fergusson Oval & Gunn Oval - Summer Sports (Oct to March) Juniors		\$45.00	\$46.00	\$1.00
Fergusson Oval & Gunn Oval - Winter Sports (Apr to Sep)		\$45.00	\$46.00	\$1.00
Bob Scott Pavilion		\$40.00	\$41.00	\$1.00
Weily Park Oval		\$45.00	\$46.00	\$1.00
Cloak Oval - Old Beach		\$45.00	\$46.00	\$1.00
Seymour Street Oval		\$45.00	\$46.00	\$1.00
Day Rate for all Grounds		\$299.00	\$303.00	\$4.00
Day Rate for Kennel Area		\$350.00	\$355.00	\$5.00
Show Pavilion		\$40.00	\$41.00	\$1.00
Key Deposit		\$50.00	\$51.00	\$1.00
Security Bond		\$500.00	\$500.00	\$0.00
Turf Wicket Use (Cricket)				
Championships (Senior) (ground staff required on day) per day		\$792.00	\$803.00	\$11.00
Championships (underage) (ground staff required on day) per day		\$566.00	\$574.00	\$8.00
Brighton Turf Nets		\$45.00	\$46.00	\$1.00
The Brighton Agricultural Society has free access to the whole of Pontville Park as per policy. Power is charged for this period. Meter's required to be read before and after the show.				

Brighton Council Fees & Charges		2025/2026		
Description		Current Fees 2024/25	Proposed Fees 2025/26	
HALLS & ROOMS				
All charges per hour unless specified otherwise				
Minimum charge of 3 hours applies to all hall & ground bookings				
Hall Bond - (Includes Key & Card Deposit)		\$722.00	No Change	No change
Casual Users Insurance Fee		\$34.00	\$35.00	\$1.00
Pontville Hall (Whole Centre)		\$45.00	\$46.00	\$1.00
Gunn Oval Kiosk		\$28.00	\$28.00	No change
Old Beach Community Centre		\$45.00	\$46.00	\$1.00
Hire of Council Chambers - Includes Kitchen		\$45.00	\$46.00	\$1.00
Conference Room		\$40.00	\$41.00	\$1.00
Meeting Room		\$40.00	\$41.00	\$1.00
Committee Room (Includes Kitchenette)		\$40.00	\$41.00	\$1.00
Day Rate for Halls and Buildings (excludes Civic Centre)		\$299.00	\$303.00	\$4.00
Lease Fees - Community Leasing Policy		\$500.00	\$507.00	\$7.00
Chair Hire Bond - (Applies to every 50 chairs hired)			\$100.00	New
Chair Hire			\$100.00	New
CIVIC CENTRE				
Theatrette - Per hour minimum \$100.00		\$74.00	\$75.00	\$1.00
Main Hall A - No Windows - per hour minimum \$100		\$74.00	\$75.00	\$1.00
Main Hall B - Window - per hour minimum \$100		\$74.00	\$75.00	\$1.00
Whole Centre - per hour minimum \$350		\$148.00	\$150.00	\$2.00
Bond for all bookings		\$722.00	\$732.00	\$10.00
Cleaning - per hour or part thereof		\$67.00	\$68.00	\$1.00
Set up of rooms - per hour or part thereof		\$67.00	\$68.00	\$1.00
Day Rate for Civic Centre		\$481.00	\$488.00	\$7.00
Kitchen - per hour minimum 3 hours		\$40.00	\$41.00	\$1.00
Charitable & Fundraising events/activities min 4 hour usage				

Brighton Council Fees & Charges		2025/2026		
Description		Current Fees 2024/25	Proposed Fees 2025/26	
DOCUMENT FEES				
Brighton News Advertising - Cost per Column - Pre-paid		As per Advertising rates	As per Advertising rates	No change
PHOTOCOPYING/SCANNING				
		Not exceeding 1 fee unit for every 5 pages	Not exceeding 1 fee unit for every 5 pages	No change
Copy of full Council Agenda or minutes				No change
Copy of proposed By-Law (per item)		\$5 plus postage if applicable	\$5 plus postage if applicable	No change
Copy of existing By-Law (per item)		\$5 plus postage if applicable	\$5 plus postage if applicable	No change
Single A4 copy - Black		0.3	No Change	No change
Double A4 Copy - Black		\$0.60	No Change	No change
Single A3 Copy- Black		\$0.60	No Change	No change
Double A3 Copy - Black		\$1.00	No Change	No change
Colour copy Single A4		\$0.60	No Change	No change
Colour copy Double A4 Copy		\$1.00	No Change	No change
Colour copy A3 Copy		\$1.00	No Change	No change
Colour copy Double A3 Copy		\$2.00	No Change	No change
PLOTTING SERVICE				
AO - Black & White		\$22.00	\$22.00	No change
AO - Black & White/Gloss		\$38.00	\$39.00	\$1.00
AO - Colour		\$38.00	\$39.00	\$1.00
AO - Colour/Gloss		\$61.00	\$62.00	\$1.00
A1 - Black & White		\$17.00	\$17.00	No change
A1 - Black & White/Gloss		\$28.00	\$28.00	No change
A1 - Colour		\$28.00	\$28.00	No change
A1 - Colour/Gloss		\$38.00	\$39.00	\$1.00
A2 - Black & White		\$11.00	\$11.00	No change
A2 - Black & White/Gloss		\$17.00	\$17.00	No change
A2 - Colour		\$17.00	\$17.00	No change
A2 - Colour/Gloss		\$28.00	\$28.00	No change
Copy of Plans Building & Plumbing - Residential		\$44.00	\$45.00	\$1.00
Copy of Plans Building & Plumbing - Commercial		\$87.00	\$88.00	\$1.00
Copy of Plans Building & Plumbing - Drainage		\$22.00	\$22.00	No change

Brighton Council Fees & Charges		2025/2026		
Description		Current Fees 2024/25	Proposed Fees 2025/26	
Right to Information Act 2009 - Application fee - Section 16 of Act		25 fee units	No Change	No change
DISPUTE RESOLUTION & CODE OF CONDUCT COMPLAINT				
Dispute resolution Policy			25 fee units	New
Making a Complaint		50 fee units	No Change	No change
Information/Document request from Southern Regional Water and Sewerage Authority		As Advised RWSA	No Change	No change
FINANCIAL				
Dishonour Fee		As per bank charges	No Change	No change
EFT rejection		As per bank charges	No Change	No change
Stop Payment Fee		As per bank charges	No Change	No change
Reissue of rate notices that are older than current financial year		\$5 per page up to a maximum of \$25	No Change	No change
132 Certificate - Given by Department of Premier		\$56.10	TBC	
337 Certificate - Given by Department of Premier		\$247.78	TBC	

Brighton Council Fees & Charges		2025/2026	
Description	Current Fees 2024/25	Proposed Fees 2025/26	
PLANNING FEES			
PLANNING			
No Permit Required	\$128.00	\$157.00	\$29.00
Assessment - Subdivision	\$604 + \$109 per lot	\$650 + \$130 per lot	\$46 + \$21 per lot
Development Application Assessment Fee (works up to \$20,000 if permit required)	\$128.00	\$157.00	\$29.00
Development Application Assessment Fee (works \$20,000 to \$300,000 if permit required)	\$128 Min + \$2.11 per \$1000 Value of works	\$155 + \$2.11 per \$1000 value of works	\$27.00
Development Application Assessment Fee (works > \$300,001 if permit required)	\$128 min + \$2.38 per \$1000 value of works	\$155 + \$2.38 per \$1000 value of works	\$27.00
Minor Amendments to Permits (s56 or 43K LUPA)	\$138 or 25% of original fee (whichever is greater) & not more than \$500	\$155 + the 25% of original fee (whichever is greater) & not more than \$500	\$17.00
Change of use (Visitor Accomodation)		\$250.00	NEW
Change of use (Permitted and no development required)	\$256.00	\$260.00	\$4.00
Change of use (Discretionary and no development required)	\$458.00	\$464.00	\$6.00
Statutory Advertising	\$444.00	No Change	\$0.00
Development Advertising - Level 2 Activity	\$2,193.00	\$2,224.00	\$31.00
Extension of time to all Planning Approvals	\$165.00	\$167.00	\$2.00
Sealed Plans & one inspection	\$305 + \$55 per lot	\$309 + \$56 per lot	\$4 + \$1 per lot
Stratum Plans Certification & one inspection	\$412 + \$57 per unit	\$418 + \$58 per unit	\$6 + \$1 per lot
Planning Scheme Amendments/Assessments (TPC Fee Included)	\$7,474	\$7,579.00	\$105.00
Planning Scheme Amendment Advertising	\$1,672	\$1,695.00	\$23.00
Section 103 LGBMA Amendment to Sealed Plan	\$441 + \$1,031 per hearing	\$447 + \$1045 per hearing	\$64 per hearing
Application for Adhesion Order	\$448 + Sealing Fee	\$454 + Sealing Fee	\$6.00
Inspection Fee (per inspection, if re-inspections required)	\$197.00	\$200.00	\$3.00
Retrospective approvals	Applicable fee + 100% of that fee	No Change	No change
Preparation of basic Part V Agreement using Council template	\$305		REMOVE
Sealing Fee	\$305	\$309.00	\$4.00
Withdrawal of Application			
- Refund prior to commencement of public exhibition	50% of Fees less application fee	50% of Fees less application fee	No change
- After public exhibition commences	\$0.00	\$0.00	No change
Mobile Food Vendor Charges - Annual	\$707.00	\$717.00	\$10.00
Mobile Food Vendor Charges - 3 Month	\$236.00	\$239.00	\$3.00

Brighton Council Fees & Charges		2025/2026		
Description		Current Fees 2024/25	Proposed Fees 2025/26	
BUILDING & PLUMBING FEES				
BUILDING				
Permit Authority Assessment Class 1		\$361.00	\$366.00	\$5.00
Permit Authority Assessment Class 10		\$258.00	\$262.00	\$4.00
Permit Authority Assessment Multiple Dwellings				\$7 for 2 dwellings plus \$3 for each additional dwelling
	\$423 for 2 dwellings plus \$186 for each additional dwelling		\$430 for 2 dwellings plus \$189 for each additional dwelling	
Staged Permits - Per stage in addition to PA Fees		\$258.00	\$262.00	\$4.00
Building Certificates	\$567 & \$155 per hour if > 4 hours required		\$575 & \$157 per hour if > 4 hours required	\$2 per hour
Certificate of Completion		\$258.00	\$262.00	\$4.00
Building without a permit	Scheduled Permit Fee Doubled		No Change	No change
Extension of time	\$221 for 1st year, \$353 for subsequent years		\$224 for 1st year, \$358 for subsequent years	year, \$5 for subsequent
Amendments to Permits		\$258.00	\$262.00	\$4.00
Additional Inspections for BA's Assessed by Council - Per inspection	Market rates of independent building surveyor		No Change	No change
Building Infringement Notice	Building Act 2016		No Change	No change
Express Postage - Approved permit posted		\$33.00	\$33.00	No change
Notifiable Building Work		\$289.00	\$293.00	\$4.00
Notifiable Demolition Work		\$289.00	\$293.00	\$4.00
Demolition Permit - Class 1 and 10		\$361.00	\$366.00	\$5.00
Temporary Occupancy Permit - Admin Fee		\$155.00	\$157.00	\$2.00
Commercial Class 2-9 (Building and Demolition Permits)				
Under \$100,000		\$516.00	\$523.00	\$7.00
Under \$200,000		\$619.00	\$628.00	\$9.00
Under \$500,000		\$722.00	\$732.00	\$10.00
Under \$1,000,000		\$825.00	\$837.00	\$12.00
Under \$5,000,000		\$928.00	\$941.00	\$13.00
Under \$10,000,000		\$1,031.00	\$1,045.00	\$14.00
Over \$10,000,000		\$1,134.00	\$1,150.00	\$16.00

Brighton Council Fees & Charges		2025/2026	
Description	Current Fees 2024/25	Proposed Fees 2025/26	
PLUMBING			\$0.00
All inspections including SPP (average of x 4 dwelling x 1 Class 10A)	\$180.00	\$183.00	\$3.00
Permit Authority Assessment/Self Certified Plumbing Applications Class 1	\$361.00	\$366.00	\$5.00
Permit Authority Assessment/Self Certified Plumbing Applications - Multiple Dwellings	\$423 for 2 dwellings+\$186 for each additional dwelling	\$429 for 2 dwellings+\$189 for each additional dwelling	\$6 for 2 dwellings+\$3 for each additional dwelling
Permit Authority Assessment/Self Certified Plumbing Applications Class 10	\$258.00	\$262.00	\$4.00
Compliance Inspections - per inspection	\$227.00	\$230.00	\$3.00
Variation to a Permit	\$258.00	\$262.00	\$4.00
Certificate of Completion	\$258.00	\$262.00	\$4.00
Plumbing without a permit	Scheduled Permit Fee Doubled	No Change	No change
Express Postage - approved permit posted	\$33.00	\$33.00	No change
Notifiable Plumbing Work	\$289.00	\$294.00	\$5.00
Plumbing Certificate of Likely Compliance	\$289.00	\$294.00	\$5.00
Demolition Plumbing Permit - Class 1 and 10	\$361.00	\$366.00	\$5.00
Plumbing Authority Assessment with on-site waste water	\$455.00	\$461.00	\$6.00
Plumbing Assessment with Pool/ Arrestors/ Backflow	\$392.00	\$397.00	\$5.00
Low Risk Plumbing			

Brighton Council Fees & Charges		2025/2026		
Description		Current Fees 2024/25	Proposed Fees 2025/26	
ENVIRONMENTAL HEALTH				
IMMUNISATION				
Hepatitis A (Adult) - Resident Price		\$79.00	\$80.00	\$1.00
Hepatitis A (Adult) - Non- Resident		\$112.00	\$114.00	\$2.00
Hepatitis A (Junior) - Resident		\$78.00	\$79.00	\$1.00
Hepatitis A (Junior) - Non-Resident		\$93.00	\$94.00	\$1.00
Hepatitis B (Adult) - Resident		\$45.00	\$46.00	\$1.00
Hepatitis B (Adult) - Non-Resident		\$59.00	\$60.00	\$1.00
Hepatitis B (Paediatric) - Resident		\$42.00	\$43.00	\$1.00
Hepatitis B (Paediatric) - Non-Resident		\$54.00	\$55.00	\$1.00
Hepatitis A/B (Twinrix) (Adult) - Resident		\$132.00	\$134.00	\$2.00
Hepatitis A/B (Twinrix) (Adult) - Non-Resident		\$144.00	\$146.00	\$2.00
Hepatitis A/B (Twinrix) (Junior) - Resident		\$93.00	\$94.00	\$1.00
Hepatitis A/B (Twinrix) (Junior) - Non-Resident		\$107.00	\$109.00	\$2.00
Chicken Pox - Resident		\$100.00	\$101.00	\$1.00
Chicken Pox - Non-Resident		\$113.00	\$115.00	\$2.00
Influenza - Resident		\$39.00	\$40.00	\$1.00
Influenza - Non-Resident		\$35.00	\$36.00	\$1.00
Pneumococcal - Resident		\$71.00	\$72.00	\$1.00
Pneumococcal - Non-Resident		\$87.00	\$88.00	\$1.00
Adacel - Resident		\$66.00	\$67.00	\$1.00
Adacel - Non-Resident		\$78.00	\$79.00	\$1.00
FOOD & HEALTH LICENCES				
Caravan Licence for Temporary Accommodations - per week		\$15.00	\$15.00	No Change
Registration & Inspection - Food Premises P1		\$330.00	\$335.00	\$5.00
Registration & Inspection - Food Premises P2		\$254.00	\$258.00	\$4.00
Registration & Inspection - Food Premises P3		\$167.00	\$169.00	\$2.00
Additional Food Premises Inspection Non-compliance		\$85.00	\$86.00	\$1.00
Assessment of Plans - New/Altered Food Premises				\$2 + \$1 per hour after 1st hour
		\$169 + \$82 per hour after 1st hour	\$171 + \$83 per hour after 1st hour	1st hour
Transfer of Food Business Licence		\$87.00	\$88.00	\$1.00
Food/Trade Waste Analysis Fee		\$85.00	\$86.00	\$1.00
Registration of User/Supplier of Private Water supply		\$233.00	\$236.00	\$3.00
Public Health risk activity - Skin penetration/Tattooing		\$224.00	\$227.00	\$3.00
Place of Assembly Licence & Inspection		\$161.00	\$163.00	\$2.00
Regulated System Licensing & Analysis (cooling towers)		\$85.00	\$86.00	\$1.00

Brighton Council Fees & Charges		2025/2026	
Description		Current Fees 2024/25	Proposed Fees 2025/26
ANIMAL CONTROL			
DOG REGISTRATION			
<i>Payment by July 31</i>			
Domestic Dog (desexed)	\$41.00	\$45.00	\$4.00
Domestic Dog (not desexed)	\$99.00	\$105.00	\$6.00
Pensioners Domestic Dog (desexed)	\$35.00	\$40.00	\$5.00
Pensioners Domestic Dog (not desexed)	\$64.00	\$65.00	\$1.00
Working dog which is kept for the purpose of working farm stock	\$59.00	\$60.00	\$1.00
T.G.R.B. registered Greyhound	\$59.00	\$60.00	\$1.00
Pure-bred dog - Owner is holder of a current prefix recognised by the K.C.C. of Tasmania	\$59.00	\$60.00	\$1.00
Assist Dog	\$0.00	\$0.00	No Change
Dangerous Dog	\$570.00	\$600.00	\$30.00
Re-registration late fee after July 31 in addition to registration fee	\$15.00	\$0.00	-\$15.00
Farm Animals not confined to the owners property (Brighton Council Environmental Health By-Law No.1 of 2017 - Section 24)		Up to \$400	No Change
KENNEL LICENCE			
Kennel Licence	\$150.00	\$160.00	\$10.00
Renewal of existing Kennel Licence	\$150.00	\$160.00	\$10.00
Renewal of existing Kennel Licence paid after 31st July	\$180.00	\$190.00	\$10.00
Dog Complaint Fee	\$100.00	No Change	No Change
Replacement Tags	\$5.00	No Change	No Change
Animal Agistment Fee per day		\$50.00	No Change
Animal Veterinary expenses incurred by Council		At Cost	No Change
RECLAIM FEE FROM THE DOGS HOME			
Reclaim impoundment fee - per dog	\$80.00	No Change	No Change

