



**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 5.40P.M. ON TUESDAY, 4 AUGUST 2026**

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

IN ATTENDANCE: Mrs J Blackwell (Manager Planning); Mr L Wighton (Acting Director, Asset Services); Mr A Wright (Manager, Regulatory Services)

1. STATEMENT BY THE CHAIRPERSON

2. ACKNOWLEDGEMENT OF COUNTRY

3. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCE

All members were present.

4. NOTIFICATION OF LEAVE OF ABSENCE FOR PARENTAL LEAVE

Nil.

5. PUBLIC QUESTION TIME AND DEPUTATIONS

Nil.

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, Regulation 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 95 William Street, Brighton - Subdivision (4 lots) - SA2026/00009

Author: Planning Officer (K Tran)

Authorised: Manager Planning (J Blackwell)

Applicant:	Rogerson & Birch Surveyors
Subject Site:	95 William Street, Brighton
Proposal:	Subdivision (4 Lots)
Planning Scheme:	Tasmanian Planning Scheme - Brighton
Zoning:	General Residential
Codes:	Bushfire-prone areas Code Parking and Sustainable Transport Code Road and Railway Assets Code
Local Provisions:	N/A
Use Class:	N/A - Subdivision
Discretions:	- Road and Railway Assets Code - C3.5.1 A1.2 New Vehicle Crossing - C3.7.1 A1 - Subdivision within Attenuation Areas
Representations:	1 representation was received. The representor raised the following concerns: - Potential future development of the lots (number and type of dwellings, building height, privacy, views, setback and siting) - That future development will be used for rentals - Traffic created by the new development would create noise and safety issues. - Decline in property value. - Question regarding the timeline of construction.

	Suggestion of a more suitable site for the proposed development rather than the subject site of this assessment.
Attachments:	A - Proposal Plans B - TasWater SPAN C - TasRail Standard Notes – Operational Lines
Recommendation:	Approval with conditions.

1. STATUTORY REQUIREMENTS

The purpose of this report is to enable the Planning Authority to determine application SA 2026/009.

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 2025*.

2. SITE ASSESSMENT

The subject site, known as 95 William Street, Brighton, comprises a vacant, irregularly shaped allotment located on the southern side of William Street. The site adjoins established residential development of Sexton Court to the west and is situated adjacent to open undeveloped buffer land of the Midland Highway to the south. The South Line railway corridor is located to the north east and east of the site. The surrounding locality is characterised by a mix of established residential development, open land and transport infrastructure corridors, with the site occupying a transitional position between the residential area of Brighton and adjoining undeveloped land (Figure 1).

