Brighton Council

MINUTES OF THE PLANNING AUTHORITY MEETING OF THE BRIGHTON COUNCIL, HELD IN THE COUNCIL CHAMBERS, COUNCIL OFFICES, 1 TIVOLI ROAD, OLD BEACH AT 5.30P.M. ON TUESDAY, 7 OCTOBER 2025

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

IN ATTENDANCE: Cr McMaster; Ms J Banks (Acting Chief Executive Officer); Mr A Woodward (Director Development Services); Mr L Wighton (Acting Director Asset Services) and Mrs J Blackwell (Manager Planning)

1. STATEMENT BY THE CHAIRPERSON

2. ACKNOWLEDGEMENT OF COUNTRY

3. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCE

Moved by Cr Irons, seconded by Cr De La Torre that Cr Geard be granted leave of absence.

VOTING RECORD

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

4. NOTIFICATION OF LEAVE OF ABSENCE FOR PARENTAL LEAVE

Nil.

5. PUBLIC QUESTION TIME AND DEPUTATIONS

There was no requirement for Public Question Time.

6. DECLARATION OF INTEREST

In accordance with the requirements of Regulation 10(8) of the *Local Government (Meeting Procedures) Regulations 2025*, the chairperson of a meeting is to request Councillors to indicate whether they have, or are likely to have, an 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.

7. COUNCIL ACTING AS PLANNING AUTHORITY

In accordance with the provisions of Part 2 Regulations 25 of the *Local Government (Meeting Procedures) Regulations 2025*, 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 7 on this agenda, inclusive of any supplementary items.

7.1 Development Application DA 2025/00095 - Relocation of existing Dry Concrete Plant & Associated Works at 1 Crooked Billet Drive, Bridgewater

Author: Planning Officer (D Van)

Authorised: Manager Planning (J Blackwell)

Applicant:	Hazell Bros Concrete Pty Ltd
Subject Site:	1 & 13 Crooked Billet Drive, Bridgewater
Proposal:	Relocation of Existing Dry Concrete Plant & Associated Works
Planning Scheme:	Tasmanian Planning Scheme - Brighton
Zoning:	General Industrial
Codes:	• Road and Railway Assets Code • Parking and Sustainable Transport Code • Electricity Transmission Infrastructure Protection Code • Bushfire Prone Areas Code • Attenuation Code
Local Provisions:	• Brighton Industrial Estate SAP • Bridgewater Quarry SAP
Use Class:	Manufacturing and Processing
Discretions:	• Landscaping (cl 19.4.3 P1)

	• Traffic Increase (cl C3.5.1 P1) • Dust within electricity corridor (cl C4.5.2 P1) • Building or works within electricity corridor (cl C4.6.1 P1) • Buildings and works within Bridgewater Quarry SAP (Cl S4.7.1.P1)
Representations:	1 representation was received. The representors raised the following issues: • Ongoing stormwater management (existing run-off causing erosion issues) • Absence of easement benefit • Downstream infrastructure capacity and alternative drainage options • Request for rectification
Recommendation:	Approval with conditions

1. STATUTORY REQUIREMENTS

The purpose of this report is to enable the Planning Authority to determine application DA 2025/095.

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

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 planning officer's 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* 2025.

2. SITE ASSESSMENT

The development site is contained in CT158010/1 (1 Crooked Billet Drive) and CT158009/7 (13 Crooked Billet Drive) and has a total land area of 10.383ha.

The proposal intends to utilise the northern portion of the site and has a new vehicular access off 13 Crooked Billet Drive.

The site is zoned General Industrial and is affected by the following Codes:

- Electricity Transmission Infrastructure Protection
- Bushfire Prone Areas Code
- Attenuation Code
- Road and Railway Assets Code
- Parking and Sustainable Transport Code

The site is also within Declared Gas Pipeline Planning Corridor.

In addition, two (2) Specific Area Plans (SAP) apply to the site, being the Bridgewater Quarry SAP and the Brighton Industrial Hub SAP.

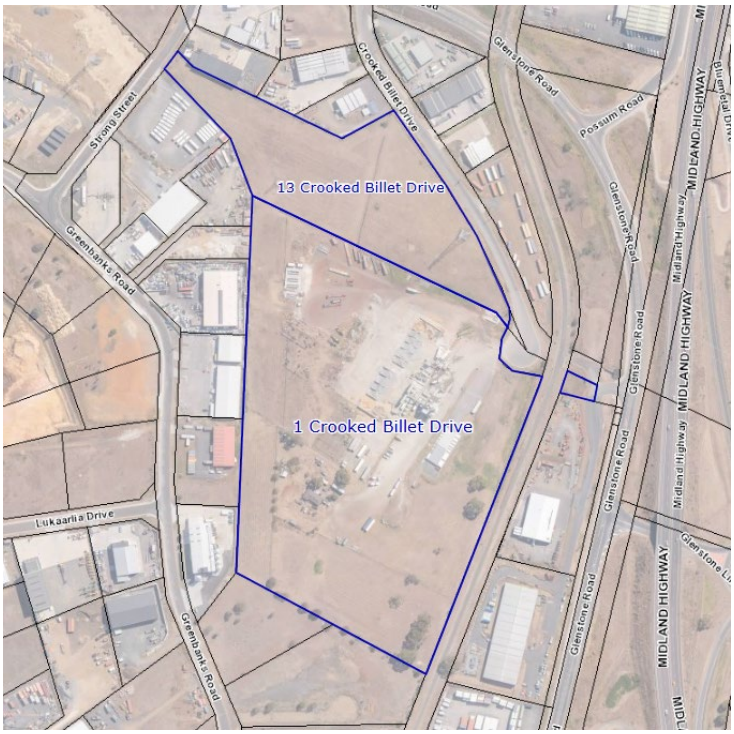

Figure 1: Location Map – 1 & 13 Crooked Billet Drive, Bridgewater (Source: Listmap)