Brighton Council Fees & Charges		2025/2026		
Description		Current Fees 2024/25	Proposed Fees 2025/26	
ENGINEERING FEES				
ENGINEERING				
Engineering Plan Assessment & Inspection	1% value of works GST inclusive (min \$300)		No Change	No Change
Additional Inspections per hour or part per hour	\$244.00		\$247.00	\$3.00
STORMWATER				
Stormwater Upgrade	Quote & Payment up-front \$2,000.00		Quote & Payment up-front \$2,000.00	No Change No Change
Road Permit				
Permit A - works in road reservation only				
Permit B - Works affecting driveway or footpath	\$103.00		\$104.00	\$1.00
Permit B - Reinspection fee	\$243.00		\$246.00	\$3.00
Permit C - Works affecting Road, Kerb and Channel	\$103.00		\$104.00	\$1.00
Permit C - Reinspection fee	\$243.00		\$246.00	\$3.00
MISCELLANEOUS				
WORKS DEPARTMENT				
Replacement of MGB - Inclusive of GST per bin	\$210.00		\$210.00	\$0.00
Driver Assist	\$75.00		\$75.00	\$0.00
WASTE TRANSFER STATION				
Boot Load	\$9.00		\$9.00	No Change
0-1.0 M3 - Other than a boot load	\$20.00		\$20.00	No Change
1.0-2.0 M3	\$33.00		\$33.00	No Change
2.0-3.0 M3	\$50.00		\$50.00	No Change
3.0-5.0 m3	\$85.00		\$85.00	No Change
Passenger tyres	\$8.00		\$8.00	No Change
Light Truck & 4WD tyres	\$20.00		\$20.00	No Change
Truck & Tractor tyres	\$31.00		\$31.00	No Change
Fridges	\$17.00		\$17.00	No Change
Mattresses	\$23.00		\$23.00	No Change
BULK WATER SALES				
Bulk Water Sales per kilolitre	\$2.16		\$2.19	\$0.03
PLANT HIRE - Inclusive of GST				
Backhoe - 7.30am to 4.00pm per hour (& until 4.30pm Oct to March)	\$169.00		\$171.00	\$2.00
Backhoe - 4.00pm to 7.30am per hour (& from 4.30pm Oct to March)	\$241.00		\$244.00	\$3.00

New Tasmanian Youth Justice Facility

Masterplan
May 2025

ATTACHMENT - AGENDA ITEM 14.7

New Tasmanian Youth Justice Facility

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The images included in this document are artistic impressions intended to provide a conceptual representation of the proposed design. They are for illustrative purposes only and do not depict final design details, materials, or construction outcomes. Elements such as landscaping, colours, and architectural features may change as the project progresses through detailed design and consultation. These impressions should not be relied upon as exact representations of the completed facility.



Acknowledgement of Victim Survivors

The Tasmanian Government acknowledges the trauma that continues to affect people with lived experience of child abuse. We are committed to being sensitive to this trauma as we use the learnings from past wrongs to protect the rights of current and future generations of children and young people and keep them safe from harm.

Acknowledgement of Country

In recognition of the deep history and culture of this island, we acknowledge and pay our respects to Tasmanian Aboriginal people; the traditional owners of the land. We recognise Tasmanian Aboriginal people's continuing connection to Land, Sea, Waterways, Sky and Culture and pay our respects to Elders past and present.

Contents

Executive Summary	4	Administration / Staff	31
Introduction	6	Education Building	32
Model of Care	8	Recreation Facilities	33
Operating Philosophy Principles	9	Houses	34
The Masterplan	11	Emergency Vehicle Access	36
Key Design Principles	13	Sight Lines and Circulation	37
Site Analysis	15	Pedestrian Zoning	38
Concept	21	Secure Line	39
Functional Zoning	23	Landscape	40
Rural Area Opportunities	24	Proposed landscape plan for the facility	42
Cultural Walk Program	25	Site Infrastructure	43
Entry Building	26	Security	45
Building Admissions Building	28	Support	47

Executive Summary



Executive Summary

The Tasmanian Government is committed to closing the Ashley Youth Detention Centre (AYDC) and replacing it with a new secure detention facility that promotes the development of trusting and therapeutic relationships between staff and children and young people.

The purpose of the new Tasmanian Youth Justice Facility (the Facility) is to provide:

- A safe, secure and rehabilitative facility for children and young people where healing and wellbeing is the primary focus.
- An environment where children and young people are supported to address their offending behaviour and successfully return to be part of the community and live bright lives and positive futures.
- An environment where children, young people, staff and visitors feel safe and supported.
- The community with confidence that children and young people in detention are in a safe, purpose-built facility that provides a high standard of care and rehabilitation support.

The Facility will be built at 466 Brighton Road, Pontville, with access to the site provided off Rifle Range Road. Rifle Range Road will be upgraded to support this use.

The Facility will provide an environment where children and young people experience the highest standards of child centred, rights-based and therapeutic care, where they are provided with education, services and opportunities that support them to enhance connections and return successfully to community.

The Facility will have a non-institutional feel and be low-lying in the landscape. A 'Building as Perimeter' model has been adopted, which means views from within the buildings and houses in the Facility will have clear sight lines to the surrounding rural land and the hills forming the valley in which it sits.

The large site (~32ha) allows the Facility to sit approximately 150m away from surrounding uses. It is expected that the open space around the Facility will continue to be used as horse grazing land, providing further opportunity for windows from the facility to look directly out to the landscape.

The design of the Facility is being guided by a Model of Care which adopts evidence-based trauma-informed principles to provide a therapeutic environment that acknowledges the trauma histories that exist for many of the young people in the youth justice system.

The safety, both physical and psychological, of children and young people, staff and neighbours will be at the forefront as the design for the Facility progresses.

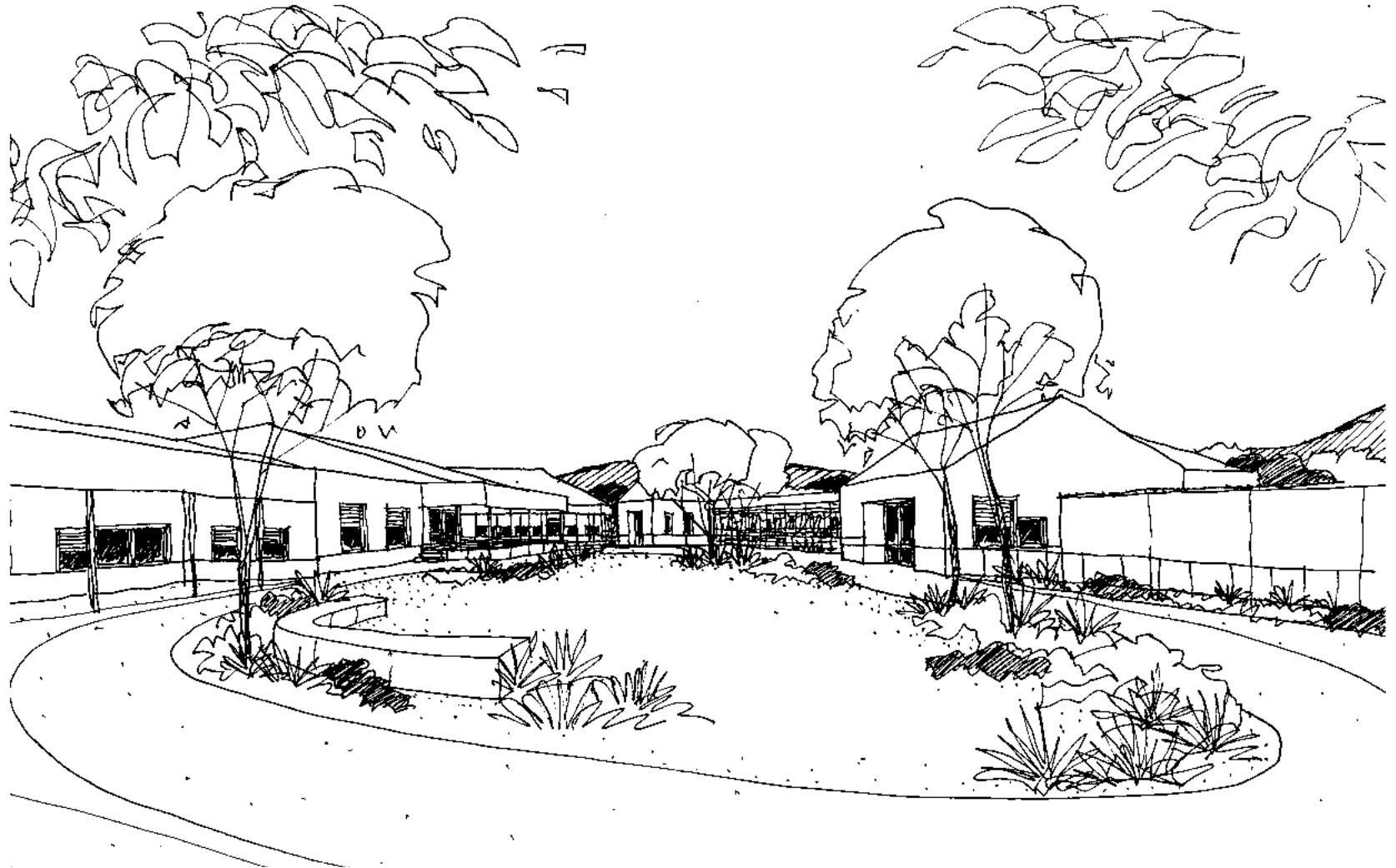
The masterplan delivers:

- Sixteen residential beds, plus two treatment beds in the health centre and two orientation beds in the admissions area (20 in total). The sixteen residential beds will be delivered in two four-bed houses, two three-bed houses and two single bed studios (for transition of care or individual specialised care).
- A health centre providing health and mental health support.
- Education and outdoor recreation facilities.
- A cultural centre and garden, which will provide greater opportunity for connection to family, community and country.

The site will be protected by both physical and electronic security systems.

Adelaide design studio Grieve Gillett Architects, in association with X-Squared Architects (Hobart) and Guymor Bailey Architects (Melbourne), have been engaged to provide full architectural design services for the Facility. They have assembled a team of specialist subconsultants from both Hobart and interstate, providing services and structural / civil engineering, AV design, security engineering, landscape architecture and wayfinding.

Introduction



View of the outdoor space between the visitors building (left) and the houses on the perimeter of the site (right)

Introduction

The Commission of Inquiry into the *Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings* (COI) found that there are high rates of sexual abuse for children and young people in detention, making among the most vulnerable in our community to this abuse.

Children and young people in detention have often experienced trauma, maltreatment and significant unmet developmental needs, all of which are risk factors for becoming victims of sexual abuse.

There is an over-representation of Aboriginal and/or Torres Strait Islander children and young people in detention who have experienced heightened vulnerability because of the impacts of intergenerational trauma stemming from the legacy of colonisation.

There is also an over-representation of children and young people with disabilities in detention, including those who are neurodiverse.

The COI recommended that the Ashley Youth Detention Centre be closed as soon as possible and be replaced with a small, homelike facility that incorporates design features that reflect best practice international youth detention facilities.

The COI recommended that the facility:

- promotes the development of trusting and therapeutic relationships between staff and children and young people.
- facilitates and enhances trauma-informed, therapeutic interventions for children and young people.
- minimises stigma to children and young people.
- facilitates and promotes connections between children and young people, and their families and communities.
- is co-designed with Aboriginal and/or Torres Strait Islander communities and includes culturally enriching environments for Aboriginal and/or Torres Strait Islander children and young people to promote connection to family, community and Country.

- protects children and young people against the risks of child sexual abuse (including harmful sexual behaviours) – for example, by enabling line-of-sight supervision as far as possible, without infringing on children and young people's privacy.
- is culturally safe for Aboriginal and/or Torres Strait Islander children and young people.

The masterplan is aligned to the recommendations of the COI and has been informed by advice received from the Youth Justice Reform Expert Panel, Youth Justice Community Advisory Group and preliminary input from key stakeholders.

In parallel to the design of the Facility a Model of Care is being developed to define the way services will be delivered. The Model of Care outlines the operating philosophy of the new facility, that guides the way children and young people are cared for, and the organisational framework.

Model of Care

What is the Model of Care?

Designing and building the right physical environment is closely informed by what care should look like for children and young people. Being clear on the way services, interventions, learning and healthcare will happen, and the way we want these to be experienced, helps us understand how the physical buildings, facilities and spaces should be designed.

A model of care is being developed, and the following section describes what this is and the core principles within it.

The Model of Care:

- **underpins the service** provided by Tasmanian Youth Justice Services-Detention
- **guides how youth justice detention will be delivered** for children and young people in detention
- provides **clarity, focus, understanding, language and outcomes**
- is **informed by the lived experiences** of those detained as **children and young people, Aboriginal and/or Torres Strait Islander and community voices**, key stakeholders, and national and international **best practice evidence**.

The Model of Care outlines the purpose for the detention centre and includes a vision along with eight principles underpinning the model. These make up the Operating Philosophy for the Facility.

The vision for the Model of Care is

“To enable an environment where children and young people experience the highest standards of child centred rights-based and therapeutic care and education, services and opportunities, supporting them to enhance connections and return and remain successfully in the community.”

The eight principles underpinning the model are:

1. Child centred and rights-based
2. Enduring connections
3. Culturally safe and connected
4. Safety and wellbeing of young people
5. Therapeutic
6. Trauma transformative
7. Staff support and wellbeing
8. Continuity and throughcare

How these principles apply to young people and the commitments made by adults to those young people are outlined in the table on the following pages.

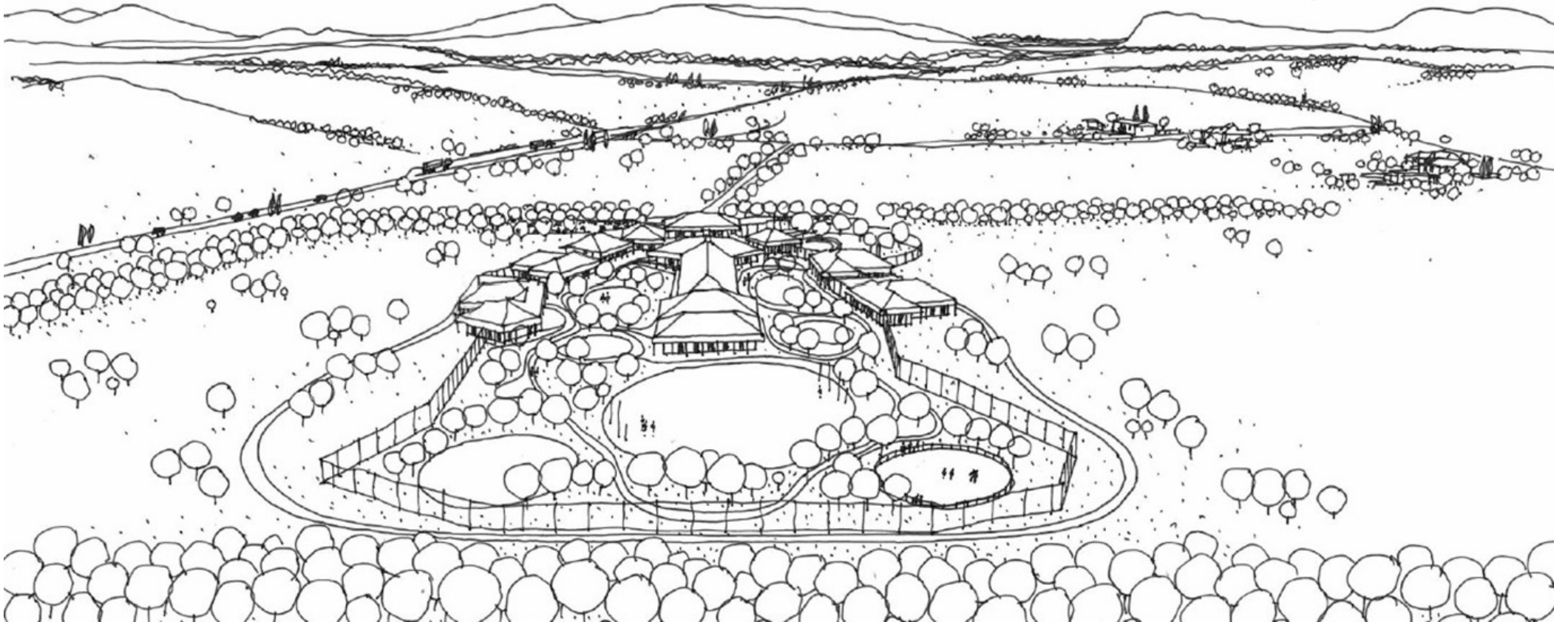
Operating Philosophy Principles

# Principles	Description Adult commitments to children and young people	Child and Young Person version	What this means for me, as a child or young person
1. Child centred and rights-based	We meet the needs and uphold the rights of all children and young people.	I understand my rights, have a say in decisions that affect me, and my needs are met.	My rights matter and I can expect that adults uphold my rights. I can expect to have my needs met, be included and supported to participate, and my views are taken seriously.
2. Enduring connections	We support the young person to stay connected with people who matter to them. We form and build partnerships that help the young person.	I can keep and grow connections with people who matter to me.	I am connected with people who help me and have got my back.
3. Culturally safe and connected	We support children and young people to be themselves and to connect with their culture(s) and community.	I feel safe to be me and can connect with the culture(s) that matter(s) to me.	I feel respected and valued to identify with who I am. I have choices in how I connect with my people, stories, and places.
4. Safety and wellbeing of young people	We commit to safety through consistency and fairness in our care and responses to children and young people. We provide routines and expectations that support children and young people to feel safe and be well.	I am and feel safe and well.	I can rely on consistent and fair responses from adults. I know and understand the routines, rhythms, and rituals of my environment. I trust that my needs and wellbeing are top priorities.

