Brighton Council

ATTACHMENTS

ORDINARY COUNCIL MEETING

20 OCTOBER 2026



Brighton
going places

MINUTES OF THE ORDINARY COUNCIL MEETING OF BRIGHTON COUNCIL HELD IN THE COUNCIL CHAMBERS, COUNCIL OFFICES, 1 TIVOLI ROAD, OLD BEACH AT 5.32 P.M. ON TUESDAY, 15 SEPTEMBER 2026

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

IN ATTENDANCE: Mr J Dryburgh (Chief Executive Officer); Mr C Pearce-Rasmussen (Director Asset Services); Ms G Browne (Director Corporate Services); Mr A Woodward (Director Development Services); Mr L Wighton (Manager Development Engineering); Mrs J Blackwell (Manager Planning) & Ms E Lang (Executive Officer, Governance)

Cr McMaster arrived at the meeting at 5.33 p.m.

Cr Murtagh arrived at the meeting at 6.46 p.m. and was not present for items 1 to 16.3

1. STATEMENT BY THE CHAIRPERSON

2. ACKNOWLEDGEMENT OF COUNTRY

3. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCE

Cr Owen moved, Cr Geard seconded that Cr Murtagh be granted an apology for part of the meeting due to work commitments.

CARRIED

VOTING RECORD

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

4. NOTIFICATION OF LEAVE OF ABSENCE FOR PARENTAL LEAVE

Nil.

5. CONFIRMATION OF MINUTES

5.1 Ordinary Council Meeting - 18 August 2026

RECOMMENDATION:

That the Minutes of the previous Ordinary Council Meeting held on 18th August 2026, be confirmed.

DECISION:

Cr Curran moved, Cr De La Torre seconded that the Minutes of the previous Ordinary Council Meeting held on 18th August 2026, be confirmed.

CARRIED

VOTING RECORD

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

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.

Cr Geard declared an interest in item 17.1

7. PUBLIC QUESTION TIME & DEPUTATIONS

In accordance with the requirements of Regulations 33, 36, 37 & 38 of the *Local Government (Meeting Procedures) Regulations 2025*, the agenda is to make provision for public question time.

CEO James Dryburgh thanked the Councillors on behalf of staff for their support over the past four years and expressed his appreciation for the open, collaborative culture fostered between Councillors and staff.

7.2 Public Questions on Notice

Nil.

8. COUNCILLORS QUESTION TIME

8.1 Councillor Questions on Notice

In accordance with Regulation 35 of the *Local Government (Meeting Procedures) Regulations 2025*, a councillor, at least seven days before an ordinary Council Meeting or a Council Committee Meeting, may give written notice to the Chief Executive Officer of a question in respect of which the councillor seeks an answer at that meeting.

Nil.

8.2 Councillor Questions without Notice

In accordance with Regulation 34 of the *Local Government (Meeting Procedures) Regulations 2025*, a councillor at a meeting may ask a question without notice. The Chairperson, Councillor or Chief Executive Officer who is asked a question without notice at a meeting may decline to answer the question. The chairperson may require a councillor to put a question without notice in writing.

Nil.

9. REPORTS FROM COUNCIL

9.1 Mayor's Communications

19/08/2026	LGAT AGM & General Meeting
20/08/2026	LGAT Conference
21/08/2026	LGAT Conference
23/08/2026 – 26/08/2026	ALGA Board Roads briefing – Cairns
31/08/2026	Meeting with Jane Howlett MP
31/08/2026	TasWaste South Board Strategy Workshop
01/09/2026	Meeting with BGH and CEO
01/09/2026	Council Workshop
04/09/2026	Media Launch of The Big Tassie Walk
05/09/2026	Opening of Brighton Kennel Club 40th Anniversary Show
05/09/2026	Bridgewater Jerry Photography Competition 2026
15/09/2026	Council Meeting

RECOMMENDATION:

That the Mayor's communications be received.

DECISION:

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

CARRIED

VOTING RECORD

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

9.2 Reports from Council Representatives

Cr Geard

- attended Mr John Zielinski's memorial service recently, a founding member of Brighton Volunteer Fire Brigade.
- recently attended a SWN Jobs Hub event for Horticulture/Agriculture students and recognised the valuable work SWN does.
- attended an event at Chauncy Vale Wildlife Sanctuary celebrating 80 years.

Cr Owen

- acknowledged the passing of Mr John Zielenski.
- acknowledged the recent passing of Ian Langdon, noting his involvement in Jordan River Services and other community organisations over the years.
- attended the Bridgewater Jerry Photo Competition and commended the organisers for running the event so well, acknowledging Café Connections and thanked Council for its support of this event.

Cr Irons

- attended the Greater Hobart Homeless Alliance Meeting on 10th September 2026. Noting that a MOU is now in place with Council and Salvation Army.

Cr Curran

- attended the CWA Conference Dinner at Pontville recently with over 90 delegates from around the state attending.

RECOMMENDATION:

That the reports from Council representatives be received.

DECISION:

Cr McMaster moved, Cr Whelan seconded that the reports from Council representatives be received.

CARRIED

VOTING RECORD

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

10. MISCELLANEOUS CORRESPONDENCE

- Letter from the Office of Local Government dated 4 September 2026 regarding commencement of provisions under the *Local Government Amendment (Targeted Reform) Act 2026.*

11. NOTIFICATION OF COUNCIL WORKSHOPS

In accordance with the requirements of Regulation 10(3)(c) of the Local Government (Meeting Procedures) Regulations 2025, the agenda is to make provision for the date and purpose of any council workshop held since the last meeting.

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

- A workshop was held on the 18th Augst 2026 at 5.00pm to receive an update on the Greater Hobart Sport Infrastructure Strategy; the current bird flu situation and the Brighton Youth Hub.

  Attendance: Cr Gray; Cr Curran; Cr De La Torre; Cr Geard; Cr Irons; Cr McMaster; Cr Murtagh; Cr Owen & Cr Whelan.

  Apologies: Nil.

- A workshop was held on the 1st September 2026 at 4.30pm to receive an update in relation to 10 Sorell Street; Seymour Street Stage 2 initial design; a general waste update; Christmas Lighting Guidelines and various planning matters.

  Attendance: Cr Gray; Cr Curran; Cr Geard; Cr Irons; Cr McMaster; Cr Murtagh; Cr Owen & Cr Whelan.

  Apologies: Cr De La Torre

12. NOTICES OF MOTION

In accordance with Regulation 19(1) of the *Local Government (Meeting Procedures) Regulations 2025, Councillors may submit Notices of Motion to the Chief Executive Officer at least seven days before a meeting for inclusion on the agenda.*

Nil.

13. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

In accordance with the requirements of Regulation 10(7) of the *Local Government (Meeting Procedures) Regulations 2025*, the Council, by absolute majority may decide to deal with a matter that is not specifically listed on the agenda if:-

(a) the general manager has reported the reason for which it was not possible to include the matter on the agenda; and
(b) the general manager has reported that the matter is urgent; and
(c) the general manager has certified under Section 65 of the *Local Government Act 1993* that the advice has been obtained and taken into account in providing general advice to the council.

There were no supplementary agenda items.

14. REPORTS FROM COMMITTEES

14.1 Audit Panel Minutes - 22 May 2026

RECOMMENDATION:

That Council receive the minutes of the Audit Panel meeting held on 22nd May 2026 and adopt the panel's recommendations.

DECISION:

Cr De La Torre moved, Cr Geard seconded that Council receive the minutes of the Audit Panel meeting held on 22nd May 2026 and adopt the panel's recommendations.

CARRIED

VOTING RECORD

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

15. PETITIONS

Nil.

16. COUNCIL ACTING AS A PLANNING AUTHORITY

Under the provisions of the *Land Use Planning and Approvals Act 1993* and in accordance with Regulation 29 of the *Local Government (Meeting Procedures) Regulations 2025*, the Chairperson is to advise the meeting that Council will now act as a Planning Authority in respect to all reports appearing under Item 16 on this agenda, inclusive of any supplementary items.

16.1 Development Application DA 2026/0022 - 39a Andrew Street, Brighton – Multiple Dwellings (34 new, 1 existing)

Author: Manager Planning (J Blackwell)

Authorised: Director Development Services (A Woodward)

Applicant:	Min.D Architects
Subject Site:	39A Andrew Street, Brighton
Proposal:	Multiple Dwellings (34 additional, 1 existing)
Planning Scheme:	Tasmanian Planning Scheme - Brighton
Zoning:	General Residential
Codes:	Parking and Sustainable Transport Code Road and Railways Assets Code
Local Provisions:	Nil
Use Class:	Residential (Multiple Dwellings)
Discretions:	General Residential Zone • Front setback (internal lot) • Building envelope • Private Open Space Parking and Sustainable Transport Code • Carparking spaces (Visitor parking) • Motorcycle parking spaces • Pedestrian Access Road and Railway Assets Code • Increase in Vehicle Movements
Representations:	6 representations against the development were received. The representors raised the following issues: • Density • Reduced Setbacks • Private open space • Waste collection • Increase in traffic movements • Pedestrian Safety

	• Use of subject site by adjoining owners • Capacity of Brighton Primary School • Boundary fence dispute • Stormwater management • Building works adjacent to boundary
Attachments	A - Proposal Plans B - TasWater SPAN
Recommendation:	Approval with conditions

1. STATUTORY REQUIREMENTS

The purpose of this report is to enable the Planning Authority to determine application DA 2026/0022.

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 is an internal lot, accessed via an approximately 15m wide access strip from Andrew Street. An existing dwelling, constructed in approx. 1983 is located on the site, together with various outbuildings.

The site is generally level, with the low point of the lot proper in the north eastern corner. As can seen by Figure 1, the site is located within close proximity to both the Brighton township business area, the Brighton High School and the Brighton Primary School.



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

Total land area is 12,390sqm, with the access strip comprising approx. 785sqm. The site is zoned General Residential, as is the land immediately surrounding it (Figure 2).



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

There is a drainage easement 3.0m wide running along the western and north western boundaries which extend through the access strip to Andrew Street, together with a road widening (Figure 3).

Andrew Street is a collector road constructed to an urban standard with parking bays, kerb and channel and footpath on both sides, with the access from the edge of the road to the property boundary being recently upgraded as part of the Adrew Street upgrades. It is constructed in reinforced concrete with a trafficable width of approximately 7 metres.