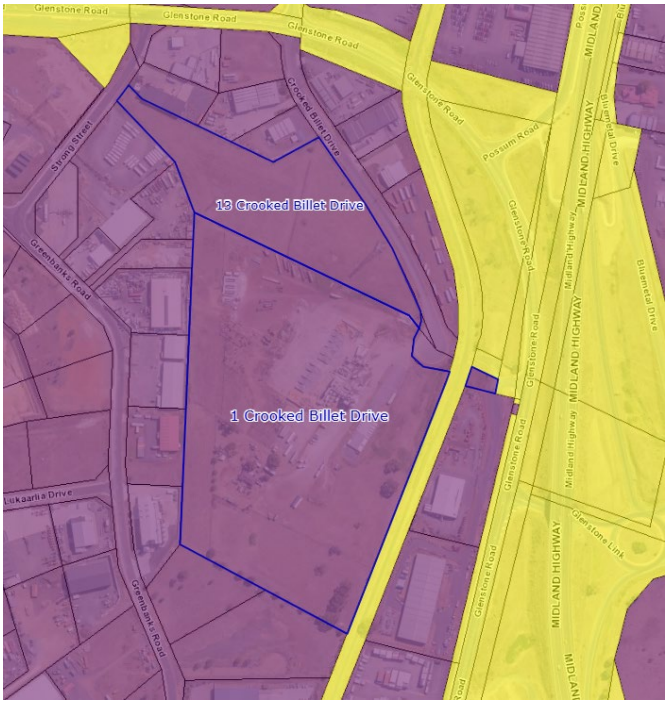

Figure 2: Zoning Map (Purple = General Industrial; Yellow = Utilities) (Source: Listmap)

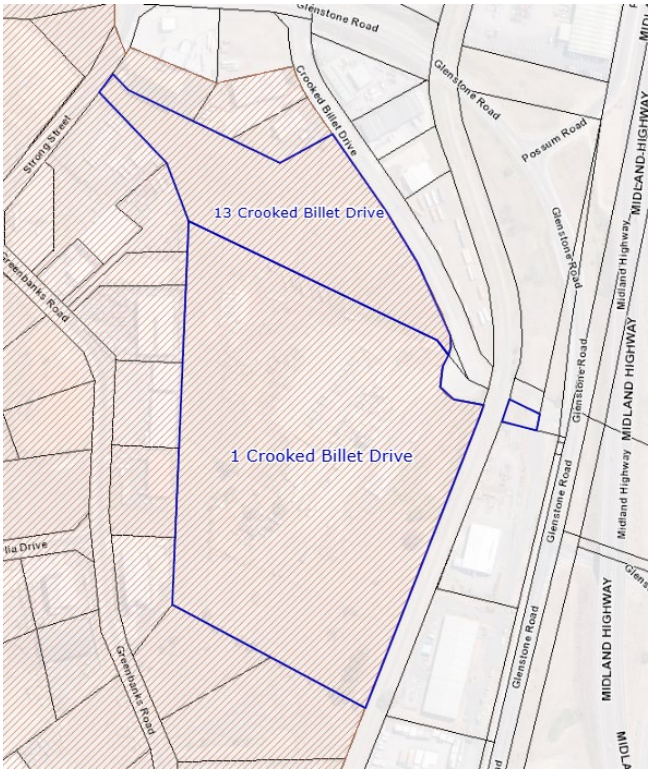

Figure 3: Bushfire-prone areas overlay (Source: Listmap)

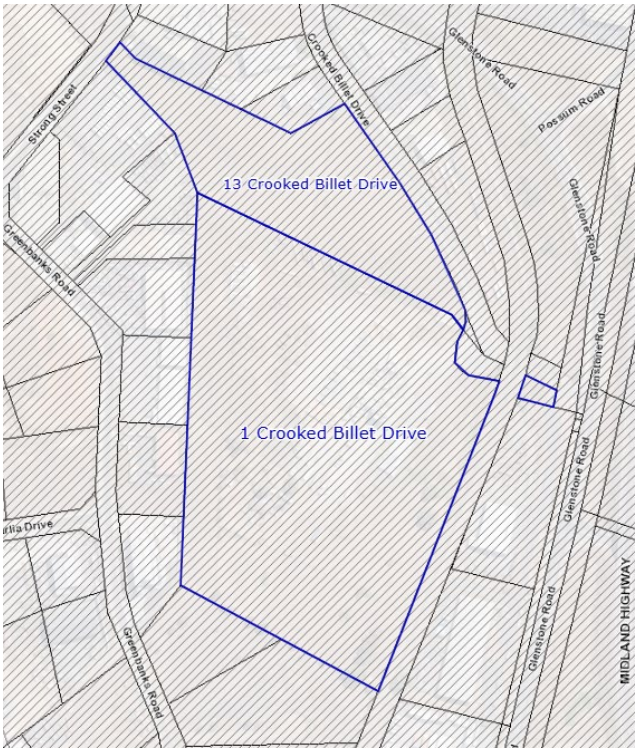

Figure 4: Attenuation area overlay (Source: Listmap)

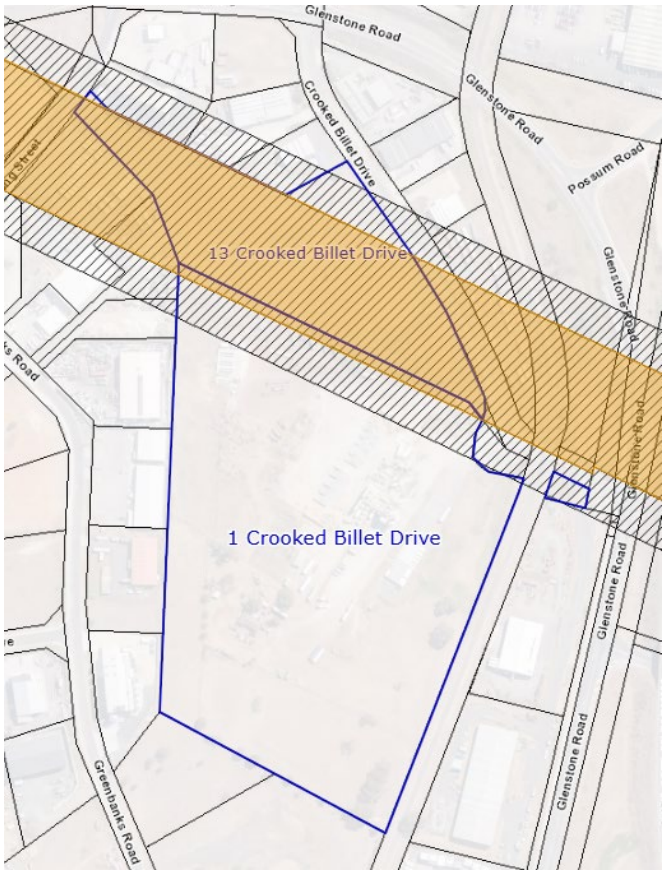

Figure 5: Electricity Transmission Infrastructure Protection area overlay (Inner protection area highlighted) (Source: Listmap)