Operating Philosophy Principles

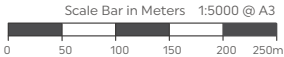
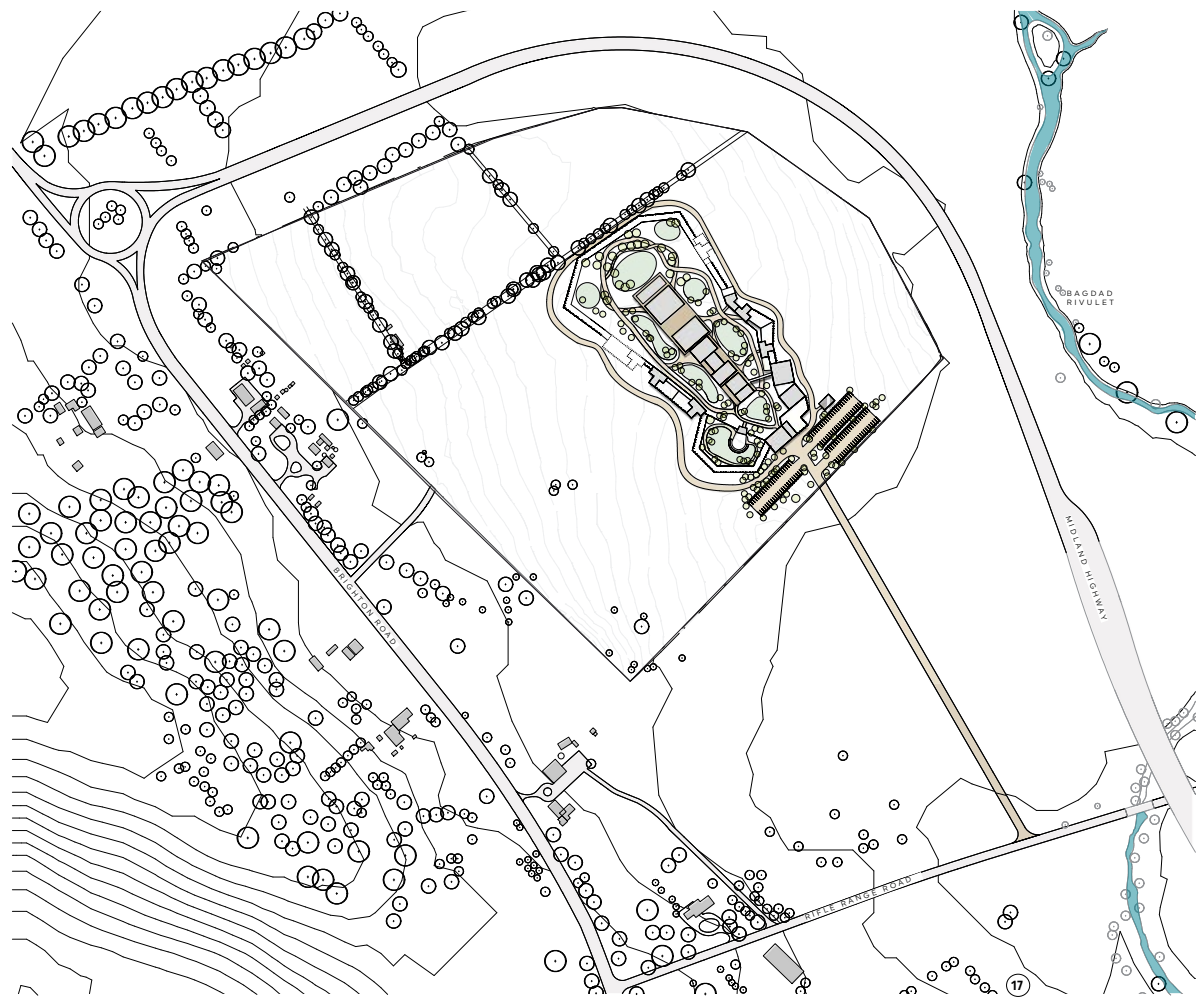
5. Therapeutic	We are committed to providing care that is supportive and healing so that children and young people recover, develop and sustain growth	I feel supported to heal and to make lasting changes.	The adults know and understand me. I have a say in my care planning. It is led by me and is about me, my wishes, views and needs. I have safe and good relationships with family, friends and adults caring for me
6. Trauma Transformative	We understand the impacts of trauma and are committed to responding to children and young people in predictable, consistent and safe ways	I feel understood and know that the adults will keep me safe, even when my behaviour is difficult	I am being supported to better understand myself and to develop positive social skills, along with different behaviours that help me stay out of trouble with the law
7. Staff support and wellbeing	We commit to supporting our workers and keeping them safe. We provide our workers with the skills, knowledge and environment they need to maintain their wellbeing and keep them safe.	I experience positive relationships with the people who care for me. They are kind, understanding and calm, and I can trust them. They know how to keep me safe	I can see that the people caring for me, care about me, notice my strengths and support me to be the best I can be. I can trust them and see that they hang out and hang in with me and are fair, calm and fun with children and young people.
8. Continuity and throughcare	We provide children and young people with continuity of relationships and services throughout their journey, including on return to their family and community.	I know that people make sure I have important relationships and supports that will continue to meet my needs	I am connected and reconnected with people and the help I need, including when I return to my family and community.

The Masterplan



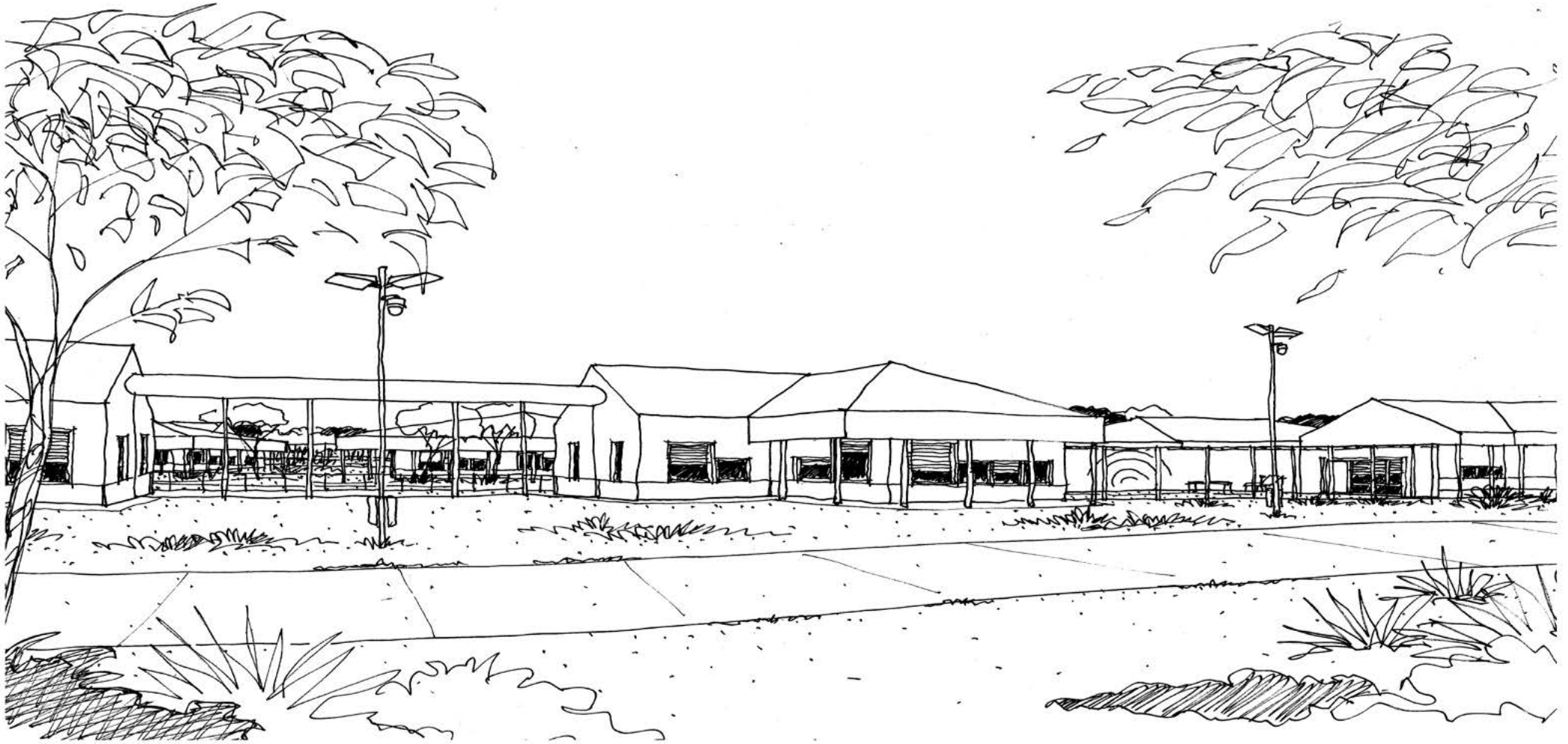
Birdseye view of the site looking south east

The Masterplan



Overall site masterplan showing extent of built area of the facility and the proposed access road

Key Design Principles



Key Design Principles

Normalisation of Environment	Therapeutic & Trauma Informed Design	Biophilic Design	Culturally Appropriate Design	Safety & Security
<ul style="list-style-type: none"> • Allow children to manage their life by creating normalised daily routines and activities to give them a better chance to adjust into society upon release. • Give children and young people and staff an environment they feel proud of and are responsible for, to encourage them to treat it with respect. • Provide an environment that can contribute to a positive change in mood about the environment, themselves and each other. 	<ul style="list-style-type: none"> • Focus the design on rehabilitation, education, reintegration and healing. • Reduce and remove adverse stimuli and environmental stresses. • Actively engage individuals in a dynamic, multisensory environment. • Support self-reliance and self-autonomy. • Provide and promote connections to the natural world. • Separate individuals from others who may be in distress. • Reinforce a sense of personal and cultural identity. • Promote the opportunity for choice when balancing program needs and the safety and comfort of the majority. 	<ul style="list-style-type: none"> • Allow for exposure to nature to provide positive responses on human psychology and physiology in contribution to improved health and wellbeing. • Ensure thoughtful placement of windows with consideration of natural sun movements and understanding of wind movement specific to the site. • Ensure visual access to external spaces and borrowed landscapes using natural materials. • Avoid stark and harsh landscapes often found in detention facilities due to perceived security and maintenance implications. • Ensure views to gardens and nature are provided as often as possible, even if direct access to these areas is not feasible. 	<ul style="list-style-type: none"> • Facilitate and promote connections with families and communities through facility design. • Provide options for community connection. • Use technology to support safe and frequent communication with family and friends. 	<ul style="list-style-type: none"> • Prioritise the safety and wellbeing of young people, staff and the broader community at all times. • Security is embedded in design through layered and unobtrusive measures to support safety and therapeutic care. • Spaces are designed to reduce risk, support staff visibility and provide calm and controlled environments. • Security will remain a fundamental requirement across all aspects of the design.

Site Analysis



Aerial view of the site and surrounding area

Site Analysis

Location

The site of the Facility is 466 Brighton Road, Pontville. Located in southern Tasmania, the site is approximately 3-minute drive to Brighton, 20-minute drive to Glenorchy and 30-minute drive to Hobart. With close proximity to the Midland Highway, the site is readily accessible from the North and North West of the state.

The site is a parcel of agricultural land within the Southern Midlands Council local government area. It is surrounded by the Midland Highway to the north and east, residences to the south and west and an adjacent government owned site to the south east.

Site Access

Access to the site is currently off Brighton Road. As part of site investigations and masterplanning work completed, the proposed access to the Facility will be via Rifle Range Road.

Planning Report

The development is subject to the provisions of the Tasmanian Planning Scheme – Southern Midlands. The site is zoned rural under the planning scheme. It is entirely within a bushfire prone area overlay and partially in a scenic road corridor and priority vegetation area overlay.

The site is not listed on the local or state heritage register, however there are state heritage listed properties within the vicinity of the site, but with no historic heritage requirements triggered by the proposed development.

Natural Values Report

The report on the natural values identifies a small number of native species are present, but these are a minor component of the species diversity and vegetation cover. It states there can be no potential impact to native or threatened vegetation communities from the development, as none are present.

The report noted the presence of four significant trees on the site, that provide potential foraging and or nesting habitats for two bird species of importance. None of these trees are affected by the proposed development.

Bushfire Report

The development will be subject to a number of requirements relating to bushfire, in particular the ability for certain buildings on the site to be adequately protected and maintain internal tenability for occupants during a bushfire event and with the required setback from all site boundaries.

Agricultural Report

The land is constrained for agricultural use due to the predominantly low land capability of the ground, low rainfall climate and absence of irrigation which limits any potential scale and level of intensification.

A number of existing features associated with the subject properties including setback distances and relative separation from nearby agricultural land, in conjunction with design and operational measures such as layout of the facility, landscaping around the facility, secure fencing, and active land management (e.g. weed control) will mitigate the impact of the development on adjacent and nearby land.

Site Analysis

Aboriginal Heritage Assessment

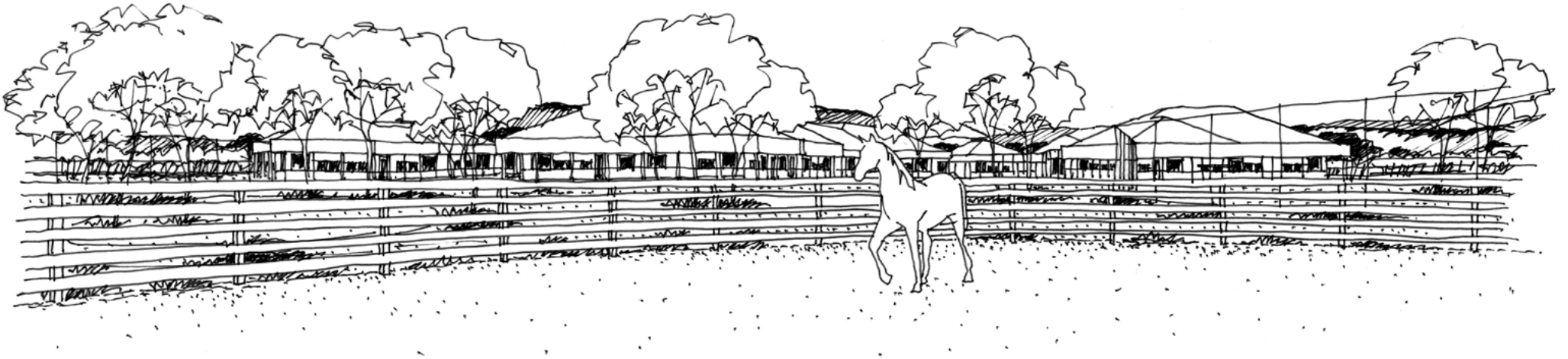
A series of Aboriginal Heritage Assessments have been completed at the site, which have identified areas of cultural significance.

The proposed development area avoids areas of high cultural significance and identifies the opportunities the presence of these areas provides to the overall development in terms of connection to Country for both the young Aboriginal and/or Torres Strait Islander people in the centre and the broader community.

We expect to explore this further with the Aboriginal and/or Torres Strait Islander communities and peoples as design progresses.



Design Rationale



Design Rationale

‘Small and Homelike’

The Youth Justice Reform Expert Panel provided the design team with broad-ranging advice that has been collectively referred to as ‘Small and Homelike’. This refers to not just the built form, but all other aspects of the facility. This has informed the design process and sits comfortably with the key design principles of normalisation, biophilic design, trauma-informed and therapeutic design, and culturally appropriate design.

Building as Perimeter

A traditional secure facility design generally adopts a campus model, where the buildings are bounded by a very secure external perimeter, usually set back some 30 metres from the buildings. Whilst this design has some advantages, one major disadvantage is that the secure perimeter dominates the landscape, and it is difficult to lose the feeling of enclosure.

The Facility adopts the ‘Building as Perimeter’ model. In simple terms, this means that views from bedrooms and living areas will be directly out into the landscape, with far reaching views to mountains and surrounding rural land. It also means that from the road and the entry, the secure fence line will not dominate and instead non-institutional buildings will be visible.

The Rural Vernacular

The site is rural in nature and setting, being located within the Southern Midlands Council on boundary with Brighton Council. The scale and footprint of the development will be minor in terms of the size of the overall 32-hectare site. The development will be significantly set back from site boundaries. Views to and from the site are expansive and long reaching.

Given the rural location, the design draws inspiration from rural vernacular architecture, aiming to create a built environment that feels familiar, functional and connected to its surroundings. It references the simplicity and practicality of country vernacular, evoking the aesthetic of the Georgian influence, whilst doing so in a way which is modern and forward-looking.

The Facility design aims to reinterpret this influence with an ensemble of buildings characterised by rectangular footprints, hipped roofs with skylight shafts, mimicking chimneys or protrusions, and covered verandas. These choices foster a sense of belonging and identity, ensuring that the built environment supports wellbeing and feel like they naturally belong in the agricultural setting. The assortment of buildings irregularly laid out with an irregular roof line and selections of materials will be akin to that of a small farm with volumes similar to barns, homesteads and sheds.

The architectural form prioritises a human-centred scale, with residential proportions to create a welcoming and non-institutional atmosphere. Careful spatial planning will seek to optimise thermal performance and acoustic comfort by regulating temperature and reducing noise, ensuring a comfortable environment. The integration of biophilic principles, such as natural light, views to nature, and access to outdoor spaces, will further support restorative and calming spaces. These elements will further contribute to an experience of place that promotes independence and a connection to nature, reinforcing the Facility’s therapeutic intent.

By incorporating materials such as brick and timber, the design will emphasise a sense of familiarity and warmth, referencing Tasmania’s long-standing tradition of timber and brick construction. Timber-look alternatives may be necessary where the constraints of functionality and performance require it while maintaining the intended look and feel of timber.