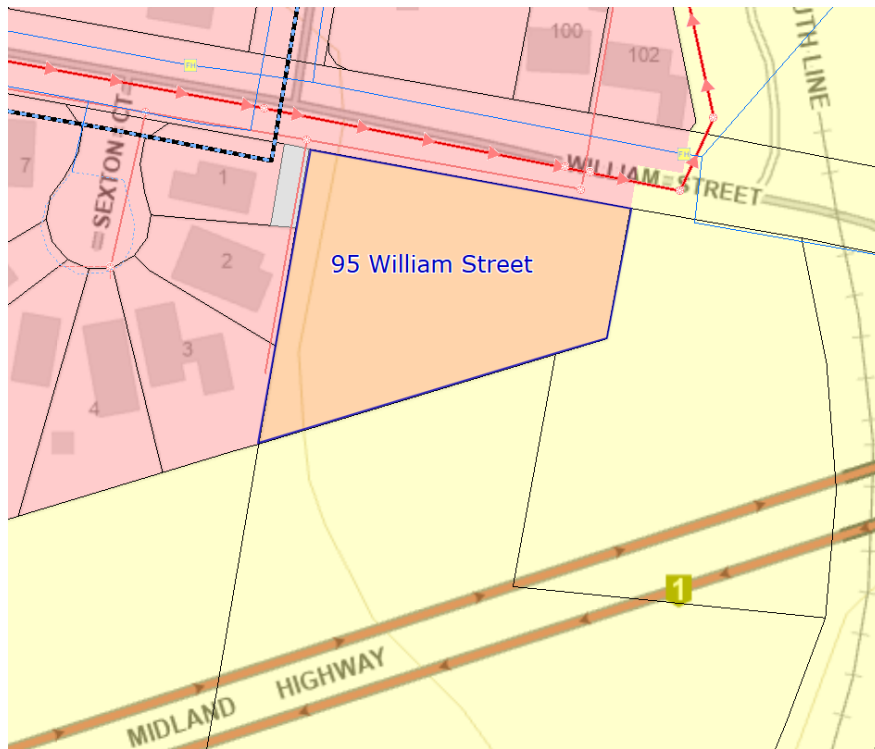


Figure 1. Topographic photo of site and its immediate surroundings (Source: Listmap)

The site area is 3,959m² and zoned General Residential (Figure 2).

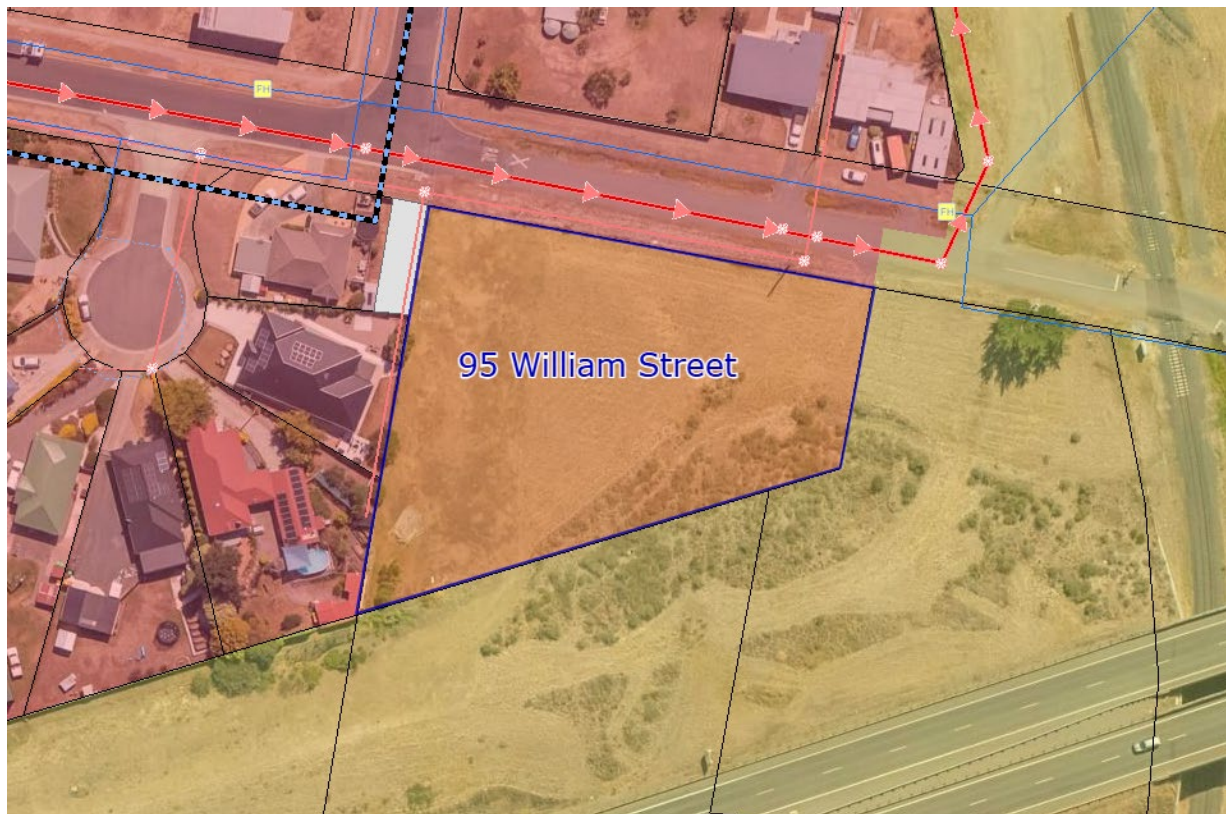


Figure 2. Zoning (General Residential) (Source: Listmap)



Figure 3. Overlay – Bushfire-prone area overlay (Source: Listmap)

The site is covered by the Bushfire-prone area overlay (Figure 3) and located within the attenuation area of both Midland Highway and South Line rail corridor. No other easements or covenants burden the site.