Figure 6: Tasmanian Gas Pipeline Planning Corridor (left) Tas Gas Networks Declared Gas Pipeline Planning Corridor (right) (Source: Listmap)

Background

Historically, the site was originally used for the Bridgewater Cattle yard until its closure in approximately 2014. The site more recently has had approvals for:

DA 2022/083	Vehicle Storage
DA 2022/157	Woodyard and associated motor repairs
DA 2022/210	Concrete Batching Plant
DA 2025/068	Dismantling of Existing Concrete Plant

The concrete batching plant (DA 2022/210) was approved primarily to support the Bridgewater Bridge construction works. With the bridge project now completed, the site is being repurposed. The concrete batching plant approved under DA 2022/210 contained wet and dry facilities. DA 2025/068 was approved for the dismantling of the wet mix concrete plant.

3. PROPOSAL

This application seeks approval for the relocation and permanent establishment of the existing dry mix concrete batching plant within the northern portion of 1 Crooked Billet Drive. The relocation is intended to free up space on the broader site to accommodate future development opportunities.

The proposal includes the following key components:

- Relocation of the concrete batching plant (dry mix) to be permanent.
- 3 new silos for the storage of cementitious materials (each is 14.08m high)
- 2 load bins with cover and a conveyor system
- The estimated production volume is 20,000m3 per annum.
- The proposed operating hours are 24-hours per day, 7-days per week; however, the plant will operate as needed to meet customer or project specific requirements with general operations occurring 5am to 3pm Monday to Friday.

- The plant is to accommodate 2 operational staff and 5 agitator drivers.
- Associated developments, including new vehicular access, driveway, stormwater detention, landscaping

The application is supported by a comprehensive submission prepared by a planning consultant, along with the following documentation (refer to **Attachment A**):

- Site and architectural plans
- Environmental Management Plan
- Civil and stormwater engineering drawings
- Stormwater Management Plan
- Traffic Impact Statement
- Chemical specifications
- Other relevant supporting documents

Figure 7: Existing site plan (Source: Applicant)

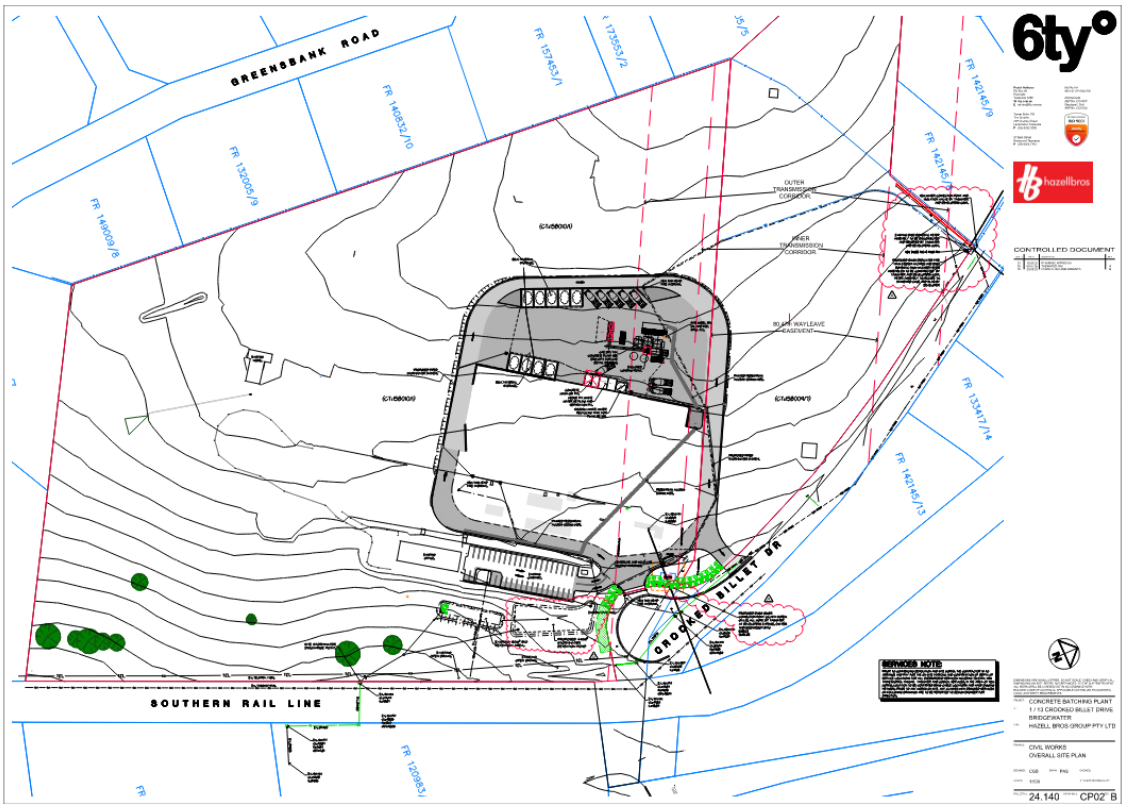

Figure 8: Proposed site plan (source: Applicant)

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 Use Class is categorised as Manufacturing and Processing under the Scheme. In the General Industrial Zone the *Manufacturing and Processing Use* is a permitted use.

Compliance with Performance Criteria

The proposal meets the Scheme's relevant Acceptable Solutions except for the following:

- Landscaping - Clause 19.4.3 P1
- Traffic generation at a vehicle crossing - Clause C3.5.1 P1
- Dust or other airborne particulates within an electricity transmission corridor - Clause C4.5.2 P1
- Buildings or works within electricity corridor - C4.6.1 P1
- Buildings and works within Bridgewater Quarry Specific Area Plan - BRI-S4.7.1 P1

Assessment against each performance criteria of the above standards are provided below.

Clause 19.4.3 Landscaping

Objective:	
That landscaping enhances the amenity and appearance of the streetscape where buildings are setback from the frontage.	
Acceptable Solution	Performance Criteria
A1 If a building is set back from a road, landscaping treatment must be provided along the frontage of the site: (a) to a depth of not less than 6m; or (b) not less than the frontage of an existing building if it is a lesser distance.	P1 If a building is setback from a road, landscaping treatment must be provided along the frontage of the site, having regard to: (a) the width of the setback; (b) the width of the frontage; (c) the topography of the site; (d) existing vegetation on the site; (e) the location, type and growth of the proposed vegetation; and (f) any relevant local area objectives contained within the relevant Local Provisions Schedule.