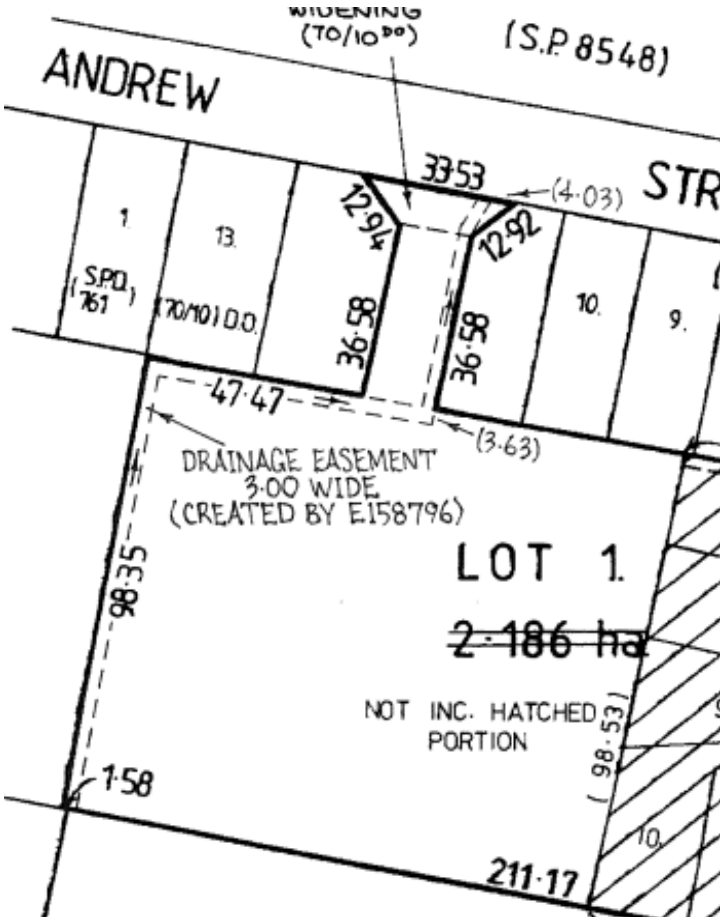


Figure 3: Easements shown on Folio Plan D37536 (Source: title deeds)

There are no mapped overlays which apply to the land. The land is serviced for water, sewer and stormwater.

3. PROPOSAL

The Applicant proposes the construction of an additional 34 units on the site comprising:

- 28 x 2 bedroom units with a floor area of between 80sqm and 83.48sqm
- 6 x 3 bedroom units with a floor area of 102.76sqm

Each unit comprises an open plan living area, with separate laundry and bathroom facilities. Elevations provided show brick facades with Colorbond roofing.

Site area per dwelling equates to 327sqm per dwelling, with each of the dwellings being provided with a minimum of 24sqm of designated private open space and in excess of 60sqm of total private open space. A retaining wall is proposed to be installed along the southern boundary behind units 10 – 16 inclusive.

The Applicant also proposes an area of shared open space for use by residents in the vicinity of the existing dwelling.

Two (2) car parking spaces per dwelling have been provided, together with eleven (11) visitor parking spaces, calculated at 1 visitor park per 3 dwellings for an internal lot.

Stormwater detention is proposed for the site, with the detention tanks to be installed below the driveway in the access strip.

The application is supported by the attached plans, traffic impact assessment and stormwater assessment.

4. PLANNING SCHEME ASSESSMENT

Compliance with Applicable Standards:

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

5.6.2 A standard is an applicable standard if:

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

(i) a zone;

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

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

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

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

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

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

Determining applications (clause 6.10.1):

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

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

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

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

Use Class

The Use Class is categorised as Residential (Multiple Dwellings) under the Scheme. In the General Residential Zone the Residential use class for multiple dwellings is Permitted.

Compliance with Performance Criteria

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

Clause 8.4.2 A3/P3 Building Envelope

Objective:

Objective:

The siting and scale of dwellings:

(a) provides reasonably consistent separation between dwellings and their frontage within a street;

(b) provides consistency in the apparent scale, bulk, massing and proportion of dwellings;

(c) provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and

(d) provides reasonable access to sunlight for existing solar energy installations.

Acceptable Solution	Performance Criteria
A3	P3
A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by: (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear	The siting and scale of a dwelling must: (a)not cause an unreasonable loss of amenity to adjoining properties, having regard to: (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property; (ii) overshadowing the private open space of a dwelling on an adjoining property;

boundary of a property with an adjoining frontage; and

(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and

(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:

(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or

(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).

(iii) overshadowing of an adjoining vacant property; and

(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;

(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and

(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:

(i) an adjoining property; or

(ii) another dwelling on the same site.

The proposal relies on the performance criteria, as the following do not satisfy the acceptable solution:

(a) Reduced setback to the northern dividing boundary with existing dwellings on Andrew Street ranging between 3.499m (Unit 3) to 4.302m (unit 23). Pursuant to Figure 8.3 of the Scheme, the building envelope for internal lots as required by clause 8.4.2 A3(a) is 4.5m (refer figure 4)

Figure 8.3 Building envelope for internal lots as required by clause 8.4.2 A3(a) and clause 8.5.1 A2(a)

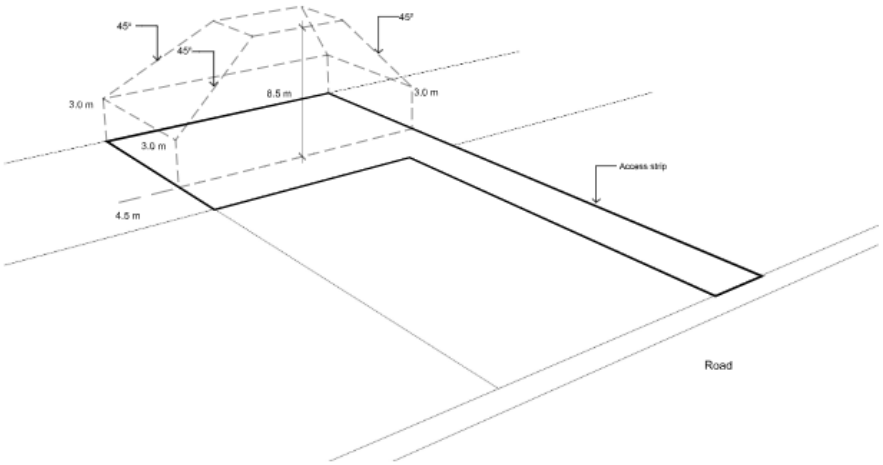


Figure 4: Image from General Residential Zone Standards identifying required building envelopes for internal lots

(b) Unit 16 located in the south west corner of the site has a setback from the eastern boundary of 1.323m, with a wall length of approximately 10.031m, which does not comply with A3(b)(ii) of the acceptable solution. Therefore assessment against the performance criteria is relied upon.

(c) The proposed retaining wall behind units 10-16 inclusive is set within 1.5m of the rear boundary and greater than 9m in length (and therefore classed as works in the definition of a dwelling:

Dwelling means a building, or part of a building, used as a self-contained residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuilding and works normally forming part of a dwelling.

Where building works are defined by section 3 of LUPAA as:

***building** includes –*

(a) a structure and part of a building or structure; and
(b) fences, walls, out-buildings, service installations and other appurtenances of a building; and
(c) a boat or a pontoon which is permanently moored or fixed to land;

Comment

In assessing this discretion, it should be noted that for the purposes of this internal lot, the front boundary is the frontage providing access to the Andrew Street road reserve (being defined as *"the boundary which abuts a road"*), the east and west boundaries are the side boundaries and the southern boundary is the rear boundary (refer Figure 2).

In addressing each of the criterion in order:

The siting and scale of a dwelling must:

(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:

(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;

(ii) *overshadowing the private open space of a dwelling on an adjoining property;*

(iii) overshadowing of an adjoining vacant property; and

(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;

Shadow diagrams submitted with the application (Drawing DA20) demonstrate that any overshadowing of property is limited given the north facing orientation of the lot, and the topography of the site. A vacant lot is located north of the site and therefore is not

impacted by overshadowing (refer figure 1). The proposed development is an internal lot and will be viewed by adjoining neighbours. However, while the proposed change in land use may be unexpected by adjoining landowners, it is unlikely to result in any significant visual intrusion. The development comprises single-storey dwellings on generally level land, constructed using conventional brick and metal roofing materials consistent with those commonly found in surrounding streets.

(b) *provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and*

Comment:

This area of Brighton is characterised by multiple unit developments, internal lots and smaller lots sizes. Cul-de-sac design has forced many dwellings to be constructed at the rear of properties closer to side and rear boundaries. Most of the dwellings adjoining the site have constructed either dwellings or outbuildings within close proximity to boundaries (Refer Figure 5).

The proposal does not conflict with the existing scale of development.



Figure 5: Existing scale of development adjoining the site (source: www.thelist.tas.gov.au)

(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:

(i) an adjoining property; or

(ii) another dwelling on the same site.

Comment:

There will be no unreasonable reduction in sunlight to an existing solar energy installation on adjoining property or another dwelling on the same site (refer Figure 5 above).

Accordingly, the PC is satisfied.

Clause 8.4.3 A2/P2 Private Open Space

Objective:

That dwellings are compatible with the amenity and character of the area and provide:

(a) for outdoor recreation and the operational needs of the residents;

(b) opportunities for the planting of gardens and landscaping; and

(c) private open space that is conveniently located and has access to sunlight.

Acceptable Solution	Performance Criteria
A2 A dwelling must have private open space that: (a) is in one location and is not less than: (i) 24m²; or (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (b) has a minimum horizontal dimension of not less than: (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level	P2 A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is: (a) conveniently located in relation to a living area of the dwelling; and (b) orientated to take advantage of sunlight.

(excluding a garage, carport or entry foyer);

(c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and

(d) has a gradient not steeper than 1 in 10.

Comment

The proposal provides for a 6 x 4m area of private open space per dwelling. However, some of the designated areas are subject to encroachment, such as stairs (for example units 17 – 21), or decks stepping down to lawn (for example units 9-16), and therefore not providing a minimum horizontal dimension of 4m pursuant to A2(b)(i).

The landscaping plan demonstrates that each unit's private open space is fenced to 1.7m in height, to provide a private area for the exclusive use of the occupants of the dwellings. Each of the POS areas are sited to take advantage of the sunlight (refer sheet DA20) and are convenient located in relation to the internal living spaces, which provides an extension to the living areas accessible via sliding doors.

The proposal also includes a shared area to be developed for the use of residents including a playground, seating and landscaping.

Accordingly, the proposal can satisfy the performance criteria.

Clause C2.5.1 A1/P1 Car Parking Numbers

Objective:

That an appropriate level of car parking spaces are provided to meet the needs of the use.

Acceptable Solution	Performance Criteria
A1	P1.1
The number of on-site car parking spaces must be no less than the number specified in Table C2.1, less the number of car parking spaces that cannot be provided due to the site including container refund scheme space, excluding if:	The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to: (a) the availability of off-street public car parking spaces within

(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;

(b) the site is contained within a parking precinct plan and subject to Clause C2.7;

(c) the site is subject to Clause C2.5.5; or

(d) it relates to an intensification of an existing use or development or a change of use where:

(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or

(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:

N = A + (C- B)

N = Number of on-site car parking spaces required

A = Number of existing on site car parking spaces

B = Number of on-site car parking spaces required for the existing reasonable walking distance of the site;

(b) the ability of multiple users to share spaces because of:

(i) variations in car parking demand over time; or

(ii) efficiencies gained by consolidation of car parking spaces;

(c) the availability and frequency of public transport within reasonable walking distance of the site;

(d) the availability and frequency of other transport alternatives;

(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;

(f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;

(g) the effect on streetscape; and

(h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.

P1.2

The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:

(a) the nature and intensity of the use and car parking required;

use or development specified in Table C2.1 C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.	(b) the size of the dwelling and the number of bedrooms; and (c) the pattern of parking in the surrounding area.