3. PROPOSAL

The proposal seeks planning approval to subdivide the land at 95 William Street, Brighton into four (4) Lots (see Figure 4), and includes a dedicated area for a Bushfire Hazard Management Area (shown in orange). The area of each lot is between 807m² (Lot 4) and 1321m² (Lot 1). Each lot will have direct access from William Street and will be connected to reticulated services.

The application is supported by the attached plans, Bushfire Assessment Report and Infrastructure Report.

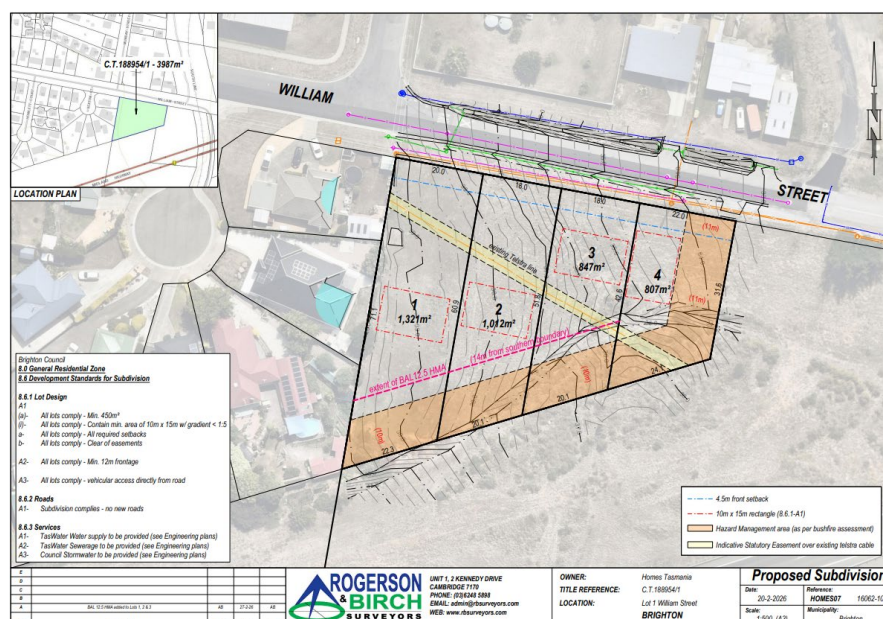


Figure 4. Proposed subdivision plan.

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

Pursuant to clause 6.2.6 of the Scheme, as the proposal is for subdivision, the proposed development is not required to be categorised into a Use Class.

Compliance with Performance Criteria

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

Clause 3.5.1 A2/P2 – Use Standards - Road Authority Consent

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
A1.2 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.	P1 Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to: (a) any increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature of the road; (d) the speed limit and traffic flow of the road; (e) any alternative access to a road; (f) the need for the use; (g) any traffic impact assessment; and (h) any advice received from the rail or road authority.

The proposal provides for four (4) new vehicle crossings to serve the proposed lots. The application did not include road authority consent for the new vehicle crossings pursuant to 3.5.1 A1.2 and therefore must rely on demonstrating compliance with the Performance Criteria in Clause 3.5.1 P1.

Individual vehicle crossings will provide access to each of the lots, which are intended for future residential use, given the land is located within the General Residential Zone.

The application was referred to Council's Manager Development Engineering, who has confirmed that William St has sufficient capacity for any increase in traffic generated by development on the proposed lots. It is not expected that the additional traffic will have any significant impact on the surrounding road network.

Council's Manager Development Engineering has confirmed that road authority consent can be obtained via a Road Opening Permit, and recommends that a condition as to this be included as part of any permit approved by the Planning Authority.

Accordingly, the PC is satisfied with conditions.