The proposal includes a 5-metre-deep landscaping strip along the site frontage. As this does not meet the Acceptable Solution, assessment against the Performance Criteria is required.

In accordance with the Performance Criteria, the following considerations apply:

(a) Width of the setback: The proposed buildings and structures are set well back from the road frontage, providing good space for landscaping and visual separation from the industrial use.

(b) Width of the frontage: The site has a wide frontage, allowing for a continuous landscaping treatment across the front boundary.

(c) Topography of the site: The site gently slopes to the south-east toward the Midland Highway. This topography presents no constraints to the establishment or maintenance of landscaping.

(d) Existing vegetation on the site: Some trees have been planted along the frontage in accordance with previous permit conditions; however, the frontage has been poorly managed overall, and existing vegetation is limited in both coverage and amenity value.

(e) Location, type and growth of proposed vegetation: The proposed landscaping includes a mix of low- to medium-height native species suited to the site conditions:

- *Correa decumbens* (Spreading Correa): Height ~1.0m, spread ~3.0m
- *Callistemon 'Austraflora Citrinus'* (Bottlebrush): Height ~1.4m, spread ~1.6m
- *Grevillea 'Bronze Ramble'*: Height ~0.3m, spread ~4.0m

These species are low-maintenance, drought-tolerant natives that will provide effective ground coverage, and ecological value. However, they are all shrubs which may not achieve the objective of Council Landscaping Policy. The 5-metre depth allows for 2-metre separations from the proposed stormwater detention basin and a separation from the proposed site TasNetworks Pad mount substation.

(f) Local Area Objectives: There are no relevant Local Area Objectives under the Local Provisions Schedule (LPS) that apply to this site.

In addition to the planning scheme requirements, Brighton Council's Landscaping Policy outlines that landscaping should:

- Enhance the visual amenity of development, particularly in industrial zones;
- Be designed and implemented by a suitably qualified person (depending on the size and scale of the development);
- Consider site constraints, including services and infrastructure;
- Use locally appropriate species that are low-maintenance and drought-tolerant;
- Be maintained to a high standard to ensure long-term effectiveness.

Given the presence of easements and underground services within the front setback, it is recommended that a landscaping plan be prepared by a suitably qualified person and submitted to Council for approval as a permit condition.

On this basis, the proposal is considered to satisfy the objective and performance criteria of this standard.

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

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

Jetties Act 1935 in respect to a limited access road. A1.5 Vehicular traffic must be able to enter and leave a major road in a forward direction.	

A Traffic Impact Assessment (TIA) has been provided in support of the proposal. The assessment indicates that traffic volumes will increase as a result of the development. The existing traffic generation is approximately 62 vehicle movements per day (comprising 38 six-cubic-metre trucks and 24 light vehicles). Under the proposal, traffic generation is expected to be 61 vehicle movements per day based on six-cubic-metre truck loads, or up to 199 vehicle movements per day if one-cubic-metre loads are assumed, representing an increase of approximately 137 vehicle movements. Therefore, assessment against P1 is required.

The nature of traffic generated by the proposed use includes raw material deliveries, agitator trucks, and light vehicles, which is consistent with the character of the General Industrial Zone. Crooked Billet Drive is constructed with an asphalt surface and is designed to accommodate industrial traffic. The posted speed limit of 50 km/h is considered appropriate for the anticipated increase in traffic. There is no alternative access available to the site.

The proposed use is considered necessary to support the industrial hub and facilitate development within the area. The TIA concludes that the proposal is acceptable, and the Department of State Growth (DSG) has reviewed the submitted TIA and raised no objections. On this basis, the proposal is considered to comply with the performance criteria and objectives of this standard.

Clause C4.5.2 Dust or other airborne particulates within an electricity transmission corridor

Objective: That dust or other airborne particulates do not adversely affect the safe and reliable operation of overhead electricity transmission infrastructure within an electricity transmission corridor.	
Acceptable Solution	Performance Criteria
A1 No Acceptable Solution.	P1 A use listed in Table C4.1 and located within an electricity transmission corridor must not generate dust or other airborne particulates that will cause an unreasonable impact on the operation of overhead electricity transmission infrastructure, having regard to:

	(a) the nature of the proposed use and the materials that will be stored and handled on the site; (b) the conductivity or corrosiveness of any dust or other airborne particulates and its potential to affect the operation of the electricity transmission infrastructure; (c) proximity to the electricity transmission infrastructure; (d) any mitigation measures proposed; and (e) any advice from the electricity entity.

The proposal partially extends into the electricity transmission corridor. Under Table C4.1 of the Electricity Transmission Infrastructure Protection Code, Manufacturing and Processing is a listed use where the activity is conducted outside a building. As there is no acceptable solution provided, the proposal must be assessed against the relevant performance criteria.

Proposed use and activities within the corridor include:

- Asphalt hardstand pavement for driveway
- New access from 13 Crooked Billet Road
- Landscaping areas
- Pedestrian footpath
- Enclosed loading point
- Storage shipping containers
- Agitator slumping
- Truck parking
- TasNetworks pad mount substation
- Three new silos for cementitious material storage (each 14.08m high)

Only the new access at 13 Crooked Billet Road, part of the landscaping area, stormwater pipe, and a portion of the asphalt driveway are located within the Inner Transmission Corridor.

The area accommodating the relocated concrete batching plant, including associated access ways and vehicle crossing, will be sealed to minimise dust emissions. External stockpiles and load bins associated with the silos are located outside the overlay.

To manage potential environmental impacts, the proposal includes an automatic dust suppression system, featuring a water curtain at the front of the enclosure to reduce dust emissions during loading. The loading point will also be enclosed to further mitigate dust generation.

The application was referred to TasNetworks for assessment, including a follow-up review after submission of additional information. TasNetworks has responded with no objections.

The proposal is considered to comply with the objective and performance criteria of the Electricity Transmission Infrastructure Protection Code. It will not cause an unreasonable impact on the operation of overhead electricity transmission infrastructure.