Comment

The proposal provides for an additional 79 car parking spaces, comprising 2 car parking spaces per dwelling plus 11 visitor parks. There are 2 existing car parking spaces provided for the original dwelling within the existing garage. The acceptable solution is not met, in that the calculation for visitor parks for an internal lot is 1 space per 3 dwellings, rounded up to the nearest whole number, creating a shortfall of 1 visitor car parking space. Therefore assessment against the performance criteria is relied upon.

Council's Manager Development Engineering has considered the proposal and determined that there is sufficient space within the access strip to accommodate a 12th visitor parking space and recommends that a condition be included in any permit issued requiring that additional space to be provided.

Accordingly, the PC is satisfied with conditions.

Clause C2.5.3 A1/P1 Motorcycle Parking Numbers

Objective:

That the appropriate level of motorcycle parking is provided to meet the needs of the use.

Acceptable Solution	Performance Criteria
A1 The number of on-site motorcycle parking spaces for all uses must: (a) be no less than the number specified in Table C2.4; and (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.	P1 Motorcycle parking spaces for all uses must be provided to meet the reasonable needs of the use, having regard to: (a) the nature of the proposed use and development; (b) the topography of the site; (c) the location of existing buildings on the site; (d) any constraints imposed by existing development; and

(e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.

Motorcycle parking requirements pursuant to Table C2.4 are replicated below:

Table C2.4 Motorcycle Parking Space Requirements

Number of car parking spaces required for a use	Number of motorcycle parking spaces required for a use
0-20	No requirement
21-40	1 space
41 or more	1 space for every additional 20 car parking spaces required

Comment

Three (3) motorcycle parking spaces would be required to comply with Table C2.4. As the proposal does not make any provision for motorcycle parking, assessment against the performance criteria is relied upon.

The Traffic Impact Assessment provided by Hubble Traffic submits that given that car parking requirements required pursuant Table C2.1 of the Code have been provided, that there is sufficient on site motorcycle parking for both residents and visitors without the need for designated bays.

Council's Manager Development Engineering considers that the residential nature of the use, together with the number of car parking spaces provided for use by residents and visitors is sufficient, to satisfy the performance criteria.

Accordingly, the PC is satisfied.

Clause C2.6.5 A1.1/P1 Pedestrian Access

Objective:

That pedestrian access within parking areas is provided in a safe and convenient manner.

Acceptable Solution	Performance Criteria
A1.1	P1
Uses that require 10 or more car parking spaces must: (a) have a 1m wide footpath that is separated from the access ways or	Safe and convenient pedestrian access must be provided within parking areas, having regard to:

parking aisles, excluding where crossing access ways or parking aisles, by: (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and (b) be signed and line marked at points where pedestrians cross access ways or parking aisles. A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.	(a) the characteristics of the site; (b) the nature of the use; (c) the number of parking spaces; (d) the frequency of vehicle movements; (e) the needs of persons with a disability; (f) the location and number of footpath crossings; (g) vehicle and pedestrian traffic safety; (h) the location of any access ways or parking aisles; and (i) any protective devices proposed for pedestrian safety.

Comment

The proposal provides for an additional 79 car parking spaces, which triggers assessment against this standard. The site plans shows a 1.2m wide concrete pedestrian path throughout the site. However, separation is not provided as required by A1.1 (a)(i) and (ii) and assessment against the performance criteria is relied upon.

The Traffic Impact Assessment provided by Hubble Traffic proposals that the internal road environment operates at a low speed shared 10km/h zone to moderate speeds and enhance pedestrian safety. This approach is to be complemented by marked pedestrian crossings where the pathway crosses the internal circulating driveway. The report submits that the design of the site meets the intent of the acceptable solution.

Council's Manager Development Engineering has considered the proposal and deems that given the development is proposed for an internal lot and the proposed low speed shared environment, that the performance criteria can be satisfied. A condition requiring a parking plan certified by an appropriately qualified engineer will be required to be submitted to council officers for endorsement prior to commencement of works.

Accordingly, the PC is satisfied with conditions.

Clause C3.5.1 A1.4 /P1 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.	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.
A1.2 For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.	
A1.3 For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.	
A1.4 Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than: (a) the amounts in Table C3.1; or	

(b) allowed by a licence issued under Part IVA of the Roads and Jetties Act 1935 in respect to a limited access road.	
A1.5 Vehicular traffic must be able to enter and leave a major road in a forward direction.	

Comment

The proposal does not accord with A1.4, in that the proposal will add increase vehicle movements in excess of 20% or 40 vehicle movements per day from the site. Therefore, assessment against the performance criteria is relied upon.

Hubble Traffic identifies Andrew Street as a collector road with a speed limit of 60km/h. Andrew Street has been recently upgraded by Council, has sufficient width to accommodate two-way traffic, and has indented parking that supports on-street parking without impeding traffic flows. Based on modelling, the number of vehicle movements will not impact the performance of the road network,

The Traffic Impact Assessment provided by Hubble Traffic addresses the performance criteria in detail, finding that the proposed development can operate in a safe and efficient manner, a view agreed with by Council's Manager Development Engineering.

Accordingly, the PC is satisfied.

5. REFERRALS

Manager Development Engineering

The application has been reviewed by Council engineering officers. The officer's comments have been incorporated into the report.

TasWater

The Application was referred to TasWater who have issued a Submission to Planning Authority Notice (Attachment B), which is required to be included with any permit that is issued.

TasNetworks

The application was referred to TasNetworks, who provided the following response:

> *Based on the information provided, the proposed development is not anticipated to impact the operations of TasNetworks.*
>
> *Please note that the property is subject to a TasNetworks statutory deemed easement.*

While this easement does not affect the current proposed development, it is important information for the property owner to be aware of.

Customers can find more information about connecting power supply on the TasNetworks website Need help finding the right connection? - TasNetworks or by sending an online enquiry via Send us an enquiry - TasNetworks. Please select "connections" when making the enquiry

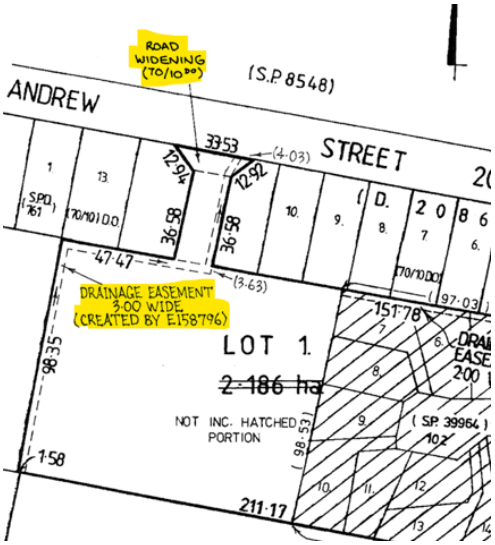
6. REPRESENTATIONS

Six (6) representations were received during the statutory public exhibition period between 19th August and 2nd September 2026. Four (4) positive submissions were also received; they are also summarised below.

The concerns of the representors are summarised below:

Representation 1	*Planning Response*
My primary concern is the **safety and wellbeing of children attending Brighton Primary School** , as well as the significant additional traffic and congestion that this development is likely to create in an area that is already experiencing serious pressures. The existing situation around Brighton Primary School is already concerning. School parking and traffic management are inadequate, and the current level of congestion creates an unsafe environment for children walking to and from school, as well as for parents, residents and other road users. The proposed development would introduce more than 30 additional families into the area , which would inevitably result in a substantial increase in vehicle movements, school drop-offs and pick-ups, pedestrian activity and demand for already limited parking. I am particularly concerned that this additional traffic will place further pressure on Andrew Street, which is already used by children walking to and from Brighton Primary School. I am also deeply concerned about the capacity of Brighton Primary School. The school is already experiencing significant population pressures, and adding potentially dozens of additional families to the surrounding area is likely to result in even more children requiring access to a school that is already heavily populated. This raises serious questions about whether the existing school infrastructure, facilities, traffic arrangements and surrounding roads are capable of safely accommodating this additional demand.	*A Traffic Impact Assessment (TIA) was submitted with the application. The TIA considered the impact of traffic generation from the proposed development on the surrounding road network, including traffic safety and pedestrian access. The TIA concluded that "From a traffic engineering and road safety perspective, additional traffic generated from thisdevelopment site is not expected to create any adverse safety, amenity, or traffic efficiency problems".* *The capacity of the existing primary school is not a planning consideration.*

The impact of this development should not be considered in isolation. The existing traffic, parking and pedestrian safety issues around the school have not been adequately addressed, and adding a development of this scale risks significantly worsening an already problematic situation. In particular, I ask Council to carefully consider: • The **existing safety risks to children** walking along Andrew Street and surrounding roads. • The additional vehicle movements generated by more than 30 new families. • The increased congestion during school drop-off and pick-up periods. • The already inadequate and unsafe school parking situation surrounding Brighton Primary School. • The additional number of children likely to attend an already heavily populated school. • The ability of existing roads, footpaths, crossings and traffic-management measures to safely accommodate the increased pedestrian and vehicle movements. • Whether appropriate traffic and pedestrian safety assessments have been undertaken, particularly during peak school periods. • The cumulative impact of this development alongside existing and future developments in the surrounding area. I strongly believe that **the safety of children must be given the highest priority when assessing this proposal** . It would be extremely concerning for Council to approve additional residential development in an area where existing traffic and school safety issues have not first been properly addressed. I respectfully request that Council give this objection serious consideration and undertake a thorough assessment of the development impact on **traffic, pedestrian safety, school capacity, parking and the overall safety of children in the area** before any decision is made.	*Andrew Street is a collector road which has wider shared paths on both sides separated from the traffic lanes by indented parking bays. Pedestrian crossing points are provided with median refuges at the Brighton Rd end and also at the Jubilee Avenue intersection.* *Compared to the traffic volumes Andrew St is designed to accommodate the development proposes a modest increase.* *The development is in close walking distance to the town centre and primary school.* *The proposed development meets the acceptable solution for off street parking and is not expected to place an increased demand for on street parking.*