Clause C3.7.1A1 – Subdivision for sensitive uses within a road or railway attenuation area

Objective:	
To minimise the effects of noise, vibration, light and air emissions on lots for sensitive uses within a road or railway attenuation area, from existing and future major roads and the rail network.	
Acceptable Solution	Performance Criteria
A1 A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.	P1 A lot, or a lot proposed in a plan of subdivision, intended for sensitive uses within a road or railway attenuation area, must be sited, designed or screened to minimise the effects of noise, vibration, light and air emissions from the existing or future major road or rail network, having regard to: (a) the topography of the site; (b) any buffers created by natural or other features; (c) the location of existing or proposed buildings on the site; (d) the frequency of use of the rail network; (e) the speed limit and traffic volume of the road; (f) any noise, vibration, light and air emissions from the rail network or road; (g) the nature of the road; (h) the nature of the intended uses; (i) the layout of the subdivision; (j) the need for the subdivision;

	(k) any traffic impact assessment; (l) any mitigating measures proposed; (m) any recommendations from a suitably qualified person for mitigation of noise; and (n) any advice received from the rail or road authority.
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The proposal provides for a subdivision with intended future use for sensitive use within the road and railway attenuation area.

Attenuation area is defined by the code as:

road or railway attenuation area	means a road or railway attenuation area shown on an overlay map in the relevant Local Provisions Schedule or, if not shown, an area within 50m of the boundary of: (a) a major road with a speed limit above 60km/h; (b) the rail network; (c) a future major road; or (d) a future railway.
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The proposed subdivision plan (Figure 4) shows building areas for each lot.

The site is subject to the Attenuation area as the cadastral parcels for both the Midlands Highway and the Southline Railway Corridor do not provide separation, measured from the boundaries, which exceed 50m to the site.

In addressing the Performance Criteria, the lots are screened by the topography of the site and the adjoining land, which is subject to an area of steep elevation from the highway. This acts as a buffer to minimise any impact of the Midland highway (refer Figure 5). Similarly, William Street and the Utilities zoned land to the east provides a buffer area between the proposed subdivision lots and the South Line. This is complemented by the 10m wide bushfire management area (Figure 4).

In relation to the rail line, TasRail operate three freight train services each way daily. Accordingly, the application was referred to TasRail, and also to the Department of State Growth as the relevant rail and road authorities respectively. Neither authority raised any issues with regard to the proposed attenuation area. However, TasRail did provide a copy of their standard notes – operational lines for inclusion in any permit granted, which asks that land owners be made aware that the land may be subject to noise, vibration, light and air emissions due to proximity to the rail line. Accordingly, it is recommended that a condition requiring a Part 5 be included in any permit granted.

The Part 5 should acknowledge that landowners are aware that the land may be subject to noise, vibration, light and air emissions due to proximity to the rail line. In addition to the above, any future application for sensitive use will be required to address the development standards in the Road and Railway Assets Code at the time of construction.

As noted above, Council's Manager Development Engineering considers that there will be no significant impact on the surrounding road network.

Accordingly, the PC is satisfied with conditions.



Figure 5. Steep elevation as natural barrier for the subdivision lots.

5. REFERRALS

Council's Development Engineer

Council's Manager Development Engineering has been consulted regarding this proposal. That officer considers that the proposal can satisfy the applicable standards of the Parking and Sustainable Transport Code and the Road and Railway Assets Code. Further, the proposal is not considered to generate stormwater issues provided that the stormwater-related conditions on any planning permit approved be observed. Officer comments have been incorporated into the report, where necessary.

TasWater

The application was referred to TasWater, and TasWater has issued a Submission to Planning Authority Notice (SPAN) Reference No. TWDA 2026/00244-BTN, dated 19/03/2026. A copy of the SPAN will be attached to any planning permit issued.

Department of State Growth

The application was referred to Department of State Growth, and the Crown Landowner Consent was granted under Crown Landowner Consent SRA-26-150, issued on 12/05/2026. A copy of the Crown consent will be attached to any planning permit issued.

TasNetworks

The application was referred to TasNetworks, and TasNetworks confirmed that they have no comments for the proposal and would not believe it would affect TasNetworks' operation.

TasRail

The application was referred to TasRail, who advised that the culverts adjacent to the rail network do not go anywhere and additional works would be required.

Impact on the State rail network was also considered by DSG when providing Crown Consent to the application, which considered that stormwater from the proposed subdivision connects to the state road drainage network prior to discharging to the rail corridor. The crown consent includes a requirement to obtain approval for TasRail works and occupancy approvals prior to commencement of works. This condition will be included in the Permit Condition.