Clause C4.6.1 Buildings or works within electricity corridor

<table>
<tr><td colspan="2">Objective:

That buildings or works within an electricity transmission corridor are located at appropriate distances from transmission lines or cables to:

(a) ensure operational efficiencies, access to, and security of, existing or future electricity transmission infrastructure; and

(b) protect against a safety hazard associated with proximity to existing or future electricity transmission infrastructure.</td></tr>
<tr><td>Acceptable Solution</td><td>Performance Criteria</td></tr>
<tr><td>A1

Buildings or works within an electricity transmission corridor must not be within:

(a) an inner protection area; or

(b) a registered electricity easement.</td><td>P1

Buildings or works within an electricity transmission corridor must not cause an unreasonable impact on the safety, security, operation of, or access to, existing or future electricity transmission infrastructure, having regard to:

(a) the nature, height and materials of the buildings and works;

(b) the extent of encroachment of the buildings and works into the electricity transmission corridor;

(c) the location of the buildings and works within the electricity transmission corridor; and

(d) any advice from the electricity entity.</td></tr>
</table>

The proposed works within the Inner Protection Area are minimal and comprise a 1.2-metre-wide painted pedestrian access, installation of stormwater infrastructure, a switchboard, a new vehicular access from 13 Crooked Billet Road, asphalt hardstand pavement, and landscaping. Assessment against P1 is required.

In relation to the performance criteria, the nature, height and materials of the works (criterion (a)) are either underground (stormwater) or at-grade/low-scale (painted path, hardstand, access, landscaping), with no buildings proposed and only a standard switchboard enclosure, such that vertical clearances to conductors are not affected and non-conductive/standard civil materials are utilised.

The extent of encroachment into the electricity transmission corridor (criterion (b)) is limited to linear surface treatments and services with a constrained footprint that does not introduce permanent obstructions or materially alter ground levels in a way that would compromise asset foundations or access.

Regarding location (criterion (c)), the works are situated within the corridor but, by virtue of being at-grade or underground, do not impede existing maintenance access, sight lines, or operational requirements and can be undertaken and maintained outside tower footings, stay wires and established access tracks.

TasNetworks has reviewed the application, including additional information, and has provided a no-objection response (criterion (d)).

On this basis, the proposal is considered to avoid unreasonable impacts on the safety, security, operation of, or access to, existing or future electricity transmission infrastructure and therefore complies with the objective and performance criteria of the relevant standard.

Clause S4.7.1 A1/P1 Bridgewater Quarry SAP

<table>
<tr><td colspan="2">Objective: That development is compatible with the operations of the Bridgewater Quarry.</td></tr>
<tr><td>Acceptable Solution</td><td>Performance Criteria</td></tr>
<tr><td>A1

No Acceptable Solution</td><td>P1

Buildings and works must not result in potential to interfere or conflict with quarry operations having regard to:

(a) the nature of the quarry; including:

(i) operational characteristics;

(ii) scale and intensity;

(iii) degree of hazard or pollution that may be emitted from the activity;</td></tr>
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	(b)	the degree of encroachment of development or use into the Bridgewater Quarry Attenuation Area; and
	(c)	measures in the design, layout and construction of the development to eliminated, mitigate or manage effects of the quarry; and
	(d)	any advice from the Bridgewater Quarry operator.

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

The proposal is for a concrete batching plant which falls under the permitted use class of Manufacturing and Processing in the General Industrial zone. The site is located 250m inside the western edge of the overlay, and approximately 900m from the quarry. An Environmental Management Plan (EMP) was submitted with the proposal, which addresses environmental impacts that may arise from the site. However, it is likely a more comprehensive Environmental Management Plan pursuant to the provisions of the *Environmental Management and Pollution Control Act* (EMPCA) will be required, should a permit be approved.

The application was referred to Boral for comment, who have provided no objections.

On that basis, the proposal can comply with this standard's objective and performance criteria.

4. REFERRALS

Development Engineering

The proposal has been considered by Council's Manager Development Engineering. That officer's comments have been included within the assessment.

TasWater

The application was referred to TasWater, who have issued a Submission to Planning Authority Notice reference number TWDA 2025/00751-BTN dated 24 July 2025, which is to be annexed to any permit issued.

Department of State Growth

The application was referred to the Department of State Growth for comment. That authority does not have any concerns with the proposal.

TasRail

The application was referred to TasRail for comment. TasRail have requested that conditions below be included on any permit requiring an agreement must be entered into between TasRail and the developer relating stormwater discharge via the rail corridor.

a) The owner or occupier of the land must not, without the prior written consent of TasRail:

- Concentrate or increase the natural drainage of water onto the rail corridor;
- Impede, redirect, or otherwise alter natural drainage patterns in or around the rail corridor; or
- Cause or allow stormwater, effluent, or any other substance to flow, drain, seep, or discharge onto the rail corridor.

Failure to comply with this condition may result in TasRail taking action to recover associated costs or damages under Section 45 of the *Rail Infrastructure Act 2007*.

b) All stormwater from the development must be managed on-site through a detention and treatment system, designed by a suitably qualified engineer, to:

- Retain and treat runoff prior to discharge; and
- Ensure post-development flow rates and volumes do not exceed pre-development conditions.

In the event of a rainfall event exceeding the system's design capacity, the permit holder shall be responsible for any resulting losses, damages, or remedial actions required by TasRail. TasRail reserves the right to recover such costs from the permit holder.

c) No works, access, or discharge connections are permitted within the TasRail corridor or within 3 meters of the boundary of the corridor unless:

- A formal agreement is in place between the permit holder and TasRail; and
- A Works Permit has been issued by TasRail.

d) The permit holder is responsible for the ongoing inspection and maintenance of all private stormwater infrastructure associated with the development. This is to ensure the system continues to operate as designed and prevents any discharge into the TasRail corridor.

Tasmanian Gas Pipeline

The application was referred to Tasmanian Gas Pipeline. That agency has responded, stating that it has reviewed the application and has no objection to the application. However, they have advised that "any activity within the pipeline easement or over the pipeline requires contact through Before You Dig Australia (formerly Dial Before You Dig 1100)". This will be included as advice on any permit approved.

TasNetworks

The application was referred to TasNetworks for assessment. The authority reviewed the proposal and engaged in several discussions with the applicant. Following this process, TasNetworks provided a formal response indicating no objection to the proposal.