I would also appreciate confirmation of what specific traffic, parking and child-safety assessments have been undertaken in relation to the proposal, and what measures, if any, are proposed to address the existing issues around Brighton Primary School and Andrew Street. This is not simply a concern about additional houses; it is a concern about whether the surrounding infrastructure can safely support the significant increase in people, vehicles and children that this development would create. **The safety of our children must come first.** I strongly urge Council to reject the proposed development unless it can be clearly demonstrated that the existing and additional traffic, parking, pedestrian safety and school-capacity issues can be adequately and safely addressed.	
Representation 2	*Planning Response*
We are writing to lodge a formal objection to the planning permit application referenced above. [redacted] Our property will be directly and severely impacted by this proposal due to a critical boundary fence discrepancy. Please note that we do not oppose the concept of a subdivision on this site. However, we formally object to the proposed boundary lines shown on the application plans. The developer's plans attempt to claim and use a portion of land that is currently inside our property boundary and has been under our exclusive possession for 14 years. (please note that the boundary fences have been in the current position for over 50 years). Please see below how this affects access to our property. As mentioned, before we do not object to the subdivision however we do object to the number of units trying to be approved on this site. **Ground for Objection: Inaccurate Site Boundaries and Land Ownership Dispute** 1. If the proposed development utilises the land marked on the current plans, this will strip our property of all vehicle access. With a young family this is not ideal and is a major safety issue due to only having off street parking and possess risks to our vehicles. After discussions	*The property boundaries shown on the proposal plans represent the current legal boundaries. The matter of use/possession is a civil matter between property owners.* *It is worth noting the disputed land is also notated on the plan of survey as "Road Widening" and as such cannot be developed with buildings etc that would prevent its future use as Road.*  *Whilst Council has no plans to acquire the land for use as road this does not alter the fact that it cannot be built on. The matter of possession and ownership raised by the representor is a civil matter.*

with council and council's engineer, we have been notified that due to multiple service pits on our nature strip this will give us no possible way of having a new driveway built as an alternative. 2. Also, with no vehicle access to our property this stops us from being able to utilise our shed which is directly at the end of our driveway. **2.**The physical boundary fence dividing our property and the proposed development site at 39A Andrew Street has stood in its current location for over 50 continuous years. We have occupied, maintained, and possessed the land enclosed on our side of this fence exclusively throughout a 14-year period. **3.**Because this land has been openly, peacefully, and continuously occupied by us without the title owner's permission for greater than the 12-year statutory threshold, we hold possessory rights over this enclosed strip under the Limitation Act 1974 (Tas). The developer's plans rely on a theoretical paper title boundary that does not match the lawful, historical reality of possession on the ground. **4.**The development application proposes to utilize land that is currently in our possession. As a result, the developer's submitted site plans, building setbacks, site area coverage ratios, and construction footprints are factually inaccurate and structurally flawed under the planning scheme. **Ground for Objection: Number of units being approved on this site** 1. We object to the number of units that are to be approved on this site with the concerns of multiple units sitting closer to the boundaries than the planning scheme normally allows. 2. We are also concerned on the services being old and outdated in this area and may cause issue with our water pressure, sewage etc. 3. With a young family going to school in the area, we are also concerned with the number of families that will need education in the area which we find is already at compacity and struggles to support the children already in the system with what they may need.	*The number of units meet the density requirements prescribed under the Acceptable Solutions for the General Residential zone (325sqm), in that 327sqm of land per dwelling has been provided (excluding the access strip).* *Encroachment into the building envelope is discussed earlier in this report.* *Council has recently upgraded stormwater in sections of Andrew St and conditions are recommended to limit peak stormwater flows from the development to existing. The application was referred to TasWater*

Conclusion and Request for Deferral We do not wish to stop the neighbour from subdividing. We request that Council defers approval or requires the applicant to amend and redraw their subdivision plans so that the proposed lot boundaries respect and align exactly with the existing, physical fence line. We also would like to propose to the property owner that the land on our side of the fence is legally changed onto our titles to stop further development in the future.	*for sewer and water servicing who have provided a SPAN.* *The capacity of the primary school is not a planning consideration.* *The application is for multiple dwellings on a single title. There is no proposal for subdivision. Whilst officers are aware of the issues raised by the representor in relation to use of adjoining land, as noted above, these concerns are of a civil nature and outside the scope of the planning authority's assessment.*
Representation 3	*Planning Response*
I wish to submit a representation against the current proposed application for an additional 34 units to be built around an existing home at 39A Andrew St Brighton. I believe this proposal is not acceptable at the current design for a number of reasons. As a resident of Brighton for almost 10yrs and visited my great grandmother in my childhood I am just amazed at how ridiculous some of the building works that are going on. I would recommend that council members go for a walk and just take in how properties are being altered, land diminishing quickly just to fit in more people. Brighton has and always was a rural area. The reason most of us move out here is away from the noise and being cramp up like you are in the city but Im seeing on a daily basis any small piece of land being gobbled up by greedy developers and we are no longer building a home for children but squashing in as many units as we possibly can with no place for children to play. Over the past couple years Ive seen garages converted to rooms, extensions to houses and units being built around existing houses. One prime example of this has just occurred in Bedford Street a property that should have quite easily been split into 1 exiting house and a second house now has 3 units squished in and around it. I have no idea how it was possible to fit one in the backyard but it seems they have. It is quite concerning that people who wish to buy or build a house can no longer do so. I was one of the lucky ones to get a block of land in the area and build a home for my son and I but if you want to buy a block now you basically have to build with Wilson Homes or similar	

thats if they havent already build a multitude of units instead of houses. Take Lillie St for example I reckon the ratio of houses to units is like 1 to 15. Almost every block has at least 2-3units with a scatter of a handful of houses because they were the lucky ones. Back to this particular proposal. There are a number of concerns: 1. Traffic - have you tried to drive in and around the school of a morning getting out into Andrew St is almost impossible and now you wish to increase traffic flow by at a minimum of 68 cars this is without the other subdivisions that are being proposed in the area. Andrew St is quite a busy road and this amount of extra people movements will exasperate it. 2. It doesnt look like any of the 2 bedroom units have a backyard - are we suddenly losing land/free space for children to play just for the sake of building more buildings. 3. Parking - you have allocated 2 parking spaces per unit and 11 visitor spaces - you only have to look around Brighton to see that most properties will have more than 2 cars parked in them and you know why that is? Because these properties are not filled with singles or a couple there are multiple people/families sharing properties because they cant afford the rent. There will be a major parking problem in that area as i can see those 3 bedroom units having more than 2 cars how will all this be managed? People will just sublet the council will be none the wiser. I have seen a unit have 4 cars parked outside of it and yes they all lived in that unit (possibly students). So there will not be enough parking spaces for this amount of properties 4. Rubbish - I cant see how you will be able to fit up to 70 bins along the entrance for bin night. Thats a lot of people have to move bins quite a distance from those back units I would envisage especially if elder people reside in those. 5. Park - although this seems to be a good idea it is quite ridiculous. So the developer has taken backyards away from properties and to overcome has put in a park which will create a noise, there are safety concerns of how children will be able to move from units to the park safely when there roads and cars. Yes i understand there will be pathways but kids are likely to ride their bikes, scooters etc on the road not the paths. You have	*A TIA was submitted with the application The TIA considered the impact of traffic generation from the proposed development on the surrounding road network, including traffic safety and pedestrian access. The TIA concluded that "From a traffic engineering and road safety perspective, additional traffic generated from this development site is not expected to create any adverse safety, amenity, or traffic efficiency problems"* *Private Open Space requirements are addressed within the body of the report.* *The proposal meets the acceptable solution for car parking spaces under the Tasmanian planning Scheme. (providing the recommended condition for 12 visitor parking spaces is included)* *Waste collection will be undertaken along the access strip but also around the internal driveway. The residents at the rear will not need to take bins all the way to the access strip.* *The site is private, with the playground to be owned and operated by the unit owners under the body corporate. The proposed development is a low speed 10km/h shared zoned supported by pedestrian paths, which provides safe pedestrian access within the site.*

also given a space for those youths that seem to like to hang out at the primary school and zip up and down the area on their motorised bikes. Children may play at all hours therefore creating noise and you have placed it in front of the main residence that is just weird. 6. Stormwater/sewerage - how are we dealing with the extra plumbing requirements? Is council doubling the water storage etc for Brighton! They will need to consider this if those other developments go ahead in the area as that is a lot of people to cover! You are only estimating a certain number of people per household and I can almost say that a lot of properties will have far more people living in them than you estimate. I believe this development should be reduced to say at the most 25 properties to allow each property to have sufficient space for personal outdoor/garden space rather than a communal park and extra parking space for visitors. Plant hedging/trees for privacy and to reduce noise for neighbouring properties. Would reduce traffic and extra residents. Also are any of the properties disability friendly? Maybe should have say 5 that are specifically built for elderly or have wheel chair access its not just about able bodied people.	*Council has recently upgraded stormwater in sections of Andrew St and conditions are recommended to limit peak stormwater flows from the development to existing. The application was referred to TasWater for sewer and water servicing who have provided a SPAN.* *Accessibility is regulated under the Building Act 2016. However recent changes to the National Construction Code requires that all new dwellings are constructed with accessibility in mind, with minimum width doorways, step free level access to the dwelling, and at grade pathways from parking areas to doors.*
Representation 4	***Planning Response***
We are writing to lodge a formal objection to the planning permit application referenced above. We are the long-term residents of the adjoining property at 39 Andrew Street, having resided here continuously for the past 18 years. Our property will be directly and severely impacted by this proposal due to a critical boundary fence discrepancy. Please note that we do not oppose the concept of a subdivision on this site. However, we formally object to the proposed boundary lines shown on the application plans. The developer's plans attempt to claim and use a portion of land that is currently inside our property boundary and has been under our exclusive possession for 18 years. (please note that the boundary fences have been in the current position for over 50 years) **Ground for Objection: Inaccurate Site Boundaries and Land Ownership Dispute** **1.** The physical boundary fence dividing our property and the proposed development site at 39A Andrew Street has stood in its current location for over 50 continuous years. We have occupied, maintained, and possessed	*Refer to response for Representation 2*

the land enclosed on our side of this fence exclusively throughout an 18-year period. **2.** Because this land has been openly, peacefully, and continuously occupied by us without the title owner's permission for greater than the 12-year statutory threshold, we hold possessory rights over this enclosed strip under the Limitation Act 1974 (Tas). The developer's plans rely on a theoretical paper title boundary that does not match the lawful, historical reality of possession on the ground. **3.** The development application proposes to utilise land that is currently in our possession. As a result, the developer's submitted site plans, building setbacks, site area coverage ratios, and construction footprints are factually inaccurate and structurally flawed under the planning scheme. **4.** While we do not oppose to the subdivision we do oppose to the number of units proposed for the site. A main concern for us having a young family is the traffic flow, if our children are going for walks with us, the amount of extra cars in our street. Higher vehicle flow resulting in traffic congestion and with the reduced on street parking, with Andrew streets recent upgrade. Another concern is waste collection, on Andrew Street, where will the waste collection bins be placed for 34 house holds. Privacy / security risk with a unit being built directly at our back fence, will the back boundary fence be replaced to a higher fence at the owners cost? Conclusion and Request for Deferral We do not wish to stop the neighbour from subdividing. We request that Council defers approval or requires the applicant to amend and redraw their subdivision plans so that the proposed lot boundaries respect and align exactly with the existing, physical fence line. We also would like to propose to the property owner that the land on our side of the fence is legally changed onto our titles to stop further development in the future.	
Representation 5	*Planning Response*
I am writing regarding the developer application for 39A Andrew Street, Brighton.	