Further, TasRail has recommended its Standard Notes – Operational Lines be provided to the Applicant. It is recommended that these be attached to any permit approved as advice.

6. OTHER

6.1 Public Open Space Requirements

Public Open Space Requirements no longer sit in the planning scheme. However, Council has powers and responsibilities under Sections 116 and 117 of the Local Government (Buildings and Miscellaneous) Act 1993 in relation to public open space. Further guidance is provided by Council's Public Open Space Policy. These provisions enable Council to:

- a) Require a subdivider to provide to Council up to 5% of land being subdivided; or
- b) Require a subdivider to make a contribution cash-in-lieu of the provision of land, either in part or in whole.

In this instance, the applicant has not identified a land contribution for open space. Accordingly a condition for a cash-in-lieu contribution is recommended, requiring a contribution equating to 5% of the improved value of the land as at the date of the Final Plan to be made.

7. REPRESENTATIONS

One (1) representation was received during the statutory public exhibition period between 04/07/2026 and 20/07/2026.

The concerns of the representor are summarised below:

Representation	Officer Comments
<i>Firstly I guess we would like a further definition of 4 lots/4 dwellings. Does this mean 4 individual single storey homes or two storey unit blocks??? Will they be privately owned or part of affordable housing? An immediate answer on this would be appreciated.</i>	The application is for the subdivision of the existing Lot 1 at William Street into four (4) smaller lots. Any future development will be subject to separate development application(s). Any decision as to tenure of the land lies with the landowner.
<i>We would strongly oppose two storey as this is our outlook and the view we have had for 20 plus years would be completely gone. Not to mention our privacy/security with them able to look directly into our back yard. We would need to build a higher boundary fence, plant established trees for privacy, which will costs us money, or would this be covered by the builder as part of it?</i>	The land is zoned General Residential and development standards which encompass building height, setbacks, privacy will need to be addressed during any future development application. Side and rear boundary fencing is a civil matter to be agreed between land owners.
<i>How close to our boundary fence will they be built? I can see on the plans, it looks like they will be built towards the back of each lot. Does the red square indicate the placement of the dwelling? Will the driveways run along our fence line if this is the case.</i>	Refer to response above, as to setback. The red square indicates the building area required to demonstrate compliance with the Subdivision standards. The application assesses vehicle access from the road to the property boundary. Driveways will form part of future development application/s.
<i>All the houses in Sexton Court are privately owned, no rentals. I worry about the safety and security with more rentals in the area, and the safety of adding more driveways into a very tight, narrow street. We are part of a very quiet and friendly street/cul-de-sac and feel very safe with low crime/hooning in this area.</i>	Housing tenure is not a planning consideration. Refer to comments below re: traffic
<i>We are concerned our house will lose value, being next door to these dwellings being built on such a small block. We feel like we may even need to move out of our home but financially this is would impact us greatly.</i>	Property value is not a planning consideration.

<i>The traffic flow on an already busy street will not only be a safety issue but speed and noise would be a factor. We already have had to adjust to the highway being so close and now these houses will be even closer.</i>	William Street is a local collector street constructed with a sealed width of approximately 7.5 metres. Whilst the subdivision itself does not generate additional traffic it is considered that any traffic generation from future development of the lots is unlikely have any significant impact on the surrounding road network nor create any safety concerns.
<i>What is the timeline for construction to start?</i>	Commencement date is for the subdivider to determine. However, section 53 of Land Use Planning and Approvals Act 1993 provides for an initial time frame of 2 years from the date of permit, with further opportunities for 3 x 2 year extensions available.
<i>I also note that there has been vacant blocks at the other end of William St, corner Dylan Street, for years. I feel these would have been a much better option for housing and they are ready to go. And close the new High School.</i>	Site development is a matter for respective landowners and is not a relevant planning consideration for this assessment.

8. CONCLUSION

The proposal for the Development at 95 William Street, Brighton, satisfies the relevant provisions of the Tasmanian Planning Scheme - Brighton, and as such is recommended for approval.