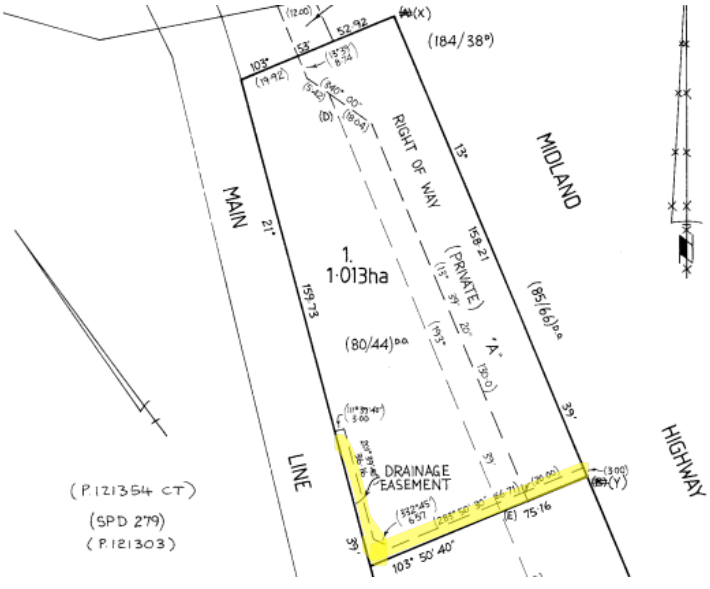
Boral

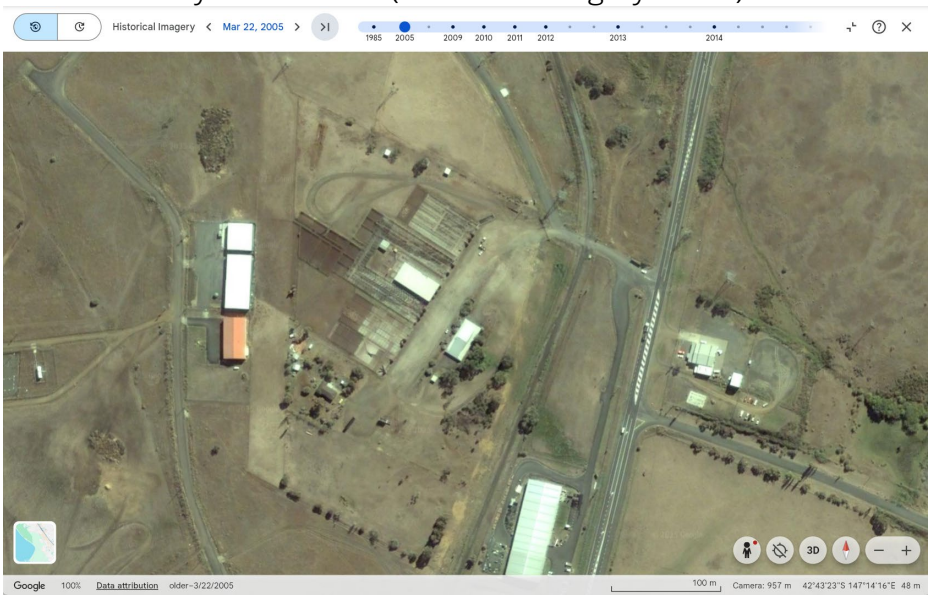
The application was referred to Boral for comment. Boral does not have any concerns with the proposal.

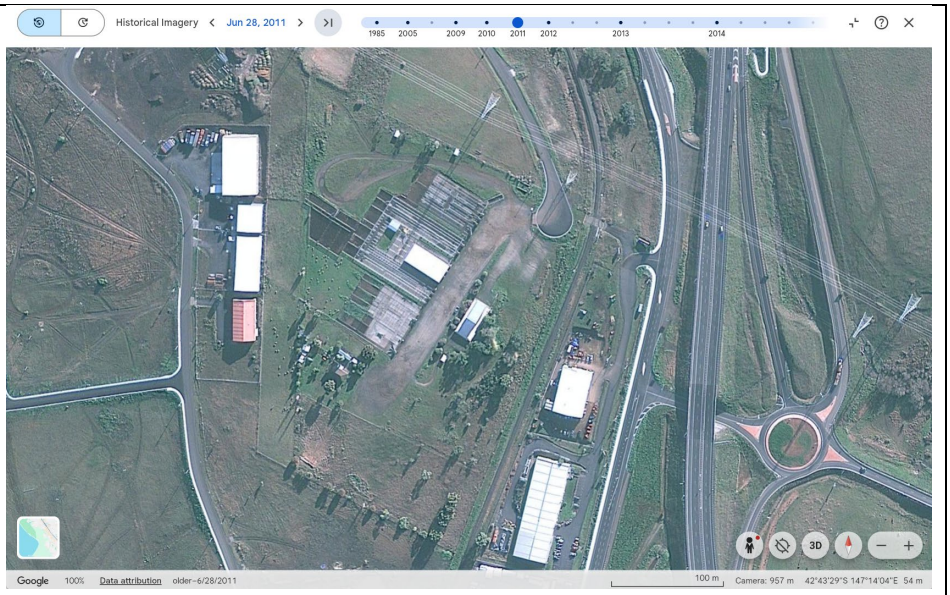
5. REPRESENTATIONS

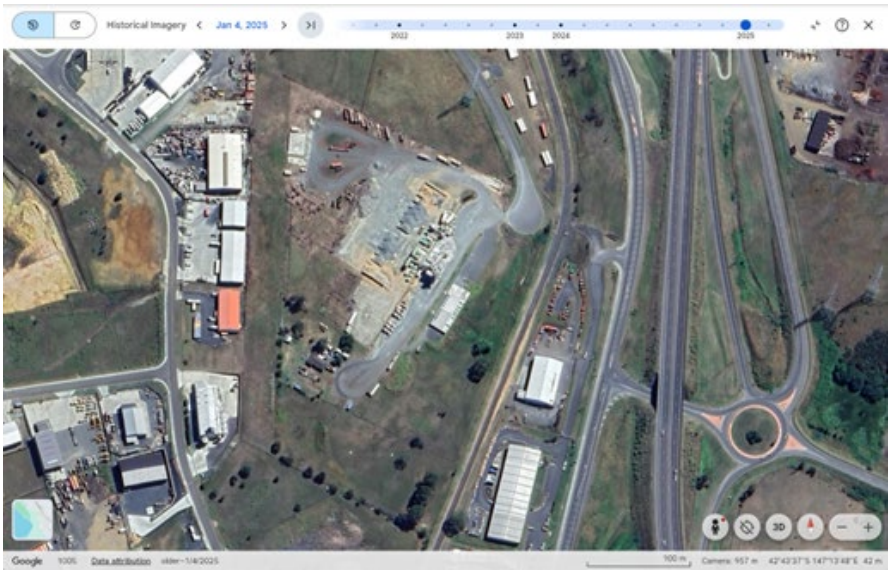
One (1) representation was received during the statutory public exhibition period between 3rd September 2025 and 15th September 2025.