I share a boundary with this development and want to express my concerns. Firstly, due to the slight slop of my block and the difference between the edge of my block and block in front of me that also shares a boundary with the development. I am concerned regarding the digging so close to our fences and the easements shown on the plans and what this might look like long term and what the plan is to mitigate any landslides or landslips? The damage that could be sustained from any earth movement that close to our fence line could result in my backyard and back deck being damaged, not to mention the damage the landslip could do to the neighbours house should the developer create enough movement which could legally implicate myself and my husband. Secondly, I am concerned regarding access to the stormwater drain that is on my property. Whilst I am not qualified to read the plans it does seem to appear within the boundary of this development and it most definitely is not. Should access need to be made, I would need to take time off work due to our animals and ensure their safety, which I do not get paid for and would need to be reimbursed for my time and/or full fencing installation and removal after work to be done to ensure the safety of my animals and the people accessing my property. I also want to note my concerns for the fence and its current condition, I have had new fences installed and should access need to be granted to my property, they will need to remove the fences, I am concerned they will not be replaced correctly and to the current standard. Thirdly, whilst this is an ethical objection, I would still like it noted. I am very excited for the growth of Brighton, I am very excited people will be able to call Brighton home and I am excited that more houses will be built for lower socioeconomic housing, especially in a safe environment such as Brighton.	*A retaining wall is proposed adjacent to the southern boundary of the development behind units 10 – 16 inclusive. The retaining wall is set back from the boundary approximately 1.0m and is up to approximately 1.5m high. The retaining wall does not meet the acceptable solution for building envelope, and has been addressed in the officer's report above.* *Construction works are governed by the Building Act 2016, which requires notification to neighbours by the Building Surveyor when certain works are being undertaken on adjoining boundaries.* *No access to stormwater on adjacent properties is proposed or required. The stormwater will be connected to the public stormwater system at the Andrew St frontage.* *Boundary fencing is a matter to be agreed between adjoining land owners pursuant to the Boundary Fences Act 1908*

I am however EXTREMELY disappointed in the number of houses that are suggested to be built in this development. It feels greedy and much like a money grab, not an opportunity to give vulnerable people a home - yes I understand that this person has no obligation to provide nice housing and that they own a business, I do believe that Brighton City Council should take ownership of this obligation though. We are currently at a cross roads and something such as this development could be the make or break point of what our community looks like. These houses are not going to be bought by people from high socioeconomic status to live in, if they purchases the houses, they will be rented out, but more importantly these are going to be the home of single parents who are probably already struggling, or elderly people who have no one else in their lives, or young people trying to break into the property market or remove themselves from situations that they should not be in and Brighton City Council have an opportunity to create a very safe, affordable and inclusive space that allows people to feel like they are human beings and worthy of taking up space, instead, this current development is showing that they are just another "number " in the capitalistic game. And if I'm speaking bluntly, scientific research does not support this style of housing or this type of development, especially in people who are already at their "breaking point " and need help. This should be the bases of this discussion, Brighton City Council runs across multiple suburbs that have varying and widely different income levels, with human beings that are just trying to get through the day and something like this could seem like a perfect opportunity for a vulnerable person trying to leave an environment or trying to restart or start their lives and they are put into an environment that does not support them, does not support their baseline mental health needs and in fact can be detrimental to it. On top of that, creating a space within this development that is just for the people living in this section will create hostility, whether from the residents living in there or the current residents of Brighton, I am also concerned how this will be enforced?	*The number of units meet the density requirements prescribed under the Acceptable Solutions for the General Residential zone (325sqm), in that 327sqm of land per dwelling has been provided (excluding the access strip).*

Our police services should not be taken up with such trivial matters such as a child that doesn't live there playing on the swings, however if anyone other than police show up to enforce these rules it will create further problems, in an environment that is already divided by youth problems - I am happy to provide screenshots of the current discourse on public forums regarding the issues of youth and youth problems by Brighton residents. I've attached two links showing scientific evidence of my ethical objection above. https://www.healthyactivebydesign.com.au/walkability-in-less-advantaged-areas/evidence https://psychology.town/environmental/assessing-residential-quality-enhanced-living/#the-multidimensional-nature-of-residential-quality	
Representation 6	***Planning Response***
I am writing to object to the application. The proposal includes six dwellings that appear to be sited closer to a boundary than would ordinarily be permitted under the planning scheme. The applicant argues that the normal rule doesn't apply because the site is an internal lot. However, I request that Council carefully assess whether this interpretation is applicable to each of the six affected dwellings and whether the proposed siting satisfies the relevant performance criteria. In particular, the reduced separation should be assessed having regard to the scale and density of the development, visual bulk, privacy, overshadowing and potential impacts on adjoining properties. In one instance, the boundary is only 3000mm. This appears to have been done to achieve maximum capacity of units within the space. Additionally, the submitted stormwater assessment fails three of four targets, including a reported 59.7% increase in annual runoff. With no explanation provided of where the excess water goes, particularly during a major storm when the proposed drainage/detention system is at capacity, I am concerned that the proposed stormwater management arrangements may not adequately demonstrate that the additional runoff will be safely managed. Council should require the applicant to demonstrate that the proposed system will not result in adverse impacts on adjoining properties or downstream infrastructure.	*Refer to assessment regarding building envelope within the report.* *The stormwater report provided with the application is a report from a generic online platform developed for use in various councils across the country. The report output is not specific to Brighton Councils requirements and assesses total volumes, peak flow, quality and efficiency.* *Brighton Council has no requirement nor policy to reduce total volumes of stormwater draining to the public*

Part 2: Correction to the above, one instance the boundary is less than 3000mm.	*stormwater system, nor address efficiency.* *We do however have a requirement that the stormwater from a development can be accommodated in the public stormwater system. This generally is determined by the peak flow generated by the development for a 5% Annual Exceedance Probablity (AEP) rainfall event.* *In this case Council officers have identified that the stormwater system downstream has limited capacity and requires the development to provide stormwater detention to limit peak flows from the development to existing levels for a 5% + climate change AEP rainfall event. The developer proposes to achieve this through underground detention tanks and this is represented in the report which shows "FLOW PASSES", so whilst the total flows from the development will increase the peak flow will remain essentially unchanged.* *Permit conditions are recommended that stipulate that the peak flow is limited to existing.* *Additionally permit conditions requiring amended stormwater plans and for construction stormwater management report are recommended.*
Submissions in Support	***Planning Response***
The submissions in support were generally in a similar vein, and as such have not been addressed individually • Support for providing additional housing through efficient use of land • Well located to schools, shops, and other community amenities • Provide a practical and relatively affordable source of housing • Increase in population will support additional public transport and local amenities, cafes etc	*Noted*

7. CONCLUSION

The proposal for Multiple Dwellings (1 existing, 34 new) at 39a Andrew 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 DA 2026/022 for **Multiple Dwellings (1 existing, 34 new)** at **39a Andrew Street, Brighton**, for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

General

(1) The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.

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

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

Agreements

(4) Prior to the first use of any unit commencing the owner/body corporate must provide written agreement allowing Councils waste collection contractor to enter the site and indemnify Council and said contractor from any damage arising from the collection of waste from the site

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*

Staging

(5) The development must proceed in the order of stages shown on the endorsed plans unless otherwise agreed in writing by Brighton Council.

Amenity

(6) 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.

Private open space

(7) Prior to commencement of use of any dwelling, the private open space for that dwelling must be formed or constructed to the satisfaction of Council's Director Development Services, in accordance with the approved landscaping plan.

Shared Open Space

(8) The communal playground must be completed before the occupancy of any of the dwellings in Stage 1.

Landscaping

(9) Before any work commences submit an amended landscape plan prepared by a suitably qualified person for approval by Council's Director Development Services. The landscape plan must include:

(a) A survey of all existing vegetation to be retained and/or removed.

(b) The areas to be landscaped,

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

(d) Details of fencing.

(e) Playground fit out including equipment, fencing, shade and planting.

(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**: The landscape plan should refer to the Brighton Greening Strategy 2024-2033, which identifies climate resilience plants for the area.*

***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.*

(10) Planting must bear a suitable relationship to the proposed height of the buildings and must not use species listed as noxious weeds within Tasmania, displaying invasive characteristics or unsuitable for fire prone areas. If considered satisfactory, the landscape plan will be endorsed and will form part of this permit.

(11) Prior to commencement of use for each stage, 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.

(12) 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.

(13) At least eighty-two (82) car parking spaces, including two (2) car parking spaces per dwelling, and at least twelve (12) visitor parking spaces must be provided on site at all times for the use of the development.

***Advice:** Car parking numbers include the existing 2 spaces in the garage of the existing dwelling.*

(14) Pedestrian paths must be provided to parking areas in accordance with the endorsed plans and:

(a) have a 1.2m wide footpath;

(b) be signed and line marked at points where pedestrians cross access ways or parking aisles;

(c) a 10km/h shared zone speed limit sign is to be provided at the entrance to the development.

(15) All parking, access ways, manoeuvring and circulation spaces must be provided in accordance with the endorsed drawings, Australian Standard AS 2890 - Parking facilities, Parts 1-6, or as otherwise required by this permit, and include all of the following;

(a) Constructed with a durable all weather pavement;

(b) Drained to the public stormwater system;

(c) Surfaced by concrete 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 (including a Medium Rigid Vehicle) to enter and exit the site in a forward direction

(f) Have a vertical clearance of not less than 2.1m above the parking surface level;

(g) Be delineated by line marking or other clear physical means.

(16) Prior to the development commencing, or application for building or plumbing permits, the developer must submit to Council a parking plan including:

(a) pavement details,

(b) design surface levels and gradients,

(c) drainage,

(d) turning and travel paths (where required to demonstrate compliance with AS2890),

(e) dimensions (including clearances),

(f) line marking,

(g) lighting,

(h) pedestrian paths (including any signage, line marking, protective devices such as bollards, guard rails or planters),

(i) signage

(j) waste collection location for wheelie bins

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.*

(17) The completed parking and associated turning areas and access must be certified by a practicing civil engineer to the effect that they have been constructed in accordance with the endorsed drawings and specifications approved by Council before the proposed hospital is occupied.

(18) 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.

Services

(19) A separate sequentially numbered mailbox must be provided for each dwelling and the Body Corporate created under the Strata Titles Act 1998. The mailboxes must be located together at the junction of the driveway and the frontage in accordance with the requirements of Australia Post and the satisfaction of the Council's Director Development Services.

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

(21) Services located under the proposed driveway are to be provided with trafficable covers to the requirements of the relevant authority and to the satisfaction of Council's Municipal Engineer.

Advice*: The existing stormwater main under the proposed parking bays/driveway is to be exposed and backfilled with FCR. Should the pipe not have minimum cover it will need to be relocated, lowered or protected to the satisfaction of Council's Municipal Engineer. The existing stormwater manhole located in the path near Unit 1 is to be adjusted and provided with a Class D trafficable lid and surround to match the new path and driveway levels.*

(22) All private services and structures are to be located at least 1.0 metre clear of public stormwater infrastructure and designed to ensure no loads are imposed on Council's pipes.

(23) Private services must not be installed within Council's drainage easements without prior approval from Council's Municipal Engineer.

(24) Prior to the commencement of the works a CCTV inspection survey is to be conducted, at the developer's expense, of the public stormwater within the site to ascertain the condition of the pipe. Any damage or defects are to be noted in a dilapidation report to be provided to Council's Asset Services Department prior to construction.

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.*

(25) At the completion of the works a CCTV inspection survey is to be conducted, at the developer's expense, of the affected stormwater pipes to ascertain the condition of the pipe to determine if any damage may have occurred during construction. Any damage to the stormwater pipe or manholes not identified in the pre construction dilapidation report is to be repaired to the satisfaction of Council at the developers cost.