Design Rationale

Building Form

The masterplan explores two potential building forms for the site, each offering distinct benefits in terms of function, security, and rehabilitation outcomes.

At this stage, the masterplan provides a high-level framework, ensuring flexibility to refine and adapt the design as planning progresses.

The final building form will be determined through ongoing design development, informed by operational needs, stakeholder input, and best practices in youth justice facility design. This approach allows for a thoughtful and responsive outcome that best supports the Facility's long-term objectives.

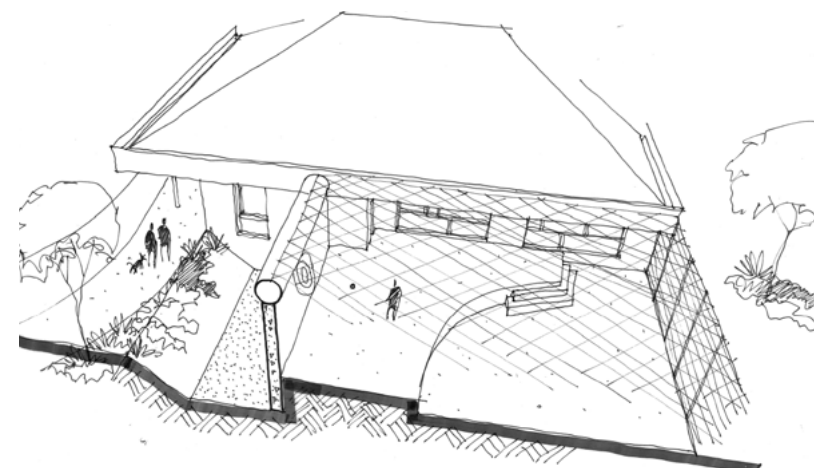
The images to the right depict these two forms including a pitched roof informed by the rural setting of the site and a skillion roof representing a more modern aesthetic.

The images also depict the outdoor secure courtyards with a mesh above. This creates a safe yet open environment that supports the autonomy and wellbeing of young people.

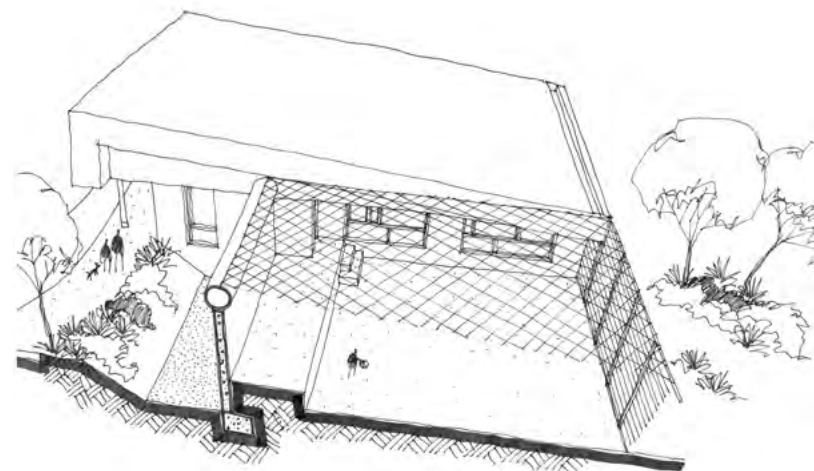
The mesh allows natural light and airflow while maintaining security, enabling young people to spend more time outdoors without constant supervision.

This design feature increases access to movement, and unstructured recreation, supporting physical and mental health. It also fosters a sense of trust and normalcy, giving young people greater flexibility to use this outdoor space when in their house, and promotes more independent use of time.

Overall, it helps to strike a balance between safety and self-determination, contributing to a more therapeutic and rehabilitative environment.

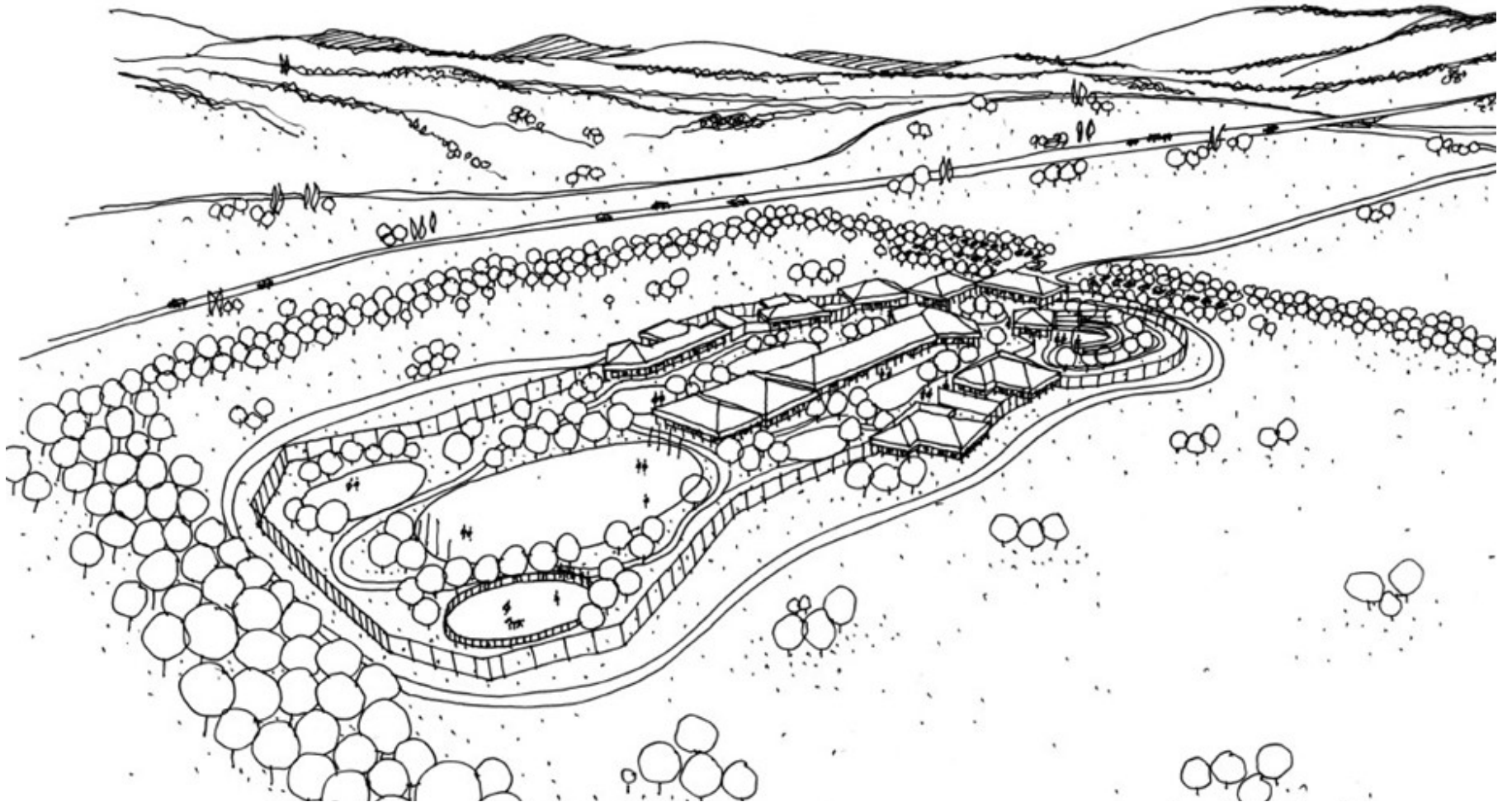


Option 1 – Pitched roof design, supporting the rural vernacular



Option 2 – Skillion roof design, supporting a more modern aesthetic

Concept



Concept

Site Neighbourhood and Context

The site is located in a rural area with a diverse range of neighbours adjacent and in proximity to the proposed development.

Large expanses of existing landscape and vegetation currently separate the proposed development from adjacent neighbours and the surrounding context.

Additional planting to the perimeter of the site and the existing tree line within the property will be completed as part of an early works package to provide further screening from the road and adjacent land users.

Site Planning

The masterplan for the site adopts a 'Building as Perimeter' model. The significant feature of this approach is that the windows from the buildings that form part of the secure perimeter look directly out to the landscape and not to a fence line. On this site, this will provide far reaching views to mountains, and closer views to the horses in the surrounding paddocks.

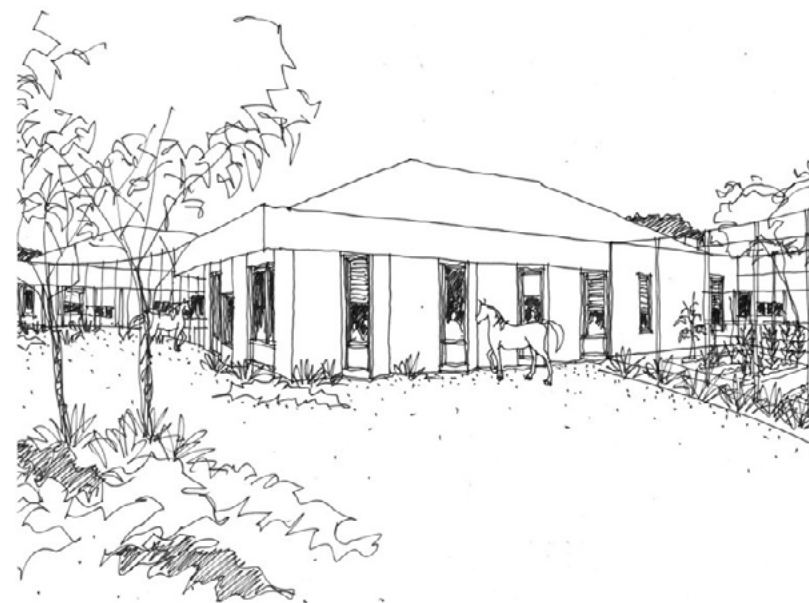
This design approach is particularly important from a therapeutic perspective, as access to natural views has been shown to reduce stress, support emotional regulation and promote a sense of calm. The ability to see open landscapes and animals, rather than security barriers, reinforces a connection to the outside world and provides motivation for change. Additionally, views of nature can help counteract feelings of isolation and confinement, supporting mental health and encouraging reflection and personal growth.

The site boundary is more than 150m away in most instances, so the issue of privacy is lessened as a result of this large parcel of land.

The Facility will be accessed via a new road off Rifle Range Road which will be upgraded as required.

The overall site will have a delineation fence line with provision for rural use to continue surrounding the Facility, outside of the secure area.

The proposed siting also takes advantage of the identified cultural significance of the surrounding land, identifying an opportunity for establishing a cultural garden walk. This garden could be maintained and managed by young Aboriginal and/or Torres Strait Islander people at the Facility under the guidance of local Aboriginal and/or Torres Strait Islander elders, providing a meaningful and valuable addition to the local community.



View to accommodation building from outside the facility showing the benefit of the 'Building as Perimeter' model

Functional Zoning

Building as Perimeter masterplan proposal.

LEGEND

Entry

Sally Port

Maintenance Shed

Admissions

Health

Visitor / Cafe

Staff / Administration

Education

Recreation

House

Cultural

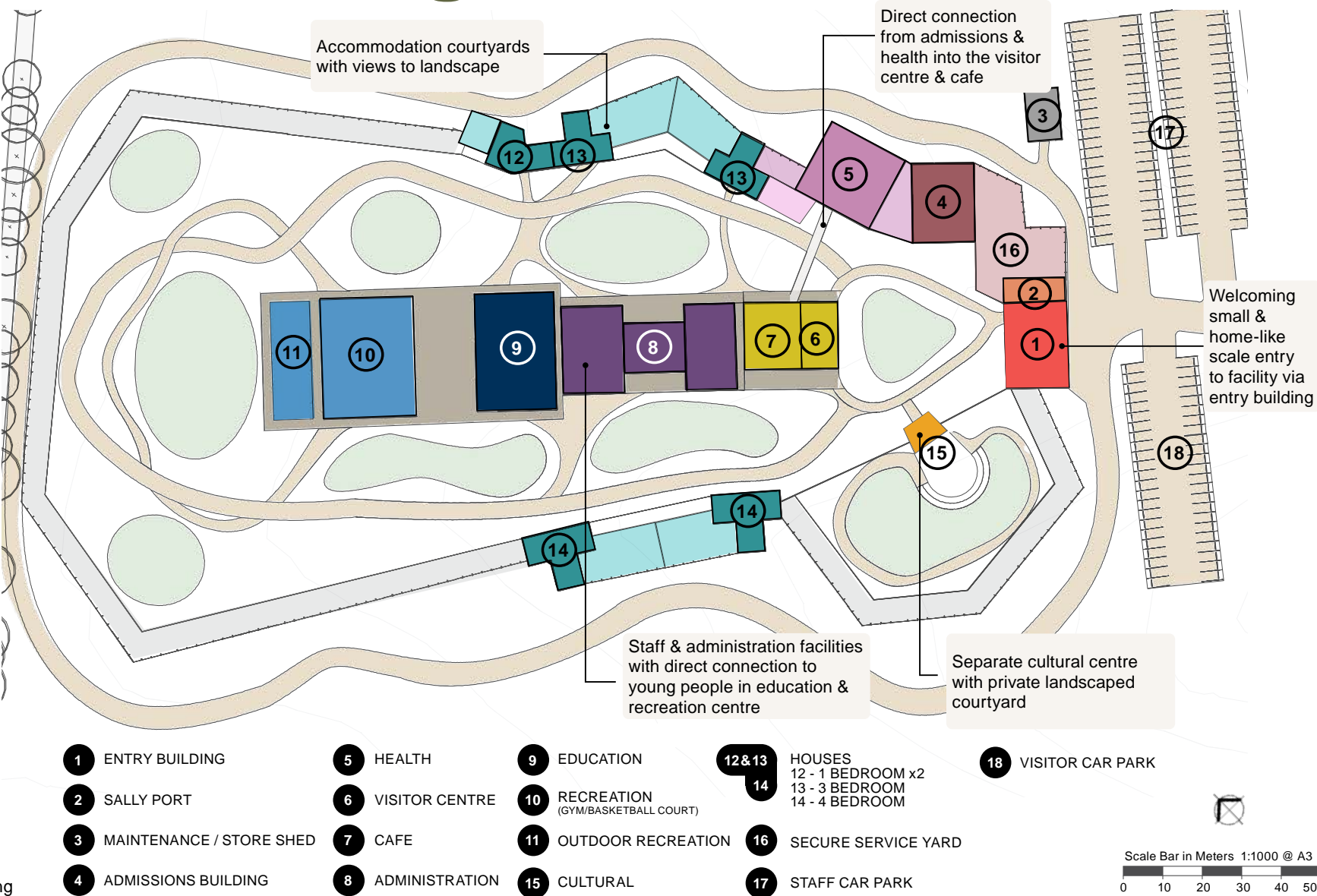
Greenspace

Covered Pathway

Secure Service Yard

Secure Courtyard

Pathway / Gathering / Parking



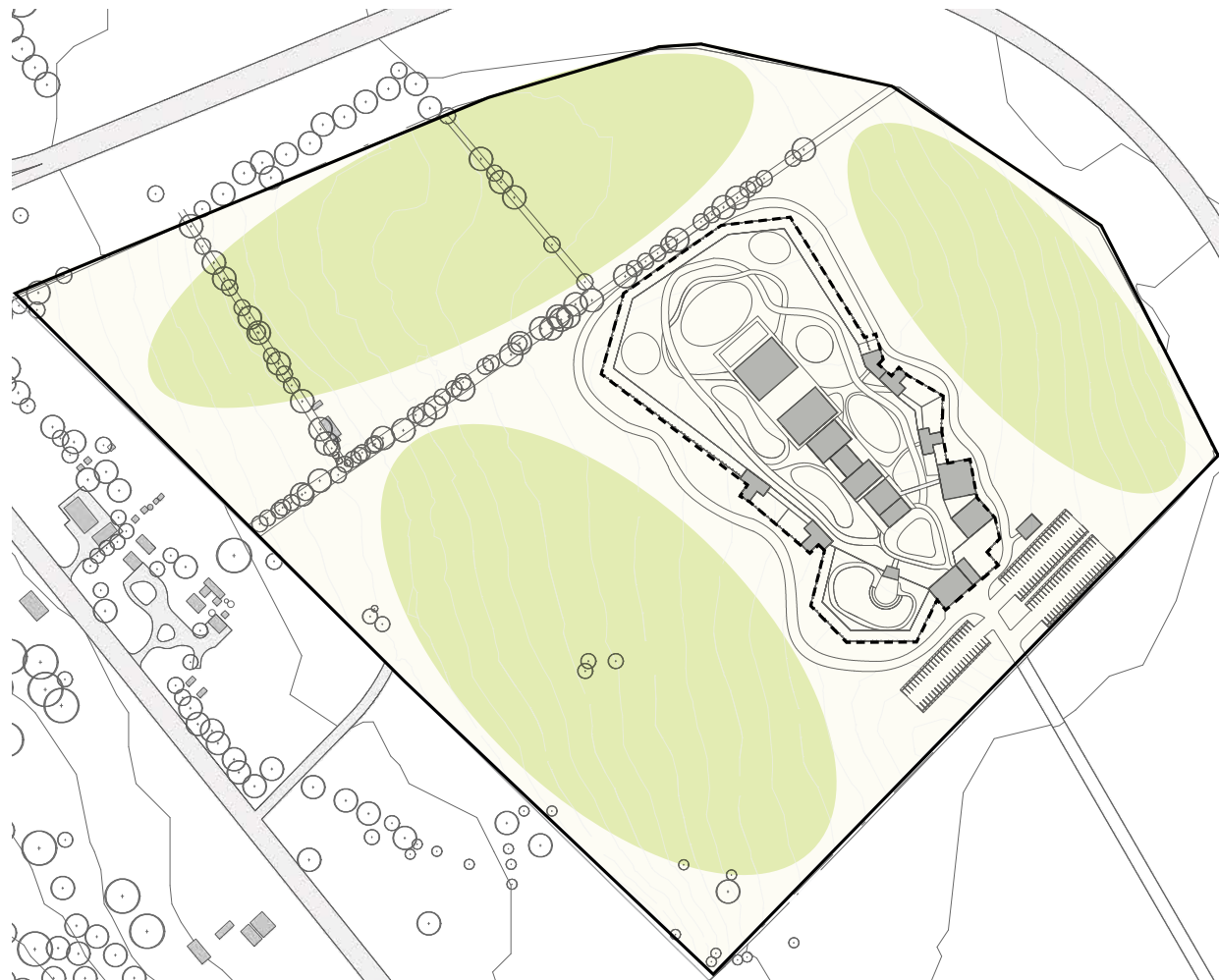
Rural Area Opportunities

The site currently accommodates a horse rehabilitation program as part of its existing rural use. The masterplan preserves and enhances this rural character by allowing for the continued use of the surrounding land for agricultural and equine-related activities.