The concerns of the representor are summarised below:

Representor's concerns	Planning Response
Ongoing erosion at 51 Glenstone Rd due to stormwater discharging via TasRail corridor and across 51 Glenstone; complaints since 2022 with no resolution. Proposed continued discharge through TasRail corridor onto 51 Glenstone without explicit rights; representor says there is no legal drainage right.	As noted by the representor, Council has previously been made aware of drainage issues on the property at 51 Glenstone Road. Stormwater from, and through, 1 Crooked Billet Drive is directed to the natural low point midway along the eastern boundary with the rail corridor. It then enters a TasRail culvert under the rail line and continues through 51 Glenstone Road via an easement in the benefit of the rail authority. An excerpt of the Folio Plan and relevant easement registered on the title of 51 Glenstone Road is provided below.  Subject to a right of drainage (for the Australian National Railways) over the drainage easement shown on the plan passing through the said lot 1.

	The owners of 51 Crooked Billet have raised issues regarding erosion along the edge of the open drain within the drainage easement. These issues are ongoing and currently remain unresolved. It is Councils position that stormwater runoff from 1 Crooked Billet Drive has been directed to the natural low point of the lot and hence the TasRail culvert for a considerable period of time. Clearly prior to 2005 and likely before 1993. (see aerial Imagery below).  





The plan of survey for 51 Crooked Billet Drive was sealed in 1995 (SUB93/20). This subdivision created a drainage easement over 51 Glenstone Road in the benefit of the rail authority, not Council.

The development proposes that stormwater continue to be directed to the natural low point of the lot. A stormwater management report has been submitted with the application and considers detention to limit flows to the natural low point of the land for up to a 1% AEP plus climate change rainfall event.

Based on pre- and post-development scenarios, the stormwater discharge volume is expected to increase by approximately 153 m³ (see table below). To address this, the plan recommends the provision of an on-site detention pond.

Design Event (AEP)	Discharge Volume (m^3/s)			Required Detention (m^3)
	Pre-Development	Peak post-Development	Permissible Site Discharge	
1%	0.395	0.792	0.395	153

	The proposed site plan includes a new detention pond with a capacity of 440m³, more than what is required. Accordingly, stormwater will be discharged to a lawful point with no increase in peak flow, volume, velocity, or frequency at downstream private land compared to the pre-development baseline, as demonstrated by hydraulic modelling. The proposal was reviewed by TasRail, who raised no objections, subject to permit conditions ensuring there is no increase in stormwater volume or any works within the rail corridor without their agreements.
How is it proposed that this development will fix or alleviate the issues discussed above noting that it is the inability of the downstream infrastructure to cope with the drainage requirements of the development;	Stormwater detention is proposed to limit and reduce flows to predevelopment. The volume of detention proposed is almost 3 times the volume required by this development and is intended to service the ultimate development of the site which is subject to further approvals. Long term there should be no increase in predevelopment runoff. In the short term the increased detention should result in a noticeable reduction in peak run off from 1 Crooked Billet Drive. This is yet to be resolved and is not specifically a matter for the owner of 1 Crooked Billet Drive if their development does not increase flows.
Why not use the developer's own drainage easement along the southern boundary of 49 Glenstone Rd instead of the 51 Glenstone route?	Council acknowledges that the site benefits from a legal drainage easement over Lot 2 of SP120983 (49 Glenstone Road). However, the planning authority could not require the developer to discharge stormwater at alternative legal discharge points. The drainage easement to the south contains a water main but no SW infrastructure. Use of this easement would require a new rail culvert along with the construction of stormwater infrastructure downstream.
Downstream infrastructure allegedly incapable; uncertainty about ownership/ maintenance of assets. Request that existing erosion damage at 51 Glenstone be rectified and responsibility allocated.	The easement is not being misused if TasRail are in agreeance. The application was referred to TasRail who have provided conditions which would allow the SW discharge from 1 Crooked Billet to remain providing they comply with those conditions. As noted above, the proposed development includes a new detention pond designed to capture and detain the additional stormwater generated by the proposal. As a result, no increase in stormwater discharge volume is expected from this development. Matters relating to historic erosion or civil liability are outside the scope of this planning application and may be pursued separately if required.

6. CONCLUSION

The proposal for Manufacturing and Processing (Relocation of Existing Dry Concrete Plant & Associated Works) at 1 & 13 Crooked Billet Drive, Bridgewater, 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 2025/095 for Manufacturing and Processing (Relocation of Existing Dry Concrete Plant & Associated Works) at 1 & 13 Crooked Billet Drive, Bridgewater, 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) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, whichever is later, in accordance with section 53 of the *Land Use Planning and Approvals Act 1993.*

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

Amenity

(4) 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.

Landscaping

(5) 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) All underground and above ground service infrastructure in the areas to be landscaped.

(d) Details of surface finishes of paths and driveways.

(e) Details of fencing.

(f) 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.

(g) Landscaping and planting within all open areas of the site.

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

(6) Planting must bear a suitable relationship to site's context, 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.

(7) 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.

(8) 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.

Environmental Management Plan

(9) Before any work commences submit a revised Environmental Management Plan (EMP) prepared by a suitably qualified person for approval by Council's Senior Environmental Health Officer. The EMP must address (but not limited to) the following:

(a) Provide evidence that the EMP has been prepared by a suitably qualified professional with relevant experience in environmental management.

General

(b) Ensure the EMP is objective and clearly outlines the methodology used.

(c) Include a comprehensive risk assessment to support proposed environmental controls.

(d) Provide an access and management statement for areas outside the sealed surface, including tracks.

(e) Address interaction with the existing residential dwelling.

(f) Confirm typical load quantities expected during plant operation.

Chemical Storage

(g) Incorporate all chemical storage details into the Hazardous Materials section of the EMP.

(h) Provide specifications for bunding, including construction details, sizing, and containment measures.

(i) Justify noise level claims (e.g., 75 dB) with supporting data or methodology.

(j) Clarify monitoring methods (human or electronic), complaint response procedures, and mitigation options.