Stormwater

(26) Stormwater from the proposed development must drain to the public stormwater system to the satisfaction of Council's Municipal Engineer and in accordance with the *Building Act 2016.*

(27) 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 5% AEP + Climate Change event are limited to pre-existing.

b. Stormwater from the proposed development must be treated prior to entering the public stormwater system to:

i. the 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.*

(28) The development must incorporate overland flow paths through the site to accommodate a 1% AEP (plus climate change) rainfall event.

(29) 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.

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

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

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

(31) The stormwater system within the development must continue to be maintained to ensure the quality targets 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.

TasWater

(32) The development must meet all required Conditions of approval specified by Tas Water Amended Submission to Planning Authority Notice TWDA 2026/00121-BTN, dated 19/02/2006.

Erosion and Sediment Control

(33) 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.

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

Construction amenity

(35) 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.

(36) 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.

(37) 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.

(38) Works associated with the development must only be carried out between the following hours unless otherwise approved by the Council's Chief Executive Officer:

Monday to Friday	7:00 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.

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

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

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

(c) Obstruction of any public footway or highway.

(d) Appearance of any building works or materials.

(40) 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.

(41) 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.

(42) The developer must make good and/or clean any footpath, road surface or other element damaged or soiled by the development to the satisfaction of the 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 of the *Land Use Planning and Approvals Act 1993.*

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

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

C. A separate permit is required for any signs unless otherwise exempt under Council's planning scheme.

D. Separate planning approval is required for the strata division of the land.

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

CARRIED

VOTING RECORD

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

16.2 Development Application DA 2026/0003 - 147 William Street, Brighton - Change of Use (Residential) Retrospective

Author: Manager Planning (J Blackwell)

Authorised: Director Development Services (A Woodward)

Applicant:	Jamie Brazendale and Allison Brazendale
Subject Site:	147 William Street, Brighton
Proposal:	Change of Use to Sensitive Use (Residential) - Retrospective Application
Planning Scheme:	Tasmanian Planning Scheme - Brighton
Zoning:	Rural
Codes:	Parking and Sustainable Transport Code Attenuation Code Flood Prone Areas Code Natural Assets Code (Waterway and Coastal Protection Area) Bushfire Prone Areas Code
Local Provisions:	Nil
Use Class:	Residential
Discretions:	• Sensitive Use (Rural Zone) • Setback to Agricultural Zone • Flood Prone Hazard Area (Habitable Use) • Attenuation Code (Sensitive Use)
Representations:	TasWater (refer s56P(1) *Water and Sewerage Industry Act* 2008)
Attachments	• Proposal Plans • Odour report (Pitt and Sherry) • TasWater Submission to Planning Authority Notice
Recommendation:	Refusal

1. STATUTORY REQUIREMENTS

The purpose of this report is to enable the Planning Authority to determine application DA 2026/0003.

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. Usually, the Planning Authority would be required to consider this report but would be able to either adopt the recommendation, or vary the recommendation by adding, modifying, or removing recommended reasons and conditions or replacing an approval with a refusal (or vice versa). However, as outlined below, the Planning Authority is bound to refuse this application pursuant to the requirements of the Water and Sewage Industry Act 2008.

2. SITE ASSESSMENT

The subject site is located at the south-eastern end of William Street. It has an area of 2.513ha and is generally rectangular in shape (Figure 1).



Figure 1: Site Map (Source: www.thelist.tas.gov.au – Esri Image)

The site is zoned Rural with adjoining land zoned rural (north) utilities (east and west) and agriculture (south) (Figure 2):

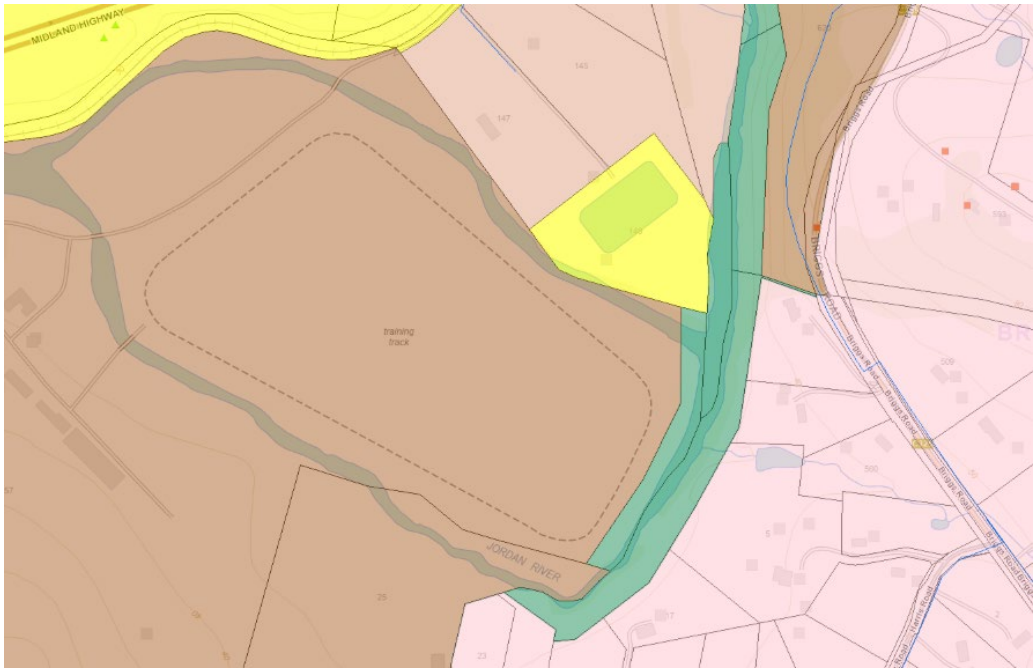


Figure 2: Zoning Map (Brown = Agriculture, Pink = Rural; Yellow = Utilities, Blue = Environmental Management)(Source: www.thelist.tas.gov.au)

A number of mapped overlays apply to the site including the Natural Assets Code (waterway and coastal protection area) (Figure 3), Bushfire Prone Areas Code (Figure 4), and the Flood Prone Areas Code (Figure 5). The Attenuation Code, whilst not mapped, also applies to the site, due to the proximity of TasWater's Sewerage Treatment Plant located at 149 William Street, Brighton (refer Utilities zoned land to the east, Figures 1 and 2)



Figure 3: Natural Assets Code (Waterway and Coastal Protection) Overlay



Figure 4: Bushfire Prone Areas Overlay



Figure 4: Flood Prone Areas Overlay

RELEVANT CODES

Bushfire Prone Areas Code

The bushfire prone areas code does not apply to the proposed change of use, as the proposed residential use is not considered a vulnerable or hazardous use, pursuant to the definition of terms in C13.3.1 of the Code.

Natural Assets Code (Waterway and Coastal Protection area)

The Natural Assets Code does not apply in this instance, as clause C7.2.2 notes that the Code does not apply to use.

Flood Prone Areas Code

The entirety of the site is covered by the Flood Prone Hazard Area as shown in Figure 4 above.

The purpose of the Flood Prone Areas Hazard Code is:

C12.1.1 To ensure that use or development subject to risk from flood is appropriately located and managed, so that:

(a) people, property and infrastructure are not exposed to an unacceptable level of risk;

(b) future costs associated with options for adaptation, protection, retreat or abandonment of property and infrastructure are minimised; and

(c) it does not increase the risk from flood to other land or public infrastructure.

C12.1.2 To preclude development on land that will unreasonably affect flood flow or be affected by permanent or periodic flood

Further, Clause C12.2 notes that the Code applies as follows:

C12.2.1 This code applies to development of land within a flood-prone hazard area.

C12.2.2 This code applies to use of land within a flood-prone hazard area if for:

(a) a change of use that converts a non-habitable building to a habitable building; or

(b) a new habitable room within an existing building.

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

C12.2.4 The planning authority may only make a request under clause C12.2.3 where it reasonably believes, based on information in its possession, that the land is subject to risk from flood or has the potential to cause increased risk from flood.

C12.2.5 This code does not apply to land subject to the Coastal Inundation Hazard Code.

As identified in the 1.0% AEP Hazard Riverine Flooding [Climate Change] layer below (Figure 7) the majority of the site is within a H5 Hazard.

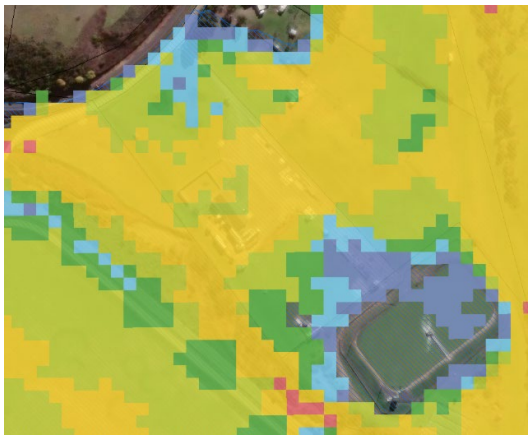


Figure 7: 1.0% AEP Hazard Riverine Flooding [Climate Change] (Source: www.thelist.tas.gov.au)

The Australian Rainfall and Runoff Flood Hazard Classification divides hazards into 6 categories (H1 to H6) as shown below:

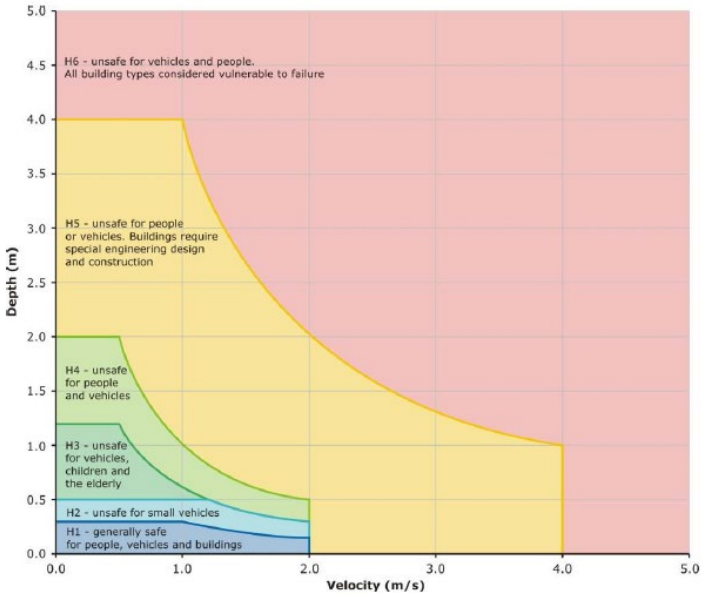


Figure 8: Australian Rainfall and Runoff Flood Hazard Classification

Accordingly, the applicants were requested to provide a flood hazard report addressing the requirements of the Code pursuant to s54 of the Act. However, this request was put on hold, pending a response from TasWater under the attenuation code, which was seen as the defining hurdle to the proposal at the time.