RECOMMENDATION:

That pursuant to the *Tasmanian Planning Scheme - Brighton*, Council approve application SA2026/00009 for Development at 95 William Street, Brighton, for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

General

1. The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, 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. Prior to Council sealing the final plan of survey for any stage the developer must provide certification from a suitably qualified person that all requirements of the approved Bushfire Hazard Management Plan have been complied with.
3. Where a conflict occurs between the application for planning approval, the endorsed drawings and conditions of this permit, the latter prevails.
4. 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*.

Landscaping

5. The road reserve must be landscaped by trees or plants in accordance with a landscape plan prepared by a landscape architect or other person approved by Council and submitted to Council's Director Development Services for endorsement with the engineering drawings. The landscape plan must show the areas to be landscaped, the form of landscaping, the species of plants and estimates of the cost of the works. Planting shall be equivalent to a minimum of 1 tree per lot or 20 metres frontage, whichever is greater, using advanced plants that suit the character of the locality. No plants listed as noxious weeds within Tasmania or displaying invasive characteristics shall be used in the landscaping of the road.

Advice: *The Developer should liaise with Council as to the types of street trees preferred, and consider the recommendations contained in Council's Greening Brighton Strategy 2024 - 2033.*

Transfer of reserves

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

Part 5 Agreement

7. An agreement pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* must be entered into prior to the sealing of the final plan of survey. The owners must covenant with Council that each lot are aware that the land is within a Road and Railway Attenuation area and may be subject to noise, vibration, light and air emissions.
8. Agreements made pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* must be prepared by the applicant on a blank instrument form to the satisfaction of the Council and registered with the Recorder of Titles. The subdivider must meet all costs associated with the preparation and registration of the Part 5 Agreement.

Easements

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

Advice: *An easement, or similar, should be provided over the existing telecommunication line running through the proposed Lots.*

Endorsements

10. The final plan of survey must be noted that Council cannot and/or will not provide a means of stormwater drainage to all lots on the plan of survey.

Public open space

11. As no provision has been made for Public Open Space, Council requires payment of a cash contribution for Public Open Space prior to sealing the Final Plan of Survey pursuant to Section 117 of the Local Government (Building and Miscellaneous Provisions) Act 1993. The cash contribution amount is to be equivalent to five percent (5%) of the whole of the area comprised in the plan as at the date of lodgement with the Recorder of Titles.

12. The value is to be determined by an independent Registered Valuer for the purpose of determining the improved value of the land. The valuation must not be undertaken more than three (3) months prior to the date of lodgement of the Final Plan to the Recorder of Titles.
13. The cash-in-lieu of public open space must be in the form of a direct payment made before the sealing of the final plan of survey.

Final Plan

14. A final approved plan of survey and schedule of easements as necessary, together with two (2) copies, must be submitted to Council for sealing for each stage. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
15. Prior to Council sealing the final plan of survey for each stage, security for an amount clearly more than the value of all outstanding works and maintenance required by this permit must be lodged with the Brighton Council. The security must be in accordance with section 86(3) of the *Local Government (Building & Miscellaneous Provisions) Council 1993*. The amount of the security shall be determined by the Council's Municipal Engineer in accordance with Council Policy 6.3 following approval of any engineering design drawings and shall not to be less than \$5,000.
16. All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey for each stage. It is the subdivider's responsibility to notify the Council in writing that the conditions of the permit have been satisfied.
17. The subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

Covenants

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

Engineering

19. The subdivision must be carried out and constructed in accordance with the:
 - a. *Tasmanian Infrastructure Design 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.
20. Engineering design drawings, to the satisfaction of the Council's Municipal Engineer, must be submitted to and approved by Council before any works associated with development of the land commence.

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

21. Engineering design drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by Council's Municipal Engineer, in accordance with the *Tasmanian Infrastructure Design Guidelines*, 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.
22. Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.
23. The developer shall appoint a qualified and experienced Supervising Engineer (or company registered to provide civil engineering consultancy services) who will be required to certify completion of subdivision construction works. The appointed Supervising Engineer shall be the primary contact person on matters concerning the subdivision.

Services

24. 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.
25. Any existing services shared between lots are to be separated to the satisfaction of Council's Municipal Engineer.
26. Property services must be contained wholly within each lot served or an easement provided in accordance with the requirements of the responsible authority and to the satisfaction of Council's Municipal Engineer.