Additionally, the design of the Facility will create opportunities to integrate and establish meaningful connections with these rural programs, potentially supporting therapeutic, educational and vocational initiatives for young people within the Facility.

LEGEND

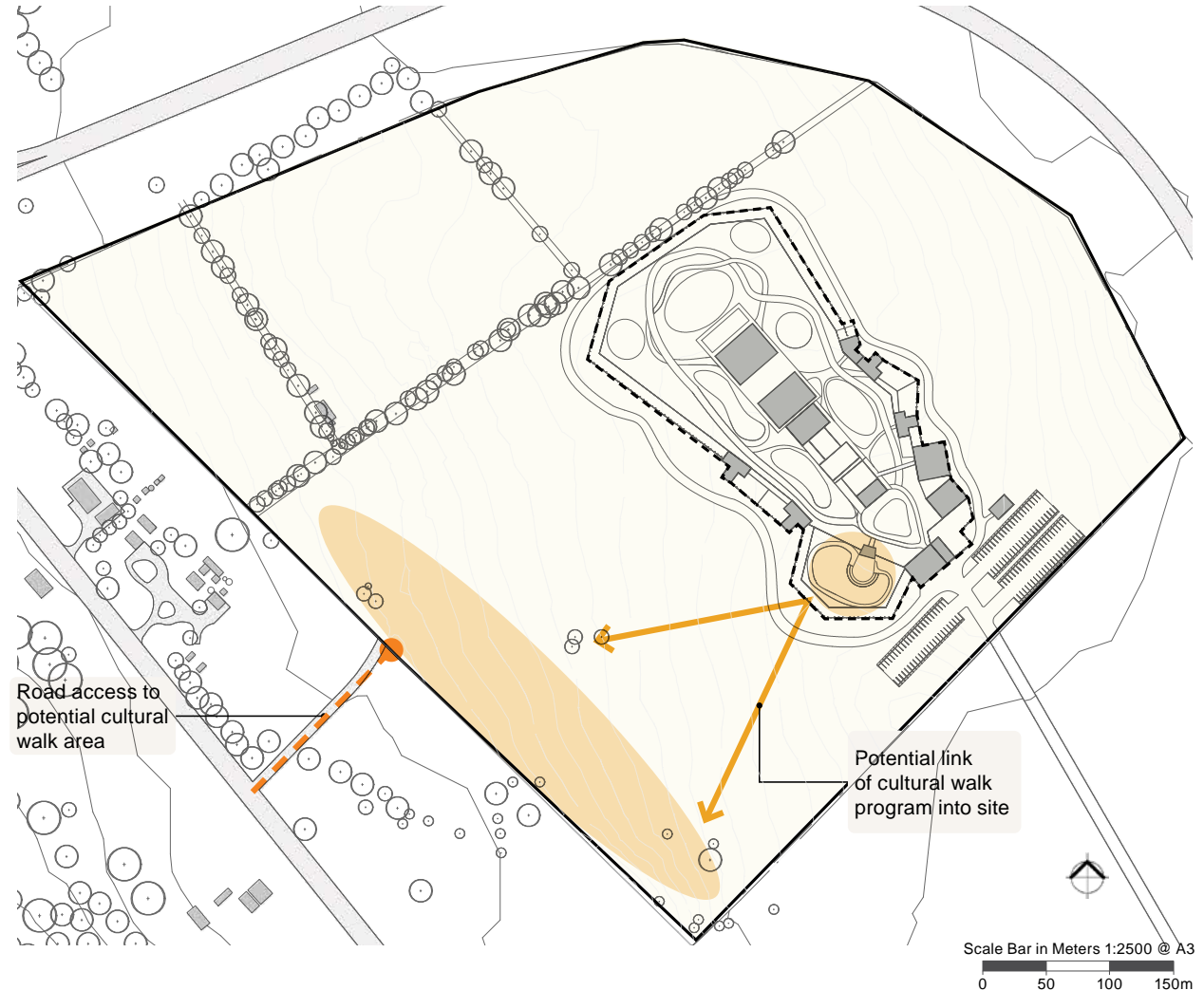
- Existing Site Boundary
- - Proposed Development Site
- Horse Grazing Area



Cultural Walk Program

The existing significant cultural heritage of the site presents an opportunity to establish dedicated areas for a cultural walk program. This initiative could be connected to cultural spaces within the Facility, fostering a deeper sense of identity, belonging and learning.

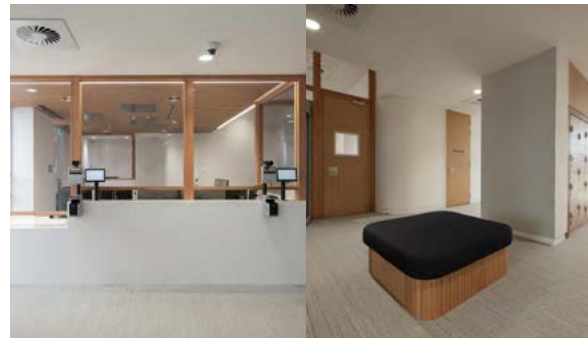
By actively involving young people, their families, and the broader community in the development and care of these spaces, the program can support cultural connection, storytelling and intergenerational engagement, reinforcing a sense of pride and continuity.



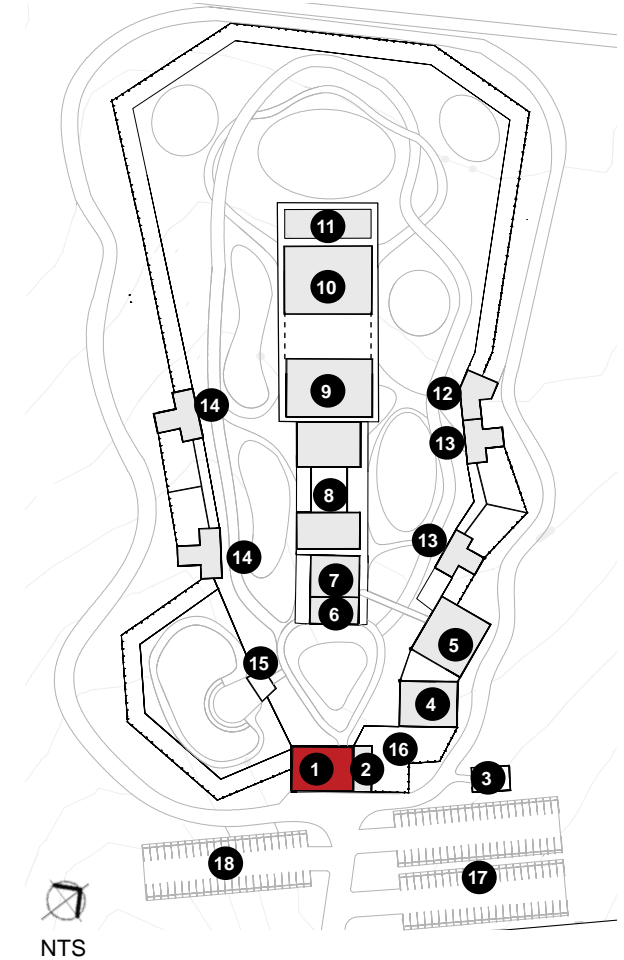
Entry Building

The entry building to the new Facility will be a commercially scaled building with a welcoming and attractive entry point. All visitors and staff will enter the site through the same point and move through a screening area to access the interior of the site. The entry building will have end of trip facilities for visitors and staff lockers.

An upper level of the building will house the site's master control room and security staff facilities. The entry building will also include the vehicle sally port which provides secure access into the service yard.



Design precedent images



Entry Building



View towards the entry building from the entry roadway from Rifle Range Road.

Building Admissions Building

The admissions building will sit directly adjacent the entry building.

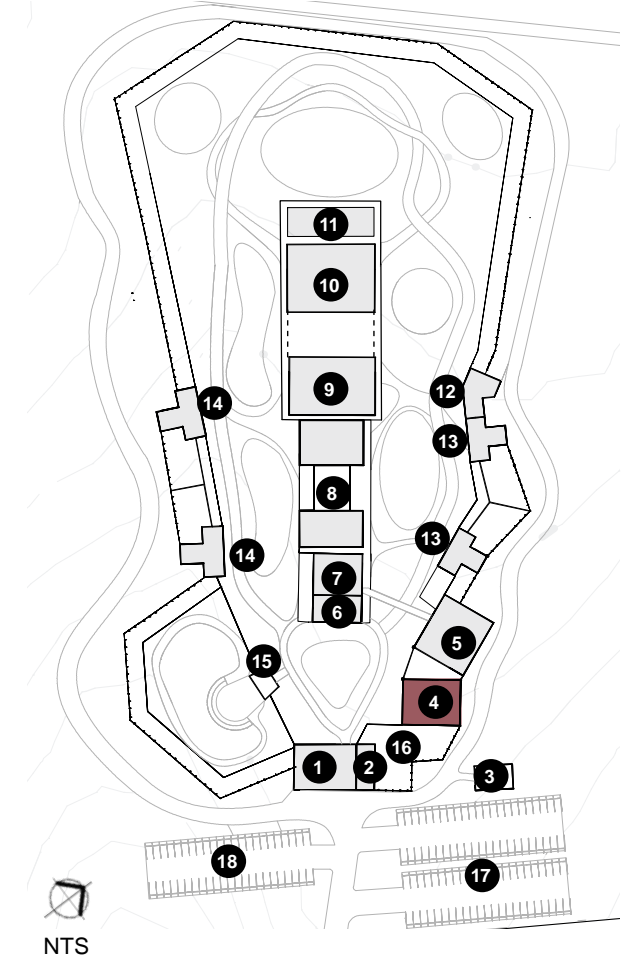
The intent is that the building will provide a calm and safe environment with a high level of amenity, acknowledging the high stress levels that can be present in a young person at this time.

The building will have two bedrooms with ensuites and a small lounge area that will allow young people who may only need to be on site for a single night to be accommodated safely and securely. Otherwise, these beds serve as a stepping point for new arrivals to the site before being placed in one of the residential accommodation buildings.

The admissions building also has a direct link to the health centre, recognising the strong link and importance of health of the young people coming to the Facility.



Design precedent images



Health Building

Children entering youth detention often have a wide range of unmet health needs. It is essential that the new Facility has the appropriate space and professional staff to address these needs.

The health centre will be as close as possible in both look and operation to a community health centre to help normalise young people's interaction. It will have a waiting area and reception, like what would be found at a local GP.

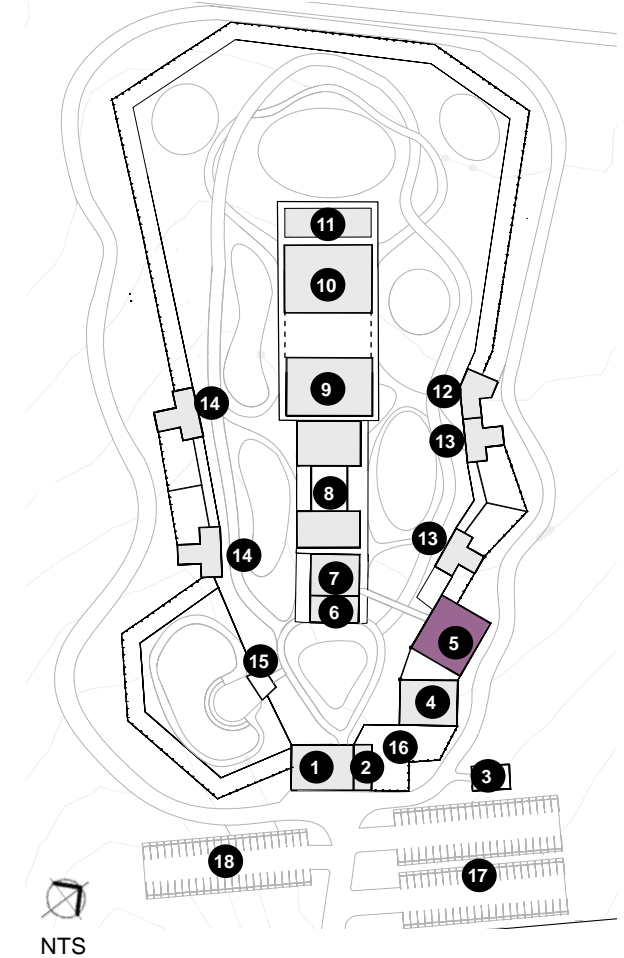
In addition to consulting and treatment areas for access to primary and mental health services, the centre will have two beds to cater for short stays where young people may need specialised care.

Youth Forensic Mental Health Services will provide referral and access to mental health treatment, care and support for children and young people, whether they are under community-based supervision, in detention or not yet sentenced (including remand).

Children and young people will have daily access to an onsite child and adolescent psychologist and fortnightly access to an onsite child and adolescent psychiatrist.



Design precedent image



Visitor Centre + Cafe

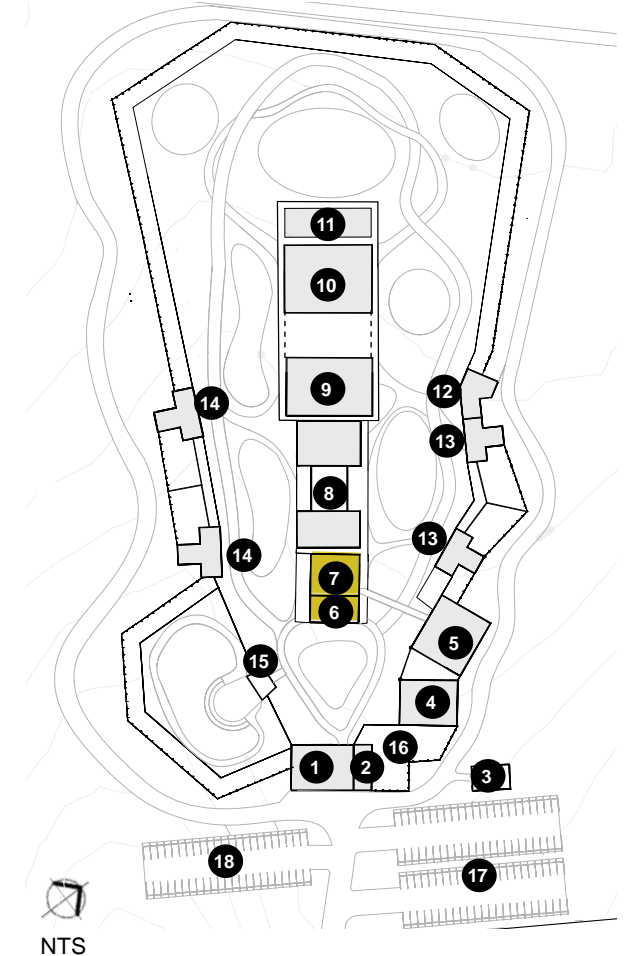
The Visitor Centre will sit directly opposite the entry building so upon entry visitors will be able to see where they are heading. It will contain a range of spaces to support different types of visits, in both indoor and outdoor settings.

Adjacent to and with a direct link, the cafe will provide for the visitor centre as well as serving the broader site.

The cafe will also function as a training kitchen for the young people as well as site kitchen, providing meals for the site as required. It is intended that the cafe acts as a central hub for the site: drawing young people, staff and visitors together and providing a setting for informal interactions between all the users of the site. The cafe will provide young people with opportunities to develop social skills and potential employment connections, both of which enhance positive reintegration to communities.