Accordingly, if a Flood Hazard Report were to be submitted to the planning authority for assessment, such report would need to demonstrate that conversion of the existing outbuilding to a habitable building could maintain a tolerable risk from flood, taking into account:

(a) the location of the building;

(b) the advice in a flood hazard report; and

(c) any advice from a State authority, regulated entity or a council.

Further, the applicant would need to demonstrate that any increase in the level of risk from flood does not require any specific hazard reduction or protection measures; or that the proposed use can achieve and maintain a tolerable risk from a 1% AEP event for the intended life of the use without requiring any flood protection measures.

Tolerable Risk is defined in the Scheme as *the lowest level of likely risk from the relevant hazard:*

(a) to secure the benefits of a use or development in a relevant hazard area; and

(b) which can be managed through:

(i) routine regulatory measures; or

(ii) by specific hazard management measures for the intended life of each use or development

Without being provided with a Flood Hazard Report, officers cannot determine whether the proposal would satisfy the performance criteria required by the Code standards.

Attenuation Code

The adjoining land to the south-east of the site, being 149 William Street, Brighton is owned by TasWater and contains a sewerage treatment plant. The attenuation code applies as the sewerage treatment plant is an aerobic pond with 650Kl/day design flow. Table C9.2 of the Attenuation Code prescribes an attenuation distance of 350m for such a system.

During assessment, the proposal has been referred to both the EPA and TasWater as required by the performance criteria for the attenuation code and the requirements of the Water and Sewerage Industry Act 2008. The EPA advised council officers that whilst the EPA had no legislative authority in this instance, in any event it would not support such an application due to the potential for land use conflict to occur. TasWater's representation is addressed below.

3. BACKGROUND

- The site has been legally developed by a shed (DA 2013/188) with building and plumbing approvals issued for a class 10a approved under the Building Act in July 2014.

- A planning scheme amendment was approved by the Tasmanian Planning Commission in May 2018, to remove the mapped overlay, which covered the entirety of the site. The amendment was supported by TasWater, given the protections provided by the Attenuation Code in both the Brighton Interim Planning Scheme (the relevant scheme at the time) and the Tasmanian Planning Scheme – Brighton.

  The removal of the mapped overlay does not alter the assessment process.

- Council approved a kennel licence in February 2026, relating to keeping of 18 greyhounds and 1 mixed breed dog at the site.

4. PROPOSAL

The application seeks retrospective approval for a sensitive use (residence) within the approved outbuilding. Plans provided by the applicant indicate that the western end of the shed comprises the dwelling, being 2 storey, with lounge, dining, kitchen and rumpus downstairs and bedrooms upstairs. The eastern end of the shed is utilised both as a shed and kennel area. It is considered that parking requirements can be satisfied, given existing development of the site.

Currently the application is supported by an odour report prepared by Pitt and Sherry. As noted above, a Flood Hazard Report has not yet been obtained, pending advice received from TasWater.

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 Residential under the Scheme. In the Rural Zone the Residential use class is Discretionary

As the Use Class is discretionary, it must be consistent with the Zone Purpose as follows:

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

(a) where agricultural use is limited or marginal due to topographical, environmental or other site or regional characteristics;

(b) that requires a rural location for operational reasons;

(c) is compatible with agricultural use if occurring on agricultural land; and

(d) minimises adverse impacts on surrounding uses.

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

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

Planning Comment

The proposed residential use does not conflict with the zone purpose, given that the use, if it were to be approved, would be located within an existing building, and therefore not converting land to a non-agricultural use.

Water and Sewerage Industry Act 2008 (WSIA)

Section 56O of the WSIA requires that a planning authority must refer any applications that:

(a) increase the demand for water supplied by the relevant regulated entity; or

(b) increase the amount of sewage or toxins that is to be removed by, or discharged into, the relevant regulated entity's sewerage infrastructure; or

(c) damage or interfere with the relevant regulated entity's works; or

(d) adversely affect the relevant regulated entity's operations

The application was referred to TasWater in accordance with s56O(1) on 13th January 2026, as the proposal had the potential to adversely affect the relevant regulated entities operations due to proximity to the existing sewerage treatment plant and may also increase the demand for water supplied to the site.

TasWater initially provided a Submission to Planning Authority Notice (SPAN) January 21, 2026, noting that it did not need to provide a submission.

The January 21 SPAN was retracted on 22nd January 2026, and a Request for Additional Information was issued on 22nd January 2026, requesting additional information by way of an Odour Assessment Report.

The Applicant submitted a final Odour Assessment (Pitt and Sherry, August 2026) (Attachment A) to TasWater on 10th August 2026, after a number of further information requests by TasWater.

On 24th August 2026, TasWater provided the planning authority with a Submission to Planning Authority Objection (Attachment B), noting that TasWater objects to the granting of the permit for the application on the following grounds:

1. *TasWater are not satisfied that Performance Criteria P1 of C9.5.2 Sensitive Use with an Attenuation Area has been met, and that the new sensitive use being proposed will be adversely impacted by odour from the STP*

The implications of such an objection from TasWater are, pursuant to section 56Q(3) of the Water and Sewerage Industry Act, that

56Q(3) If a regulated entity makes a submission under section 56P(1) objecting to the grant of a discretionary development permit or combined permit, the planning authority must refuse to grant the permit. *[Emphasis added]*

Accordingly, the application for change of use to residential cannot be approved, based on the above determination by TasWater and must be refused, as the proposal cannot satisfy the performance criteria relating to clause C9.5.2 P2 of the Scheme.

5. CONCLUSION

The proposal for Change of Use (Residential) cannot be approved based on the objection provided by TasWater pursuant to 56P(1) of the *Water and Sewerage Industry Act 2008.*

RECOMMENDATION:

That pursuant to the *Tasmanian Planning Scheme - Brighton*, Council **refuse** application DA 2026/0003 for Change of Use (Residential) at **147 William Street, Brighton** for the reasons outlined in the officer's report, but more specifically that:

TasWater are not satisfied that Performance Criteria P1 of C9.5.2 Sensitive Use with an Attenuation Area has been met, and that the new sensitive use being proposed will be adversely impacted by odour from the STP, and that s56Q(3) of the *Water and Sewerage Industry Act 2008* requires that the planning authority must refuse to grant the permit.

DECISION:

Cr Owen moved, Cr De La Torre seconded that pursuant to the Tasmanian Planning Scheme - Brighton, Council refuse application DA 2026/0003 for Change of Use (Residential) at 147 William Street, Brighton for the reasons outlined in the officer's report, but more specifically that:

TasWater are not satisfied that Performance Criteria P1 of C9.5.2 Sensitive Use with an Attenuation Area has been met, and that the new sensitive use being proposed will be adversely impacted by odour from the STP, and that s56Q(3) of the Water and Sewerage Industry Act 2008 requires that the planning authority must refuse to grant the permit.

CARRIED

VOTING RECORD

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

16.3 Development Application DA 2026/012 - Service Industry (Vehicle Servicing) including Workshop and Container - 5 Letitia Grove, Bridgewater

Author: Planning Officer (D Van)

Authorised: Manager Planning (J Blackwell)

Applicant:	Travis Bissett
Subject Site:	5 Letitia Grove, Bridgewater (CT 40199/14)
Proposal:	Service Industry - vehicle servicing and repair; warehouse and a shipping container
Planning Scheme:	Tasmanian Planning Scheme - Brighton
Zoning:	General Business
Codes:	• Road and Railway Assets Code • Parking and Sustainable Transport Code • Flood-prone Area Hazard Code
Use Class:	Service Industry (Discretionary)
Discretions:	• Clause 15.3.2 P1 - Discretionary use: amenity and character • Clause 15.3.2 P2 - Discretionary use: activity centre hierarchy • Clause 15.4.3 P2 - Design of facades • Clause C12.6.1 P1.1 and P1.2 - Buildings and works within a flood-prone hazard area
Representations:	1 representation was received. Concerns raised include: The proposed development does not provide a side setback to the adjoining property, which may adversely affect access to sunlight and raise privacy and security concerns.
Attachments	A - Assessment documents B - TasWater SPAN
Recommendation:	Approval with conditions

1. STATUTORY REQUIREMENTS

The purpose of this report is to enable the Planning Authority to determine application DA 2026/012.

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 Tasmanian 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 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 subject site is 5 Letitia Grove, Bridgewater, comprised in Certificate of Title 40199/14. The site is an internal lot of approximately 1,363m² within the Cove Hill activity centre area. It is accessed from Letitia Grove by an existing 6.14m-wide accessway. The site is otherwise vacant, apart from an existing shipping container that was placed on the land without planning approval and forms part of the current development application.

The site is within the General Business Zone and the Cove Hill Local Area Objective area BRI-15.2 (Figures 1 and 2). The site has a gentle slope, generally falling away from Letitia Grove toward the eastern and south-eastern parts of the lot. Council flood information identifies flood-prone land in the south-eastern part of the lot (Figure 3).

The title is affected by a variable-width drainage easement along the south-western boundary. TasWater and stormwater infrastructure also traverse or adjoin the site (Figure 4). The site is fully serviced with TasWater for water and sewerage and able to connect to public stormwater system.

The land adjoins a Hindu temple at 6-7 Letitia Grove to the west, the East Derwent Highway corridor to the south and a public walkway to the east. Further east of the site is St Pauls Catholic Church & School. The wider Cove Hill area contains a mix of commercial, bulky goods, service and industrial activities. Residentially zoned land does not adjoin the site and is approximately 130m away.

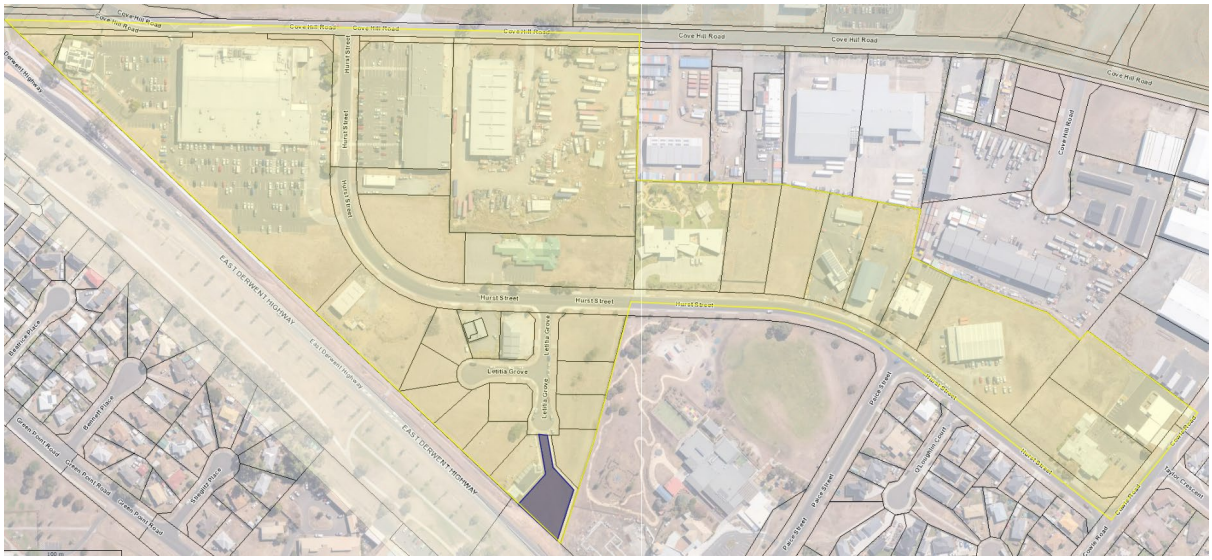


Figure 1: Location Map (Source: LISTMAP)