Roadworks

27. Roadworks and drainage must be constructed in accordance with the standard drawings and specifications prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's Municipal Engineer or as otherwise required by this permit.
28. Roadworks must, unless approved otherwise by Council's Municipal Engineer, include: -
 - a. William Street (across the entire frontage of the subdivision)
 - i. new kerb and channel on the southern side (to match the alignment of existing kerb and channel to the west);
 - ii. 1.5m min. width concrete footpath on the southern side;
 - iii. road pavement widening on the southern side where required to match new kerb alignment;
 - iv. Piped stormwater drainage

29. All carriageway surface courses must be constructed with a hotmix asphalt with a minimum compacted depth of 35mm, in accordance with standard drawings and specifications prepared by the IPWE Aust. (Tasmania Division) and the requirements of Council's General Manager.
30. A reinforced concrete vehicle access must be provided to the property boundary of each lot.

Sewer & Water

31. Each lot must be connected to a reticulated potable water supply.
32. Each lot must be connected to a reticulated sewerage system.

TasWater

33. The development must meet all the required conditions of approval specified by TasWater Submission to Planning Authority notice No. TWDA 2026/00244-BTN, dated 19/03/2026.

Stormwater

34. Unless approved otherwise by Council's Municipal Engineer the stormwater system for the proposed development must be substantially in accordance with *INFRASTRUCTURE REPORT February 2026 prepared for AWC Constructions William Street, Brighton issue 4 dated 17/06/2026*, prepared by Collective Consulting.
35. The developer is to provide a piped stormwater property connection to each lot capable of servicing the entirety of each lot by gravity in accordance with Council standards and to the satisfaction of Council's Municipal Engineer.
36. Unless approved otherwise by Council Municipal Engineer, the developer is to provide a stormwater drainage system designed to comply with all of the following:
 - a) The piped system for the subdivision must be able to accommodate a storm with a 5% AEP (plus Climate Change) 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 subdivision must incorporate overland flow paths to accommodate a 1% AEP (plus climate change) rainfall event. The existing 1% AEP flow path through the proposed lots must be redirected and contained wholly within the road reservation;
 - d) Stormwater from the proposed subdivision must be treated prior to entering the public stormwater system to:
 - i. Standard Stormwater Treatment Requirements specified in Table 3 Water Quality Treatment Targets in DEP AND LGAT TASMANIAN STORMWATER POLICY GUIDANCE AND STANDARDS FOR DEVELOPMENT 2021 V1.

Alternatively;

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

37. Stormwater Quality Improvement Devices installed as part of the subdivision must be consistent with other systems adopted by Council and approved by Council's Municipal Engineer.
38. Water Sensitive Urban Design elements (where incorporated) must be in accordance with the *Water Sensitive Urban Design Procedures for Stormwater Management in Tasmania*, and to the satisfaction of the Council's Municipal Engineer.
39. An updated Stormwater Management Report must be submitted to Council's Municipal Engineer in conjunction with the engineering design plans for approval. The Stormwater Management Report must be prepared and certified by a suitably qualified person, in accordance with section 2.6.2 of *DEP & LGAT (2021). Tasmanian Stormwater Policy Guidance and Standards for Development. Derwent Estuary Program and Local Government Association of Tasmania (Hobart, Australia)* and include calculations, design, construction and maintenance details of stormwater treatment, detention, and conveyance. The report must clearly demonstrate that the requirements of this permit are met and that adjacent and downstream properties will not be adversely impacted by the stormwater system. Once approved the 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.

Access to Public Road

40. Prior to undertaking any works in the State road reservation, a Works Permit is required from the Department of State Growth in accordance with Section 16 of the Roads and Jetties Act 1935.
41. Prior to the concentration and discharge of stormwater to the State road reservation, consent is required under Section 17B(1) of the Roads and Jetties Act 1935.

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.