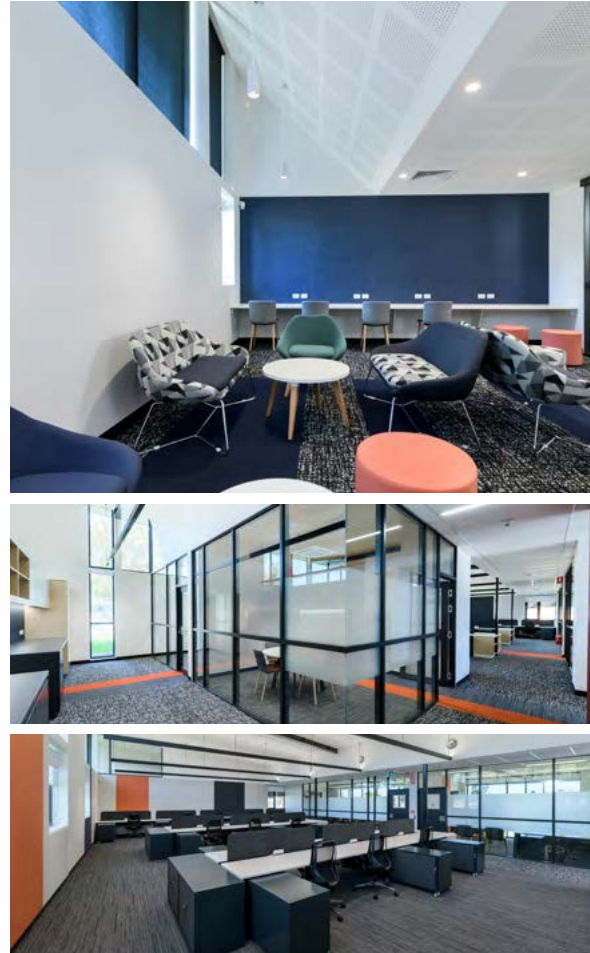


Design precedent images

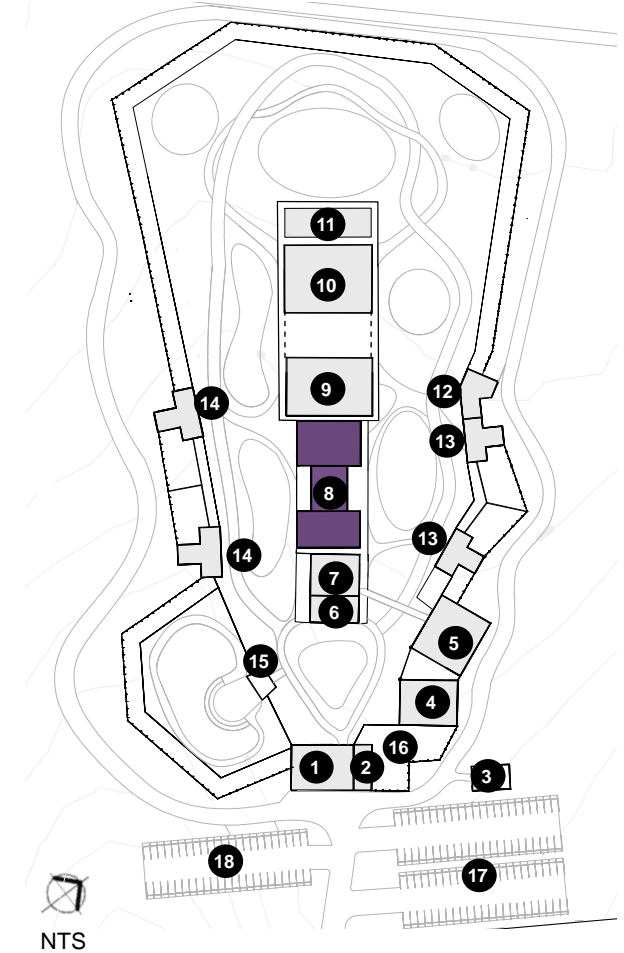


Administration / Staff

It is intended that the majority of staff will be accommodated in this central building when not working directly with children and young people. The building will have the staff amenities, meeting spaces and utility areas servicing a combination of office, workstations and hot desks. A second 'loft style' level will potentially provide staff wellbeing and retreat spaces, although it is not intended that these spaces overlook the site but instead provide a space for staff to manage their wellbeing.



Design precedent images



Education Building

The education centre will be the hub of education facilities on the site, notwithstanding the provision of other spaces across the site that can be used flexibly for education and vocational programs.

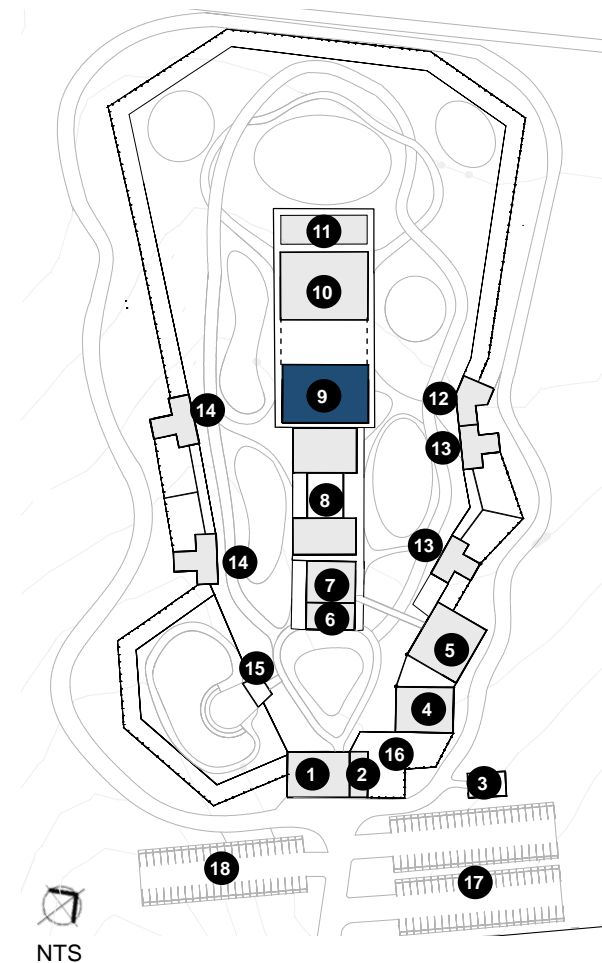
The centre will contain a series of teaching spaces, with adjacent secure outdoor areas and indoor break out spaces. Use of laptops and portable devices will mean that all spaces will support the use of technology equally. Both international conventions and national laws and guidelines recognise the right of children and young people in detention to access education. Additionally, education is widely regarded as a crucial protective and rehabilitative factor.

Education, learning opportunities, programmes and access to appropriate training and vocational courses are essential core elements of each child and young person's stay in detention. The flexibility of the provision of these opportunities at the facility help develop and enrich young people's engagement in their learning and increase the likelihood of rehabilitation and reduce the likelihood of re-offending on reintegration to communities.

Education staff will sit within the main staff building but will be directly adjacent and linked to the education centre, ensuring that they maintain connections with the broader staff group whilst still overseeing and being connected to the education spaces.



Design precedent image

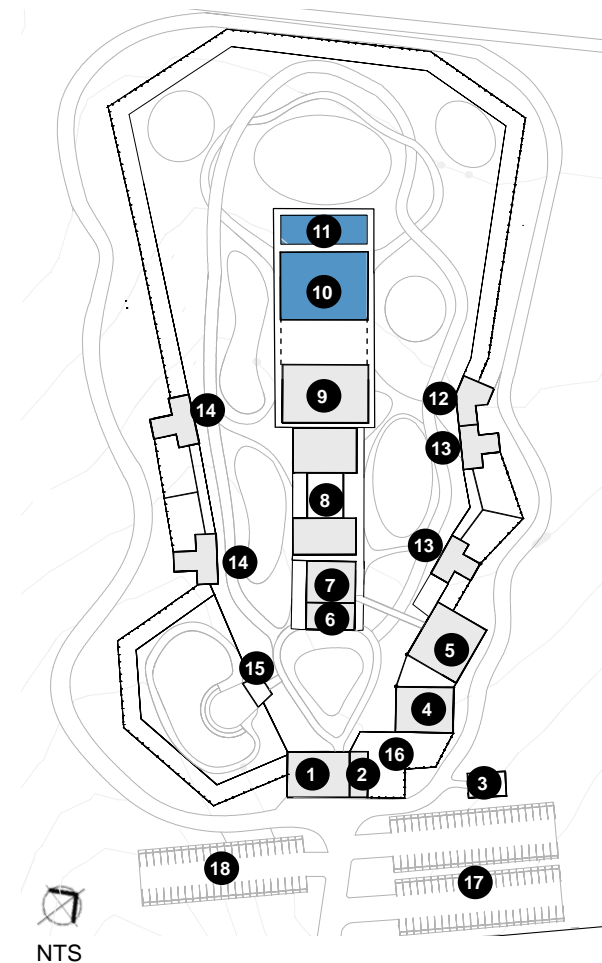


Recreation Facilities

Directly adjacent to the education centre will be a series of indoor and outdoor recreational spaces, designed to support physical wellbeing, social interaction and emotional regulation.

Access to recreation is essential in a youth justice setting, providing structured opportunities for movement, stress relief and the development of teamwork and resilience.

These spaces will not only contribute to overall health and fitness but also serve as vital outlets for self-expression, skill-building and positive engagement, helping to foster personal growth and rehabilitation.



Houses

Accommodation on the site will be provided in a series of three and four bed houses, and two single bed studios. The bedrooms will each have their own ensuite, and each room will look directly out to the landscape (without looking through a fence) under the proposed 'Building as Perimeter' model.

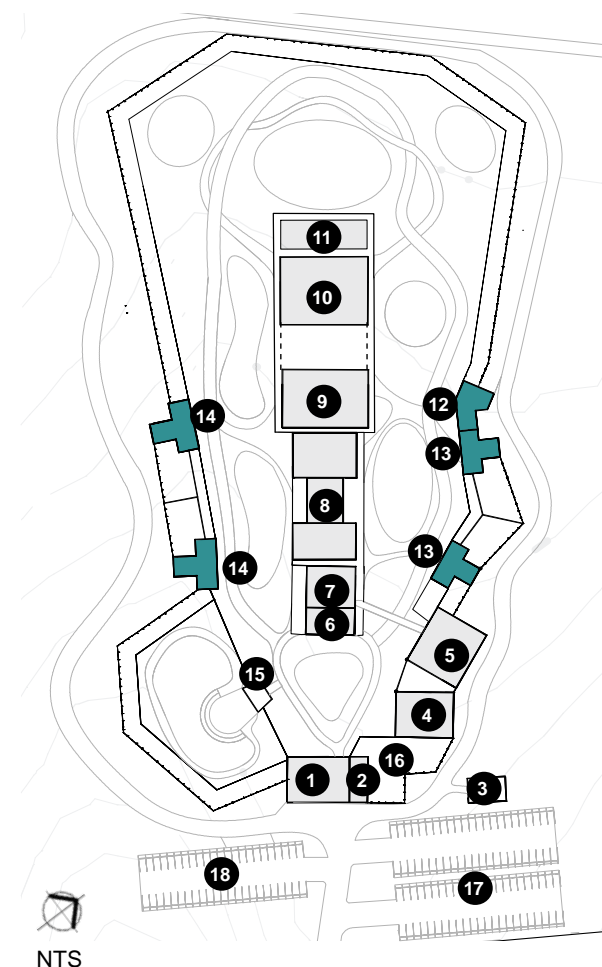
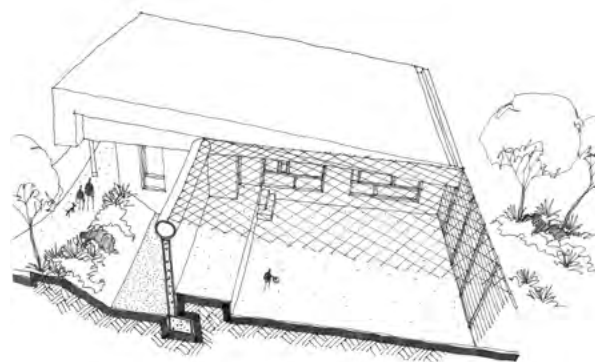
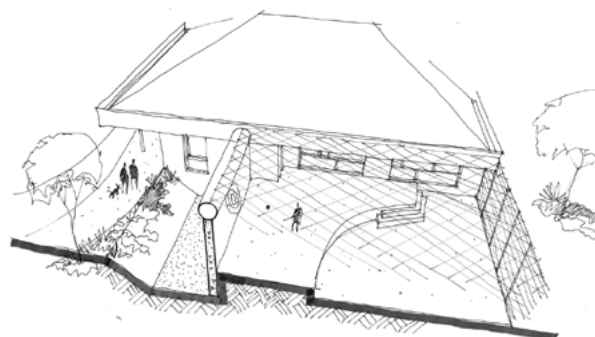
The houses will each have a residential style kitchen, living and dining space together with laundry facilities. Young people will cook, clean and live in a normalised environment together with the staff overseeing their care. A separate staff space will provide a quiet workspace, with the intention the staff will spend the majority of their time in the living areas with the young people.

Each living area will open onto a secure outdoor courtyard with a range of garden and activity zones. This space will also look out over the surrounding landscape. As noted previously, these spaces create a safe yet open environment to support the autonomy and wellbeing of young people, with the security of the courtyard helping to strike a balance between safety and self-determination. This contributes to a more therapeutic and rehabilitative environment.

Each house will have a multi-purpose room that can be used for education, health services, counselling or other uses, meaning a young person does not need to leave their accommodation to access these services if required.

Small houses are often used to create a more home-like, therapeutic environment that support rehabilitation and personal pro-social development. Unlike traditional large-scale institutional buildings, small houses provide a more normalised and less intimidating setting, helping to reduce stress, encourage positive behaviour and foster a sense of responsibility and belonging.

Overall, the small house model helps to create a rehabilitative, rather than punitive, environment—one that is more conducive to positive change and successful reintegration into society.



Houses

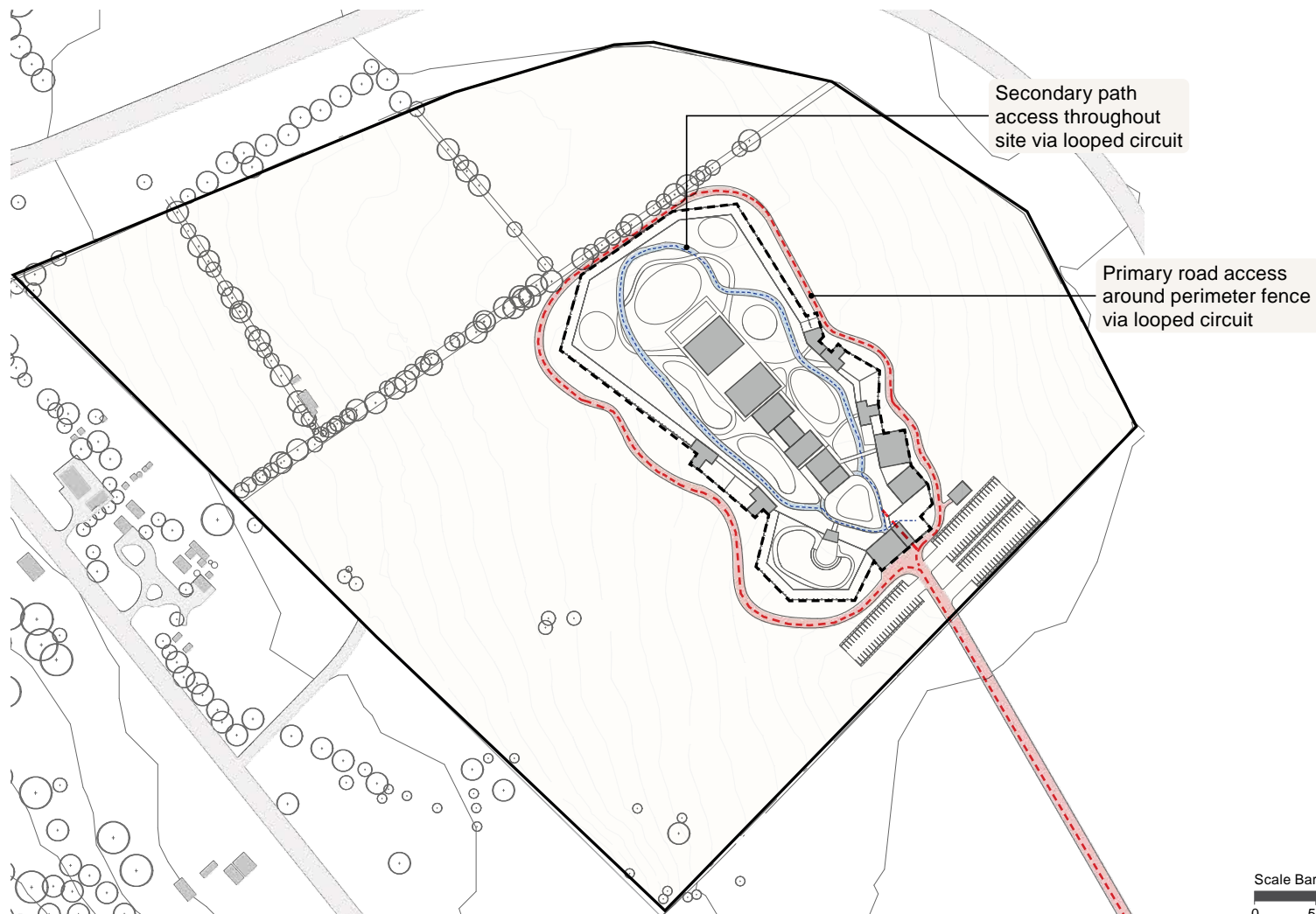


View upon leaving the Entry Building and looking down the site towards the Visitors Centre

Emergency Vehicle Access

The masterplan design provides access to the site via Rifle Range Road.

Clear internal and external emergency access is provided, with the layout of the site naturally conducive to clearly define access paths which will aid in fast response times in the event of an emergency.