(k) Include a site plan showing dust suppression infrastructure and relevant statistics.

Air Quality

(l) Clarify smoke visibility thresholds, including point of assessment and interpretation of the 10-second rule.

(m) Outline actions to be taken if thresholds are exceeded.

(n) Provide details on dust control measures beyond the aggregate feed-weigh hoppers and concrete loading point.

(o) Confirm availability of a water truck or other dust suppression methods.

Visual Amenity

(p) Detail measures to ensure lighting is contained within property boundaries.

Contaminated Soil

(q) Identify a designated area for storage of potentially hazardous materials, with appropriate containment measures.

Trade Waste

(r) Provide a clear flowpath from waste generation to removal, including types, quantities, storage, treatment, and disposal methods.

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

TasWater

(10) The use and/or development must comply with the requirements of TasWater, as detailed in the form Submission to Planning Authority Notice, Reference No TWDA 2025/00751-BTN dated 24/07/2025, as attached to this permit.

TasRail

(11) The owner or occupier of the land must not, without the prior written consent of TasRail:

(a) Concentrate or increase the natural drainage of water onto the rail corridor;

(b) Impede, redirect, or otherwise alter natural drainage patterns in or around the rail corridor; or

(c) Cause or allow stormwater, effluent, or any other substance to flow, drain, seep, or discharge onto the rail corridor.

<u>Advice:</u> Failure to comply with this condition may result in TasRail taking action to recover associated costs or damages under Section 45 of the Rail Infrastructure Act 2007.

(12) All stormwater from the development must be managed on-site through a detention and treatment system, designed by a suitably qualified engineer, to:

(a) Retain and treat runoff prior to discharge; and

(b) Ensure post-development flow rates and volumes do not exceed pre-development conditions.

In the event of a rainfall event exceeding the system's design capacity, the permit holder shall be responsible for any resulting losses, damages, or remedial actions required by TasRail. TasRail reserves the right to recover such costs from the permit holder.

(13) No works, access, or discharge connections are permitted within the TasRail corridor or within 3 meters of the boundary of the corridor unless:

(a) A formal agreement is in place between the permit holder and TasRail; and

(b) A Works Permit has been issued by TasRail.

(14) The permit holder is responsible for the ongoing inspection and maintenance of all private stormwater infrastructure associated with the development. This is to ensure the system continues to operate as designed.

Services

(15) 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.

(16) 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.

Parking and Access

(17) The new vehicle access to Crooked Billet Drive (within the road reservation) must be designed and constructed in accordance with the following;

(a) Constructed in reinforced concrete with a heavy vehicle crossover;

(b) Council's Standard Drawings and Specification;

(c) Australian Standard AS 2890 - Parking facilities, Parts 1-6;

(d) to the satisfaction of Council's Municipal Engineer.

(18) At least thirty-nine (39) 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.

(19) At least one bicycle parking space must be provided on site at all times for the use of the development.

(20) 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.*

(21) Gravel hardstand (laydown) areas must be designed, constructed and maintained to avoid dust or mud generation, erosion or sediment transfer on or off site.

(22) 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) Constructed with a durable all-weather pavement.

(b) Drained to the public stormwater system.

(c) Surfaced by a spray seal, asphalt, concrete, pavers or approved equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.

(d) Have a gradient 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) Be delineated by line marking or other clear physical means.

(23) Prior to the development commencing, or the application for building and plumbing permits, the developer must submit to Council a parking plan that includes all of the following:

(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) new vehicular access from the Crooked Billet Drive 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.

(24) All areas set aside for parking and associated turning, and access must be completed before the use commences and must continue to be maintained to the satisfaction of the Council's Municipal Engineer.

(25) 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.

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 Brighton Council's Asset Services Department prior to the proposed date of commencement of any works.

Stormwater

(26) Stormwater from the development must drain to a legal point of discharge to the satisfaction of Councils Municipal Engineer and in accordance with the *Building Act 2016.*

(27) Unless approved otherwise by Council's Municipal Engineer the stormwater system for the proposed development must be generally in accordance with *Stormwater System Management Plan, 1/13 Crooked Billet Drive Bridgewater TAS 7030, FE_24063-02*, Rev No. 02, dated 21 March 2025, prepared by Flussig Engineers and as required by this permit.

(28) The stormwater drainage system for the proposed development must be designed to comply with all of the following,

(a) Stormwater detention must be provided such that peak flows to the public stormwater system for up to a 1% AEP plus climate change event are limited to pre-existing.

(b) The stormwater detention system must have a minimum storage volume of 440 cubic metres.

(c) Stormwater from the proposed development must be treated prior to entering the public stormwater system to,

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

ii. Ensure runoff entering the public stormwater system is visually free of any hydrocarbons.

(29) The stormwater system within the development must continue to be maintained to ensure the quality targets, in accordance with the Tasmanian Stormwater Policy Guidance and Standards for Development 2021, 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.

(30) The 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.

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

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

Erosion and Sediment Control

(32) 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.*

(33) 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.

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

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

Construction amenity

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

Monday to Friday	7:00 a.m. to 6:00 p.m.
Saturday	8:00 a.m. to 6:00 p.m.
Sunday and State-wide public holidays	10:00 a.m. to 6:00 p.m.

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

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

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

(c) Obstruction of any public footway or highway.

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

(38) 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 Director Development Services.

(39) 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.

(40) 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.

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(2) 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. Please contact your private building surveyor to ascertain what approvals (if any) are required under the *Building Act 2016*.

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

D. If you notify Council that you intend to commence the use or development before the date specified above you forfeit your right of appeal in relation to this permit.

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.

F. Pursuant to s.44 of the *Environmental Management and Pollution Control Act 1994*, it is likely that following issue of the planning permit, the developer will be issued with an Environmental Protection Notice (EPN), which will require the submission of a comprehensive Environmental Management Plan which demonstrates more fully how environmental risks will be managed on site. The developer should be aware that the Environmental Management Plan may necessitate increased or greater requirements for the development and operation of the site.

G. The developer is advised that the requirements of the Environmental Management Guideline for Concrete Batch Plants (CCAA 2019) may exceed those provided for in this permit.

H. Any activity within the gas pipeline easement or over the gas pipeline requires contact through Before You Dig Australia (formerly Dial Before You Dig 1100).

DECISION:

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

CARRIED

VOTING RECORD

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

Meeting closed: 6.00pm

Confirmed: _____

(Mayor)

Date: 21 October 2025