Telecommunication and Electrical Reticulation

42. Electrical and telecommunication services must be provided to each lot in accordance with the requirements of the responsible authority and to the satisfaction of Councils Municipal Engineer.
43. All new electrical and telecommunications services must be provided underground unless approved otherwise by Council's Municipal Engineer.
44. Prior to the work being carried out a drawing of the electrical reticulation, and telecommunications reticulation in accordance with the appropriate authority's requirements and relevant Australian Standards must be submitted to and endorsed by the Council's Municipal Engineer.
45. Prior to sealing the final plan of survey the developer must submit to Council,

- (a) A “Provision of Telecommunication Infrastructure – Confirmation of final payment or Certificate of Practical Completion of Developers Activities” from NBN Co.
- (b) Written advice from TasNetworks confirming that all conditions of the agreement between the owner and the authority have been complied with and that future owners will not be liable for network extension or upgrade costs other than individual property connections at the time each lot is further developed.

Erosion and Sediment Control

- 46. An Erosion and Sediment Control Plan (here referred to as a ‘ESCP’) prepared in accordance with the guidelines Erosion and Sediment Control, The fundamentals for development in Tasmania, by the Derwent Estuary Programme and Tamar Estuary and Esk Rivers Program, must be approved by Council’s Director Development Services before development of the land commences. The ESCP shall form part of this permit when approved.
- 47. Temporary run-off, erosion and sediment controls must be installed in accordance with the approved ESCP and must be maintained at full operational capacity to the satisfaction of Council’s Director Development Services until the land is effectively rehabilitated and stabilised after completion of the development.
- 48. The topsoil on any areas required to be disturbed must be stripped and stockpiled in an approved location shown on the detailed ESCP for reuse in the rehabilitation of the site. Topsoil must not be removed from the site until the completion of all works unless approved otherwise by the Council’s Municipal Engineer.
- 49. All disturbed surfaces on the land, except those set aside for roadways, footways and driveways, must be covered with top soil and, where appropriate, re-vegetated and stabilised to the satisfaction of the Council’s Municipal Engineer.

Construction amenity

- 50. The subdivider must make good any damage to the road frontage of the development site including road, kerb and channel, footpath, and nature strip to the satisfaction of Council’s Municipal Engineer.
- 51. The road frontage of the development site including road, kerb and channel, footpath, and nature strip, should be:
 - (a) Surveyed prior to construction, photographed, documented and any damage or defects be noted in a dilapidation report to be provided to Council’s Asset Services Department prior to construction.
 - (b) Be protected from damage, heavy equipment impact, surface scratching or scraping and be cleaned on completion.

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

- 52. 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

53. 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,
- (a) Emission from activities or equipment related to the use or development, including noise and vibration, which can be detected by a person at the boundary with another property.
 - (b) Transport of materials, goods, or commodities to or from the land.
 - (c) Appearance of any building works or materials.
54. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the land in an approved manner. Burning of such materials on-site will not be permitted unless in accordance with the landscaping plan requiring disposal by such means.
55. Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the subdivision during the construction period.

Survey pegs

56. Survey pegs are to be stamped with lot numbers and marked for ease of identification.
57. Prior to the works being taken over by Council, evidence must be provided from a registered surveyor that the subdivision has been re-pegged following completion of substantial subdivision construction work. The cost of the re-peg survey must be included in the value of any security.

Maintenance and Defects Liability Period

58. The subdivision must be placed onto a twelve (12) month maintenance and defects liability period in accordance with Council Policy following the completion of the works in accordance with the approved engineering plans and permit conditions.
59. Water Sensitive Urban Design elements provided as part of the subdivision are to be placed and an extended maintenance and defects liability period to be determined at the detailed design stage, but not less than twenty-four (24) months.
60. Prior to placing the subdivision onto the maintenance and defects liability period the Supervising Engineer must provide certification that the works comply with the Council's Standard Drawings, specification and the approved plans.

As Constructed Drawings

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

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT:

- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.
- C. A copy of TasRail's Standard Notes – Operational Lines is attached.
- D. The owner is advised that an engineering plan assessment and inspection fee of 1% of the value of the approved engineering works (minimum of \$300.00), or as otherwise specified in Council's Schedule of Fees, must be paid to Council prior to the approval of engineering plans.
- 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 Geard moved, Cr Whelan seconded that the recommendation be adopted.

CARRIED

VOTING RECORD

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

Meeting closed: 5.55pm

Confirmed:

(Mayor)

Confirmed:

18 August 2026