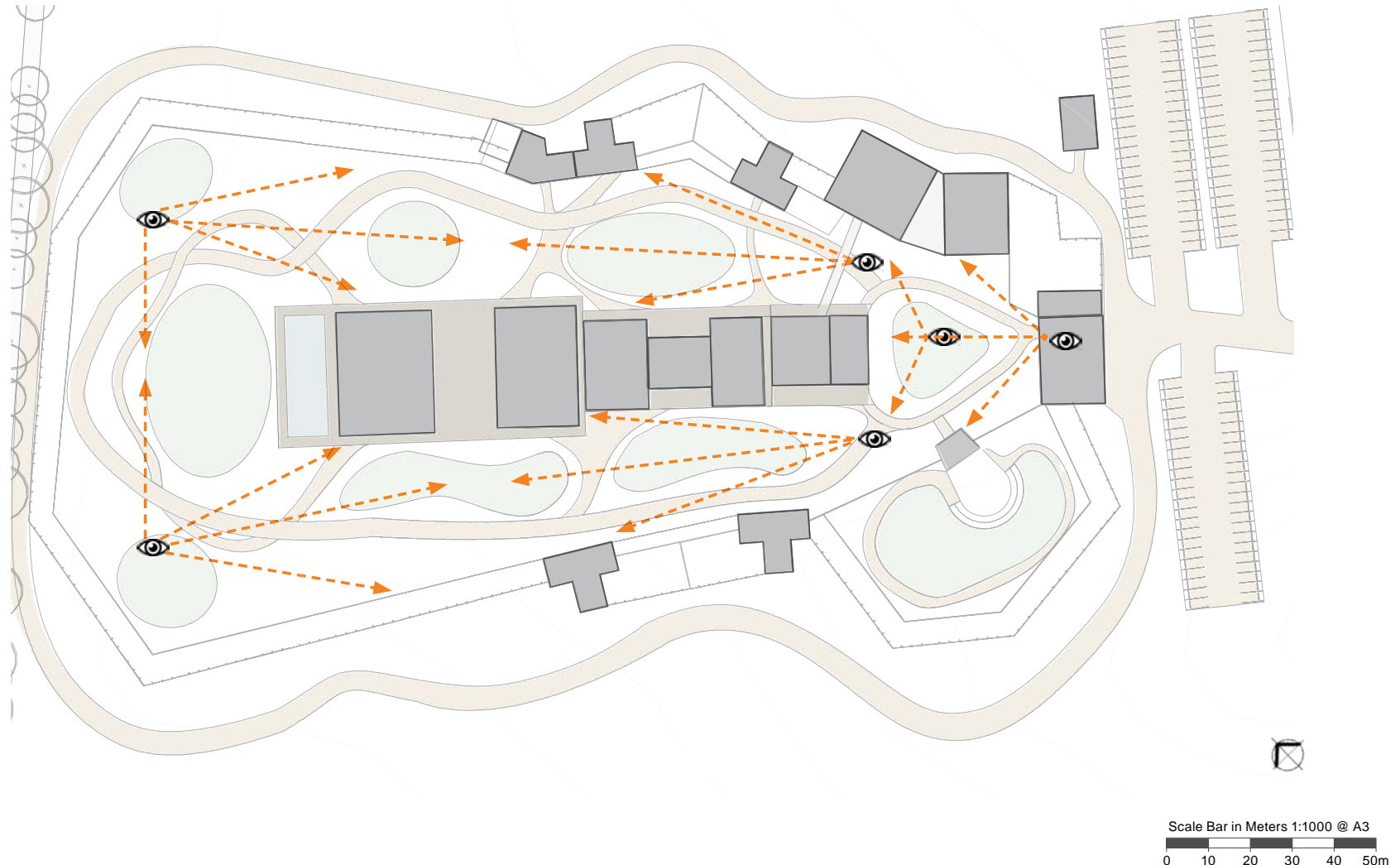


Sight Lines and Circulation

The masterplan utilises a central spine of buildings that allow for clear multi-directional site lines across the Facility. These site lines are formed naturally, align the key circulation pathways and integrate seamlessly with the proposed built form.

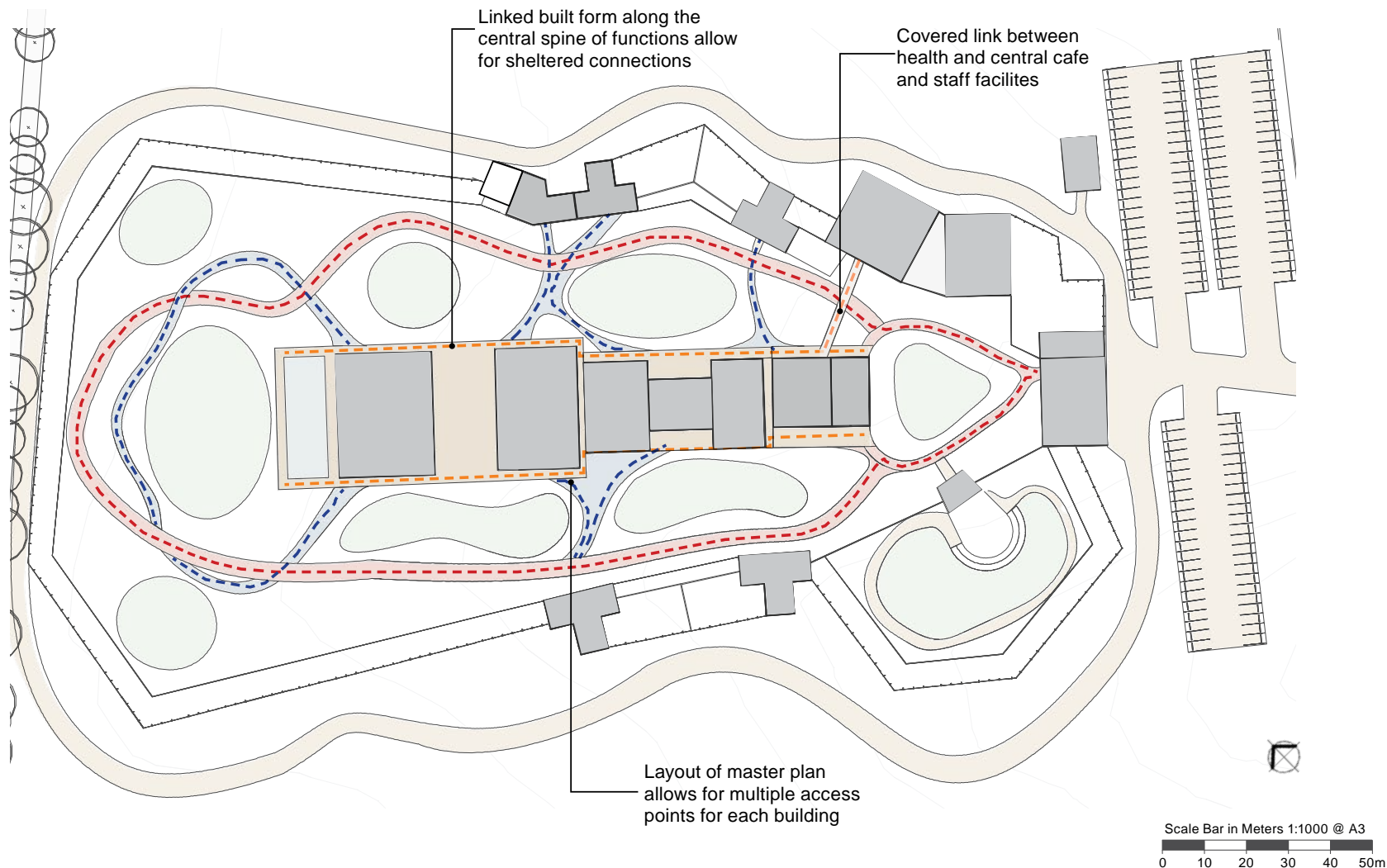
The combination of effective passive supervision across the site will complement the active supervision in the security design.

The plan also provides clear pathways of travel between buildings and multiple paths of travel help to provide staff with options when young people move across the site to help avoid unwanted interactions from occurring.



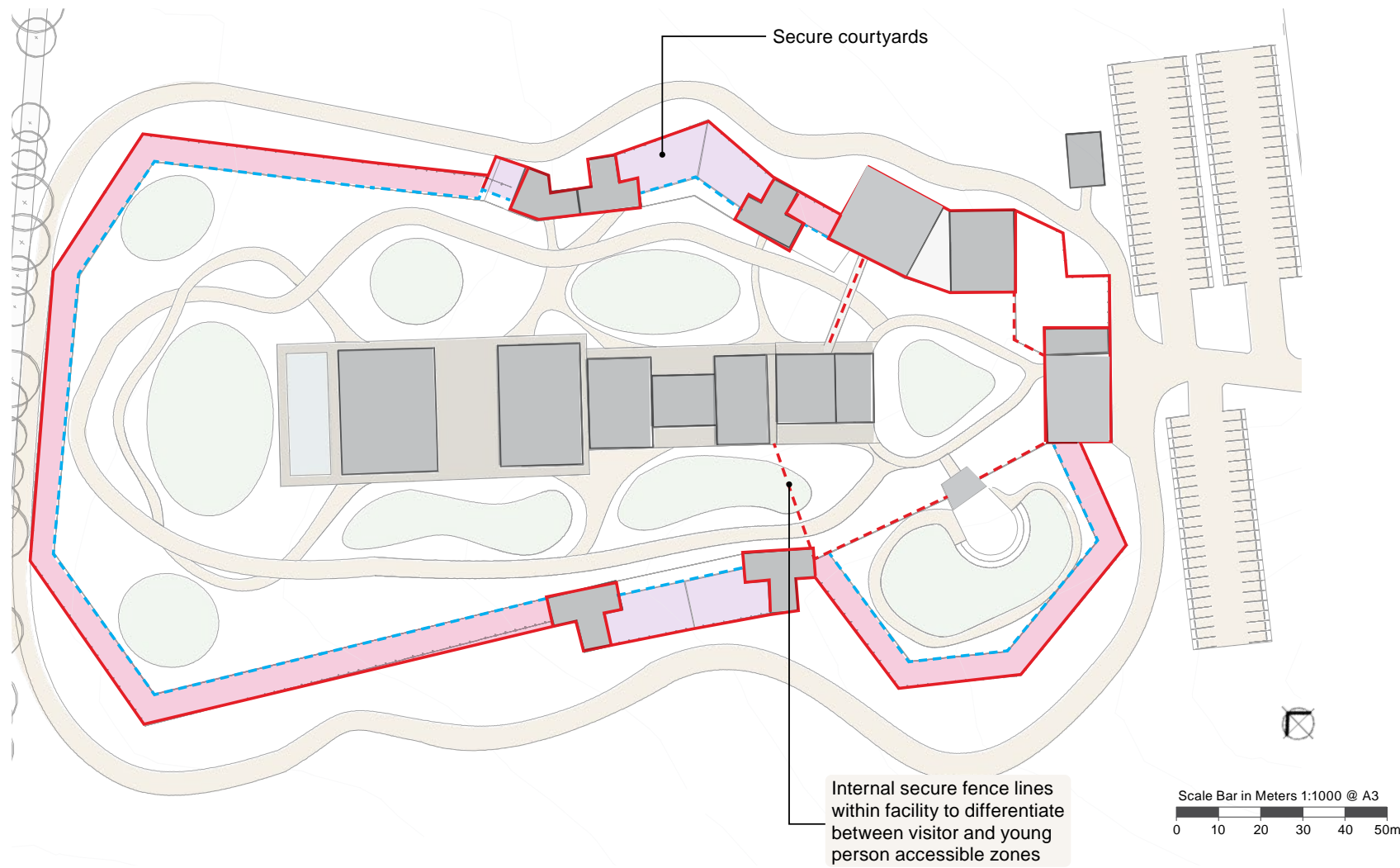
Pedestrian Zoning

To aid in movement throughout the site, multiple pedestrian routes and zoning have been provided. This provides flexibility for staff to manage different groups operationally throughout the site without compromising on efficiency for security. Access throughout the site will range from various exposed landscaped routes to sheltered or enclosed concourses and walkways.



Secure Line

Utilising the 'Building as a Perimeter' model supports the small and homelike aspiration of the new Facility. A secure perimeter will be present with an 8m separation zone. The individual secure courtyards will form part of this zone for each accommodation building, allowing for uninterrupted views of the external landscape for young people.



Landscape



Landscape

The landscape at the proposed Facility has the potential to play a crucial role in shaping the wellbeing and rehabilitation of young individuals.

The Pontville site is ideal for offering a variety of outdoor spaces that provide opportunities for physical activity, reflection and a connection with nature, all of which are essential for mental and emotional health.

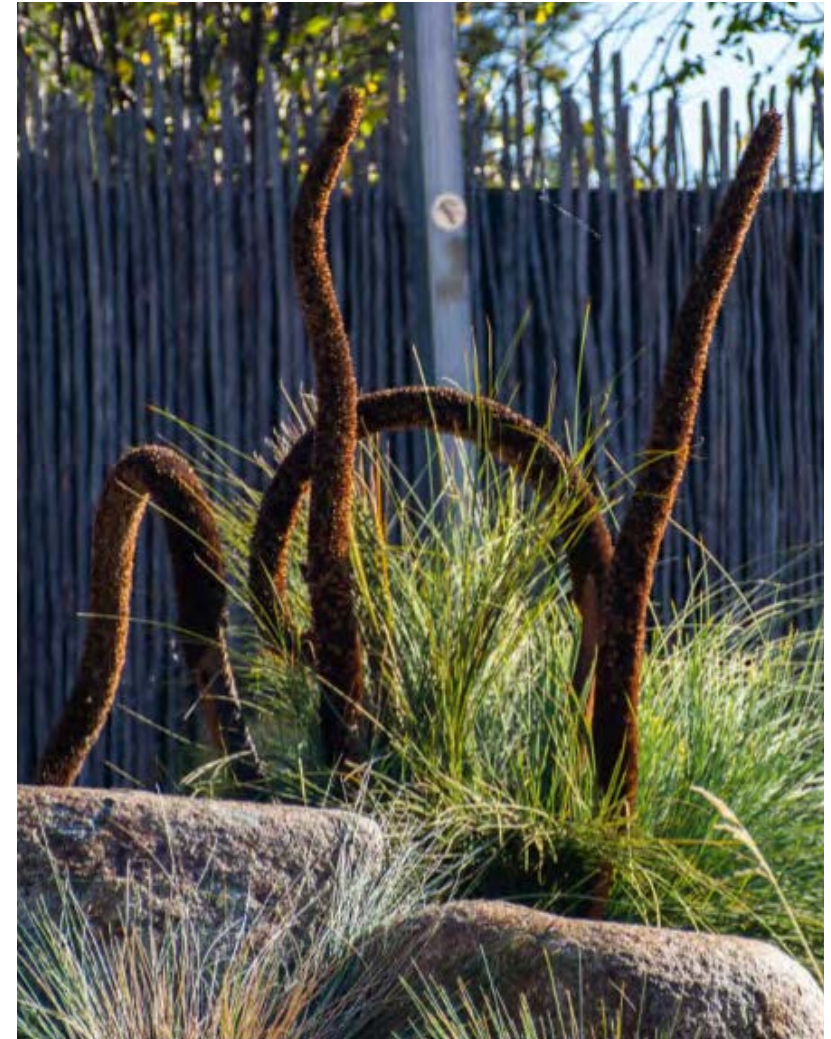
The connection to the rural use of the site, with views of the paddocks and horses, will be a valuable addition.

The surrounding topography offers calming rural views of the nearby hills, further enhancing the therapeutic environment.

There is also the potential for cultural gardens and teachings, which can deepen the connection to community and country.

A well-maintained landscape promotes a sense of calm and security, reducing stress and encouraging positive behaviour.

Natural spaces also foster social interactions, teamwork and a sense of belonging among youth. By incorporating green spaces, gardens and areas for quiet contemplation, the landscape offers young people a chance to feel more connected to their environment, fostering autonomy and self-awareness. In this way, the landscape will be an integral part of creating a supportive, therapeutic and rehabilitative atmosphere.



Landscape



Proposed landscape plan for the facility

Site Infrastructure



Site Infrastructure

Access Road

Access to the Facility will be via Rifle Range Road.

Accessing the Facility via Rifle Range Road provides a more discreet and controlled entry, helping to maintain privacy for young people, staff, and visitors while minimising unnecessary attention.

This route also reduces traffic impact on neighbouring properties by directing movements away from existing residences.

Additionally, this entry point allows for a more purposeful arrival experience, reinforcing the Facility's structured and secure environment while ensuring a respectful and measured approach to integration within the broader landscape.

Electrical

The Facility will require a new power supply from TasNetworks as there is currently no existing electrical infrastructure on-site.

A diesel generator will provide emergency backup power.

Perimeter lighting will be motion-activated and utilise a control system to dim the lights when not required. Parking and entryways will be well lit for staff and visitor safety.

Recreational areas will have LED fixtures with time-based controls to ensure safe movement where required.

All outdoor lighting will comply to AS/NZS 4282 to prevent obtrusive light. LED lenses will be utilised which are fully shielded and directed down with efficient optics that will limit the amount of high angled light, reducing visibility from neighbouring sites.

Hydraulics

Site Sewer

There is currently no sewer infrastructure to the site and a new sewage system will be required to serve the facility.

It is proposed to treat sewage on site without the need for a new mains connection. Under this arrangement, treated wastewater would be disinfected and held in underground storage tanks and discharged via a combination of sub-soil trenches and above ground irrigation.

Building Stormwater

Stormwater drainage from each building will be captured at roof level through suitably engineered gutters, complete with overflow provisions, and stormwater drainage pipework to ground level.

The stormwater drainage will then feed into the site stormwater infrastructure provided.

Potable Water

There is currently no water infrastructure to the site and a connection to the existing water main in Brighton Road will be required to serve the facility.

Independent heat pump hot water systems will be installed within each building or group of buildings to service the required amenities.

All WC cisterns will be low volume flush cisterns, and the wash hand basins, showers and sinks will only be served via 3 – 6 star WELS rated taps.

All pipework will have thermal insulation fitted (including service shafts and droppers in walls). All pipework will have thermal insulation fitted (including service shafts and droppers in walls).

Security



Security

Electronic surveillance and other mechanisms will be used within the Facility to keep children and young people safe and reduce the risk of harm. These mechanisms will be supported by child centred policies and services that uphold their rights.

Site Perimeter

The external wall construction and detailing of the perimeter buildings will be of the highest security level – precast concrete with cast in steel framed windows and high security glazing.

The external secure courtyards that sit on the boundary will have a tensioned mesh 'roof' in addition to a combination of anti-climb mesh fencing and smooth precast walling with secure anti-climb top.

The perimeter to the other areas of the site will be anti-climb mesh.

Entry to the site will be by the Entry Building, which will house a secure vehicle sallyport, and a secure screening area with interlocked doors.

The physical design of the facility secure perimeter will be supported with vibration detection, video analytics and radar technologies to deter, detect and view any attempt to climb or tamper with the perimeter, both internally and externally.

Landscaping and lighting design at the front and external perimeter of the facility where buildings form part of the perimeter will incorporate Crime Prevention Through Environmental Design. All physical security will be supported by various layers of electronic security.

Electronic Security

Electronic security systems will be used to enhance and monitor the safety and security of all people and buildings throughout the facility. Electronic security systems will also be used to support the operational needs of the facility, including incident review and investigations.

CCTV coverage will be used to detect movement via fixed and movable optical and thermal cameras configured with video analytics.

Movement detection technology such as radar will also be employed as an adjunct to CCTV.

Sallyport

The Sallyport will have either secure gates or shutters on both sides of the sallyport for vehicle entry into and out of the facility.

Internal non-accommodation buildings

Access to all buildings will be controlled and accessed electronically. All door locks will have a manual key override for emergency use.

Any building not in use after hours will be monitored. There will be CCTV coverage in all areas where young people have access, except where the need for privacy exists, such as the health building consultation rooms.

Support

Contacts

Content in this masterplan may raise issues of concern for some readers. Child sexual abuse is a challenging issue. We encourage readers to exercise self-care in engaging with this content and seek support and care if required.

If you need support, a range of free and confidential support services are available by phone and/or face-to-face. If you need to talk to someone, you can contact the following.

State-wide Sexual Assault Support Line

24/7 support from local specialist counsellors provided by the Sexual Assault Support Service and Laurel House

1800 697 877 (1800 MY SUPPORT)

Lifeline

24/7 crisis support

13 11 14

A Tasmanian Lifeline

8am-8pm, 365 days a year

1800 98 44 34 for support and referral

13 YARN

24/7- crisis support for Aboriginal and Torres Strait Islander people

13 92 76

Relationships Australia Tasmania

Specialist complex trauma counselling, trauma-informed counselling, wellbeing information and referral

9am-5pm, Monday to Friday

1300 364 277

Kids Helpline

24/7 support for children and young people provided by specialist counsellors

1800 55 1800

Reporting child sexual abuse

We all have a responsibility to ensure children and young people are safe. If you have ANY concerns about the

safety of a child, you must report it. If a child is at immediate risk of harm, contact 000 for urgent police or medical help or if a crime is happening now.

For advice or to refer an abuse matter, contact the Advice and Referral Line on 1800 000 123.

Where a crime may have been committed, contact police on 131 144 or Crime Stoppers on 1800 333 000.

Visit the Tell Someone website tellsomeone.tas.gov.au for more information about recognising the signs of child sexual abuse.



TASMANIA

**YOUTH JUSTICE FACILITY DEVELOPMENT
BILL 2025**

CONTENTS

PART 1 – PRELIMINARY

1. Short title
2. Commencement
3. Interpretation
4. Meaning of *development*
5. Act binds Crown

PART 2 – DECLARATION OF PROJECT

6. Declaration of project
7. Non-application of declaration

PART 3 – EFFECT OF DECLARATION OF PROJECT

8. Application of *Aboriginal Heritage Act 1975*
9. Application of *Land Titles Act 1980*
10. Application of *Land Use Planning and Approvals Act 1993*
11. Non-application of *Building Act 2016*
12. Non-application of *Public Works Committee Act 1914*
13. Effect of issue of certain authorisations

PART 4 – MISCELLANEOUS

14. Exemption from certain fees and charges

15. Regulations
16. Administration of Act

YOUTH JUSTICE FACILITY DEVELOPMENT BILL 2025

*(Brought in by the Minister for Children and Youth, the
Honourable Roger Charles Jaensch)*

A BILL FOR

**An Act to facilitate the accelerated construction of a
facility in the south of the State to be used for the purposes
of youth justice**

Be it enacted by Her Excellency the Governor of Tasmania, by
and with the advice and consent of the Legislative Council and
House of Assembly, in Parliament assembled, as follows:

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Youth Justice
Facility Development Act 2025*.

2. Commencement

This Act commences on the day on which this
Act receives the Royal Assent.

3. Interpretation

In this Act, unless the contrary intention
appears –

Youth Justice Facility Development Act 2025
Act No. of 2025

s. 3

Part 1 – Preliminary

adjacent land means land that shares a boundary with the relevant site;

declared project means the development of the relevant site taken to be declared under Part 2;

development – see section 4;

National Construction Code has the same meaning as in the *Building Act 2016*;

relevant site means the land at 466 Brighton Road, Pontville, as described in Certificate of Title Volume 172508 Folio 2, under the *Land Titles Act 1980*;

Tasmanian Planning Scheme has the same meaning as in the *Land Use Planning and Approvals Act 1993*;

work has the same meaning as in the *Building Act 2016*;

youth has the same meaning as in the *Youth Justice Act 1997*;

youth justice facility means a facility that is primarily used for one or more of the following purposes:

- (a) to detain youths who are sentenced to a period of detention at such a facility;
- (b) to remand youths in custody while awaiting the determination of proceedings for an offence;

Youth Justice Facility Development Act 2025
Act No. of 2025

Part 1 – Preliminary

s. 4

- (c) to hold youths who are in the process of being transferred, under the *Youth Justice Act 1997*, to another State.

4. Meaning of *development*

- (1) In this Act, ***development*** includes, but is not limited to –
 - (a) development, within the meaning of the *Land Use Planning and Approvals Act 1993*; and
 - (b) work, within the meaning of the *Building Act 2016*, other than low-risk work within the meaning of that Act; and
 - (c) works relating to the following matters, whether permanent or temporary:
 - (i) roads and parking spaces;
 - (ii) fencing and signage;
 - (iii) drainage and stormwater management;
 - (iv) wastewater management and treatment;
 - (v) infrastructure required for essential services.
- (2) For the avoidance of doubt, ***development*** does not include the following:

Youth Justice Facility Development Act 2025
Act No. of 2025

s. 5

Part 1 – Preliminary

- (a) the operation of the youth justice facility on the site;
- (b) any work undertaken on the site that is –
 - (i) not part of, or incidental to, the declared project; or
 - (ii) undertaken for a purpose that does not relate to the use, within the meaning of the *Land Use Planning and Approvals Act 1993*, of the site as a youth justice facility;
- (c) any matter that is prescribed as not being development for the purposes of this Act.

5. Act binds Crown

This Act binds the Crown in right of Tasmania and, so far as the legislative power of Parliament permits, in all its other capacities.

Youth Justice Facility Development Act 2025
Act No. of 2025

Part 2 – Declaration of Project

s. 6

PART 2 – DECLARATION OF PROJECT

6. Declaration of project

- (1) The development of the relevant site is taken to be declared, for the purposes of this Act, if the following criteria apply:
- (a) the development is for the purpose of constructing a youth justice facility for, or on behalf of, the State;
 - (b) the proposed youth justice facility, to be constructed on the site –
 - (i) does not have a gross floor area in excess of 6 875 square metres, as calculated in accordance with the Tasmanian Planning Scheme; and
 - (ii) does not include an on-site waste water management system, within the meaning of the National Construction Code, that involves the treatment of more than 100 kilolitres per day; and
 - (iii) will be set back from the boundaries of the site by at least 20 metres;
 - (c) at least 80% of the proposed youth justice facility, to be constructed on the site, does not exceed an average building height of 15 metres, as calculated in

Youth Justice Facility Development Act 2025
Act No. of 2025

s. 6

Part 2 – Declaration of Project

- accordance with the Tasmanian Planning Scheme;
- (d) work associated with the development commences on the relevant site no later than 1 December 2025;
- (e) the relevant site is not intended to be used or developed, by the State, for any other commercial purpose operated by the State.
- (2) The Minister, by order and on one or more occasions, may amend subsection (1) in one or more of the following ways:
- (a) by omitting the specifications specified in subsection (1)(b) and substituting new specifications;
- (b) by omitting the date specified in subsection (1)(d) and substituting a new date.
- (3) Section 47(3), (3A), (4), (5), (6) and (7) of the *Acts Interpretation Act 1931* apply to an order under subsection (2) as if the order were regulations within the meaning of that Act.
- (4) An order under subsection (2) –
- (a) is a statutory rule for the purposes of the *Rules Publication Act 1953*; and
- (b) is not an instrument of a legislative character for the purposes of the *Subordinate Legislation Act 1992*.

Youth Justice Facility Development Act 2025
Act No. of 2025

Part 2 – Declaration of Project

s. 7

7. Non-application of declaration

For the avoidance of doubt, this Act does not apply to any use, or development, within the meaning of the *Land Use Planning and Approvals Act 1993*, performed on the relevant site –

- (a) for any purpose other than a youth justice facility; or
- (b) that exceeds one or more of the criteria specified in section 6; or
- (c) as prescribed in the regulations.

Youth Justice Facility Development Act 2025
Act No. of 2025

s. 8

Part 3 – Effect of Declaration of Project

PART 3 – EFFECT OF DECLARATION OF PROJECT

8. Application of *Aboriginal Heritage Act 1975*

For the avoidance of doubt –

- (a) the *Aboriginal Heritage Act 1975* applies in respect of an object or relic, under that Act, that –
 - (i) is discovered during the development of the relevant site as part of the declared project; and
 - (ii) is not an object or relic of a type that was expected, or reasonably likely, to be discovered during the development of the relevant site; and
- (b) all works performed on the relevant site, or adjacent land, in relation to the declared project are to be performed in a manner that minimises, as far as is practicable, the impact on Aboriginal heritage.

9. Application of *Land Titles Act 1980*

- (1) In this section –

Recorder of Titles means the person appointed as the Recorder of Titles under section 4 of the *Land Titles Act 1980*;

Youth Justice Facility Development Act 2025
Act No. of 2025

Part 3 – Effect of Declaration of Project

s. 9

Register has the same meaning as in the *Land Titles Act 1980*;

- (2) The Minister, in writing, may direct the Recorder of Titles to create, amend, rearrange or extinguish a folio of the Register in relation to land that is affected, directly or indirectly, by the declared project and any development of the relevant site for the purpose of the declared project.
- (3) For the avoidance of doubt, a direction under subsection (2) may relate, but is not required to relate, to –
 - (a) an easement that is, or is to be, recorded on a folio of the Register; or
 - (b) a notice that is, or is to be, placed on the Register in respect of the relevant site or declared project; or
 - (c) a covenant that is, or is to be, recorded on a folio of the Register.
- (4) The Minister may only make a direction under subsection (2) after consulting each of the following Ministers about the direction:
 - (a) the Treasurer;
 - (b) the Minister administering the *Crown Lands Act 1976*;
 - (c) the Minister administering the *Youth Justice Act 1997*.

Youth Justice Facility Development Act 2025
Act No. of 2025

s. 10

Part 3 – Effect of Declaration of Project

- (5) On receipt of a direction under subsection (2), the Recorder of Titles is to create, amend, rearrange or extinguish a folio of the Register as the Recorder considers appropriate to give effect to the direction.
- (6) For the avoidance of doubt, this section is in addition to, and doesn't derogate from, the operation of Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* as it may apply to the relevant site or declared project.

10. Application of *Land Use Planning and Approvals Act 1993*

- (1) For the purposes of the *Land Use Planning and Approvals Act 1993*, an application for a permit under that Act, in respect of the use and development of the relevant site or any adjoining land, for the purposes of the declared project –
 - (a) is taken to be an application to which section 57 of that Act applies; and
 - (b) must be approved, under that section, by the relevant planning authority unconditionally or subject to conditions or restrictions; and
 - (c) may not be the subject of an appeal under that Act, other than an appeal by the applicant.
- (2) This section does not apply to an application for a permit, in respect of the relevant site or any

Youth Justice Facility Development Act 2025
Act No. of 2025

Part 3 – Effect of Declaration of Project

s. 11

adjoining land, that is made after an occupancy permit has been issued, under the *Building Act 2016*, in respect of all or part of the declared project.

11. Non-application of *Building Act 2016*

- (1) Unless the contrary intention appears, words in this section have the same meaning in this section as they have in the *Building Act 2016*.
- (2) Sections 77, 78, 79, 80 and 81 of the *Building Act 2016* do not apply in respect of any protection work, within the meaning of that Act, that may be required for the declared project including, but not limited to, protection work required on adjacent land.
- (3) For the purposes of the *Building Act 2016*, if protection work, within the meaning of that Act, is carried out, in respect of the declared project, as determined by the building surveyor for the declared project under that Act –
 - (a) the person carrying out the protection work is taken to have complied with the provisions of that Act as specified in subsection (2); and
 - (b) notification of the protection work is taken to have been given under section 77 of that Act; and
 - (c) that protection work is taken to have been determined under section 81 of that Act.

Youth Justice Facility Development Act 2025
Act No. of 2025

s. 12

Part 3 – Effect of Declaration of Project

- (4) Except as excluded under this section, nothing in this section affects the application of –
 - (a) Parts 4, 15, 16, 17 and 18 of the *Building Act 2016* as those Parts may apply to the declared project; and
 - (b) the National Construction Code as it may apply, under the *Building Act 2016*, to the declared project.
- (5) For the avoidance of doubt –
 - (a) section 7 of the *Building Act 2016* does not apply in respect of the declared project; and
 - (b) nothing in this section removes a requirement, under the *Building Act 2016* or the *Occupational Licensing Act 2005*, for a person performing work at the relevant site to hold a specific qualification, or experience, to perform that work.

12. Non-application of *Public Works Committee Act 1914*

On the commencement of this Act, this section is taken to be a resolution adopted by each House of Parliament, as specified in section 15(1) of the *Public Works Committee Act 1914*, that the declared project has been withdrawn from the operation of that Act.

Youth Justice Facility Development Act 2025
Act No. of 2025

Part 3 – Effect of Declaration of Project

s. 13

13. Effect of issue of certain authorisations

- (1) Nothing in this Part prevents a permit, licence or other authorisation from being issued in respect of the declared project under legislation that, in accordance with this Part, does not apply in respect of the declared project.
- (2) However, if a permit, licence or other authorisation is issued in respect of the declared project under any Act, that Act applies, and this Part no longer applies, to the declared project to the extent necessary for the permit, licence or other authorisation to be enforced.

Youth Justice Facility Development Act 2025
Act No. of 2025

s. 14

Part 4 – Miscellaneous

PART 4 – MISCELLANEOUS

14. Exemption from certain fees and charges

(1) In this section –

relevant Act means an Act referred to in Part 3;

relevant fees and charges means any tax, duty, charge, application fee, registration fee or other fee that is imposed by the State under an Act or other law of Tasmania.

(2) All relevant fees and charges are not payable in relation to any action taken under this Act, or under a relevant Act, in respect of the declared project.

15. Regulations

(1) The Governor may make regulations for the purposes of this Act.

(2) Regulations made under this section may be made subject to such conditions, or be made so as to apply differently according to such factors as may be specified in the regulations or according to such limitations or restrictions, whether as to time or circumstance or otherwise, as may be so specified.

(3) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of this Act.

Youth Justice Facility Development Act 2025
Act No. of 2025

Part 4 – Miscellaneous

s. 16

- (4) A provision referred to in subsection (3) may take effect, if the regulations so provide, from the commencement of this Act or a later specified date.

16. Administration of Act

Until provision is made in relation to this Act by order under section 4 of the *Administrative Arrangements Act 1990* –

- (a) the administration of this Act is assigned to the Minister for Children and Youth; and
- (b) the department responsible to the Minister in relation to the administration of this Act is the Department for Education, Children and Young People.



21 May 2025

The Honourable Roger Jaensch
Minister for Children and Youth
c/o - newyjfacility@decyp.tas.gov.au

Dear Mr Jaensch,

RE: NEW YOUTH JUSTICE FACILITY MASTERPLAN

Thank you for the opportunity to provide feedback on the new Youth Justice Facility Masterplan. Firstly, I would like to commend the project team on the well-designed Masterplan, which clearly aligns with the purpose statements and aims to achieve the desired outcomes. However, there are several concerns that need to be addressed to ensure the successful implementation of the plan.

One of the primary issues is access via Rifle Range Road, which is owned and maintained by Brighton Council. It is crucial to ensure that the road infrastructure can support the increased traffic and usage that will result from the project. Additionally, stormwater management is a significant concern that must be carefully planned and executed to prevent any adverse effects on the surrounding areas.

Another critical issue is the potential impact from neighbouring uses, particularly the existing Tasmanian Botanic, a medicinal cannabis farm. The Council has been made aware of localised odour in the area from the production of crops, especially as they mature in the warmer months. Given that the new facility will be considerably closer than other sensitive uses, it is believed that this issue requires thorough consideration.

It is understood that an odour assessment will be undertaken to evaluate the potential impact. However, it is not yet fully clear what the results of this assessment will be and whether it will have any implications for the current operations at Tasmanian Botanics. It is essential to address this matter comprehensively to avoid any land use conflicts and ensure the harmonious coexistence of all facilities in the area.

Please contact Council's Director Development Services, Alex Woodward on (03) 6268 7021 or via alex.woodward@brighton.tas.gov.au if you have any further queries.

Yours sincerely

James Dryburgh
CHIEF EXECUTIVE OFFICER



21 May 2025

The Honourable Roger Jaensch
Minister for Children and Youth
c/o - newyjfacility@decyp.tas.gov.au

Dear Mr Jaensch,

RE: YOUTH JUSTICE FACILITY DEVELOPMENT BILL 2025

Brighton Council is writing to you today regarding the recently drafted Youth Justice Facility Development Bill 2025 that aims to expedite the assessment process and make the approval of the facility mandatory. While Council understands the urgency behind this decision, it is important to highlight several critical issues that this approach presents.

Firstly, Council opposes this Bill as it undermines the confidence in the Tasmanian Planning system and disregards the principles of natural justice. The rationale for this expedited decision is based on timeframes; however, it is important to note that the initial announcement of the closure was made in 2021, and the site was selected in 2023. It is not appropriate to compromise good planning practices due to perceived time delays.

Furthermore, the removal of appeal rights is contrary to the objectives of the Resource Management and Planning System of Tasmania, which encourages public involvement in resource management and planning. Public participation is a cornerstone of our planning system, and removing this right would erode public trust and engagement.

Finally, there have been a number of key issues raised from potential impacts from neighbouring uses. Whilst the extent of these is unknown at present, if they are found to have a significant impact, how will this be managed if approval of the facility is the only option.

In light of these concerns, Council urges you to reconsider the approach outlined in the Bill and to ensure that good planning practices and public involvement remain integral to the decision-making process.

Please contact Council's Director Development Services, Alex Woodward on (03) 6268 7021 or via alex.woodward@brighton.tas.gov.au if you have any further queries.

Yours sincerely

James Dryburgh
CHIEF EXECUTIVE OFFICER