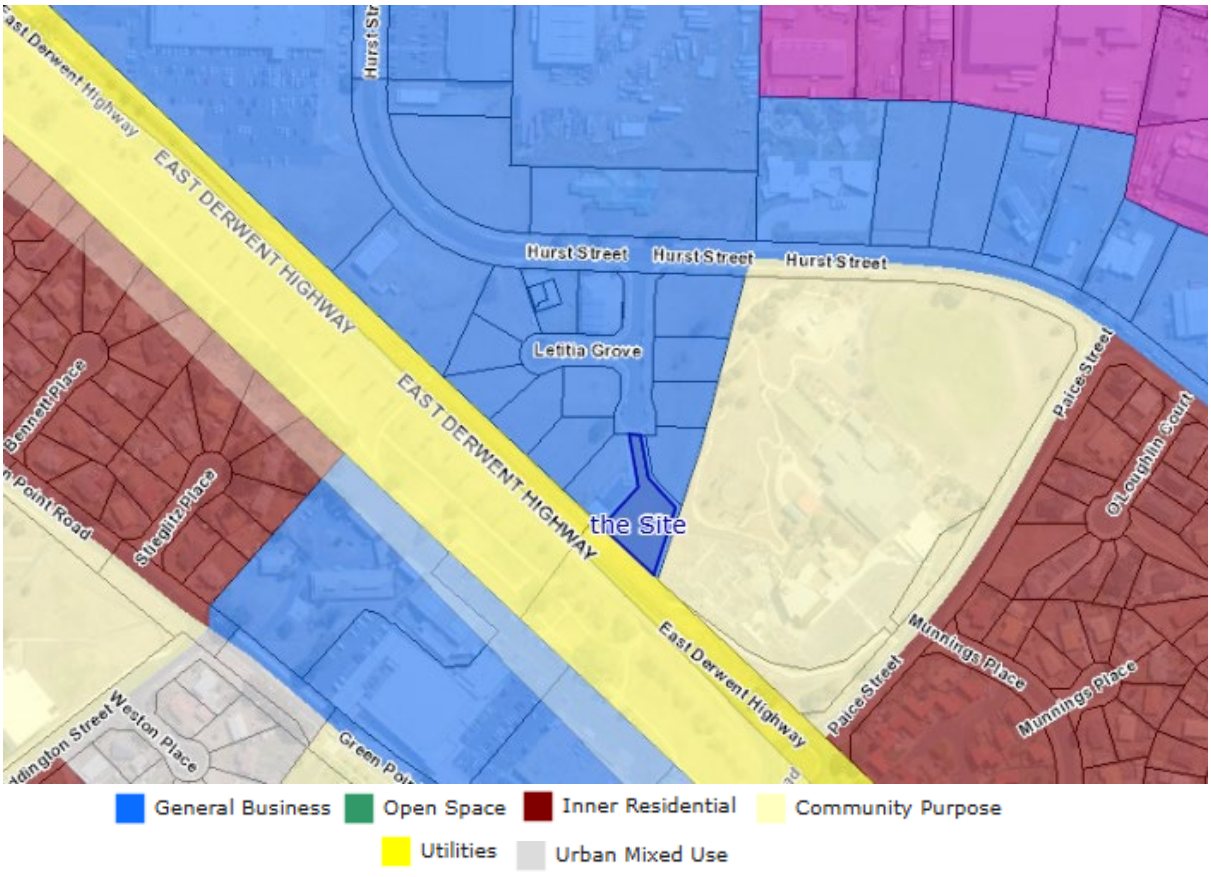


Figure 2: Zoning Map (Source: LISTMAP)



Figure 3: Overland flow mapping for a 1% AEP storm in the Brighton Industrial Area and Bridgewater urban areas



Figure 4: Underground infrastructures within the site (green is stormwater line, red is sewer line)



Figure 5: View toward the site from Letitia Grove (Source: Google Streetview)



Figure 6: View toward the site from East Derwent Highway (Source: Google Streetview)

3. THE PROPOSAL

The application seeks approval for a Service Industry use involving the servicing and repair of vehicles. The proposed development comprises:

- an 18m-long, 12.106m-wide and overall 6.5m-high warehouse/workshop building;
- a 20-foot shipping container for storage;

- landscaping works;
- sealed car parking, driveway and manoeuvring areas;
- a 1.8m-high black chain-wire mesh fence; and
- associated service and infrastructure works.

The workshop is expected to employ three people. No signage is proposed as part of the application.

The hours of operation are proposed to be 7am to 9pm Monday to Saturday. There will be no mechanical work on Sunday or Public Holidays.

The submitted plans show 6 car parking spaces, driveway and circulation areas as sealed and drained to stormwater pits. Vehicle access is provided from Letitia Grove, with sufficient on-site manoeuvring space for vehicles to enter and exit the site in a forward direction.

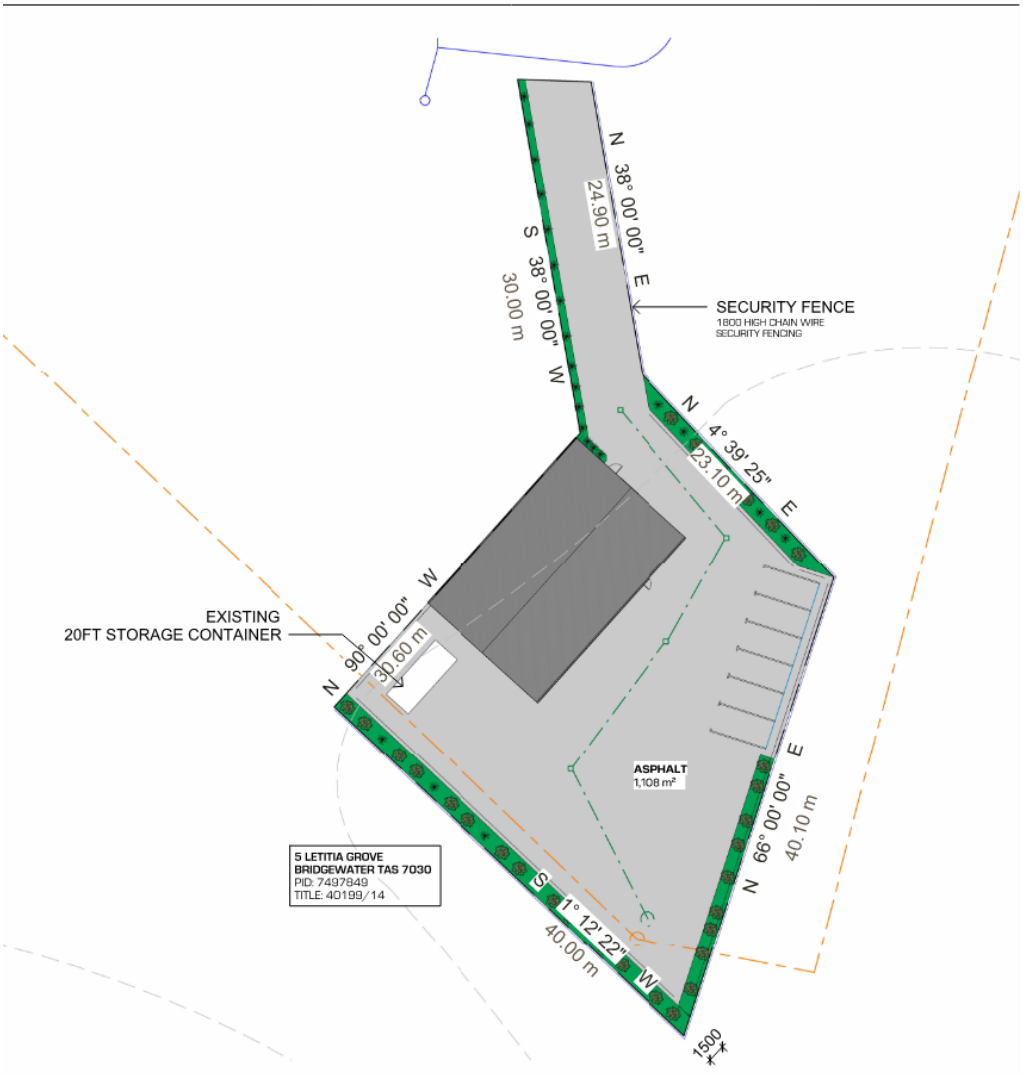


Figure 7: Proposed site plan (Source: the application)

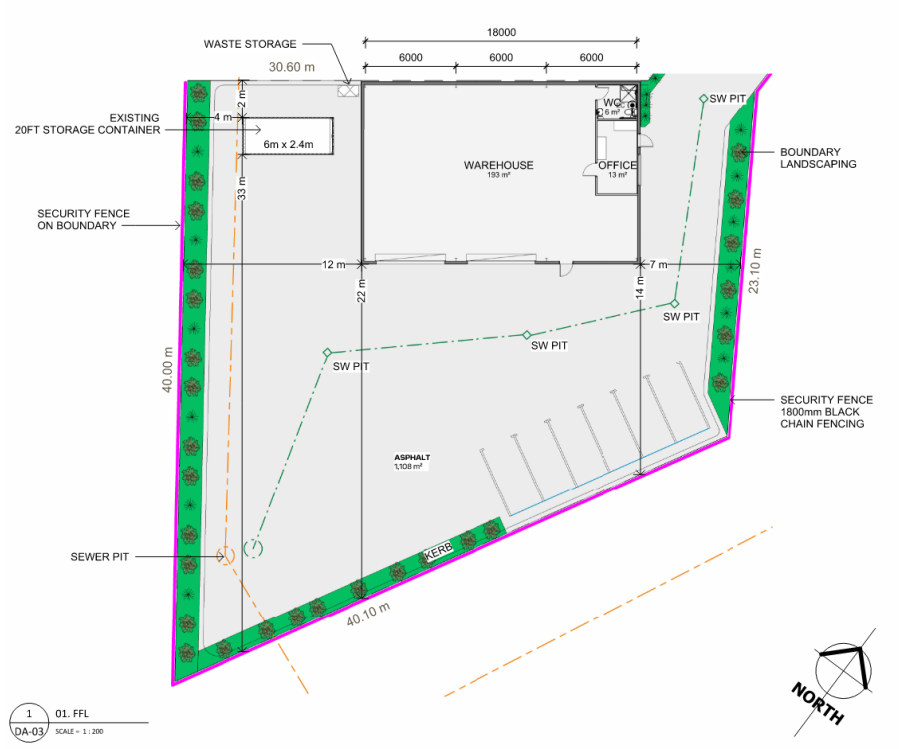


Figure 8: Proposed enlarged site plan (Source: the application)



Figure 9: Proposed elevation plan (Source: the application)

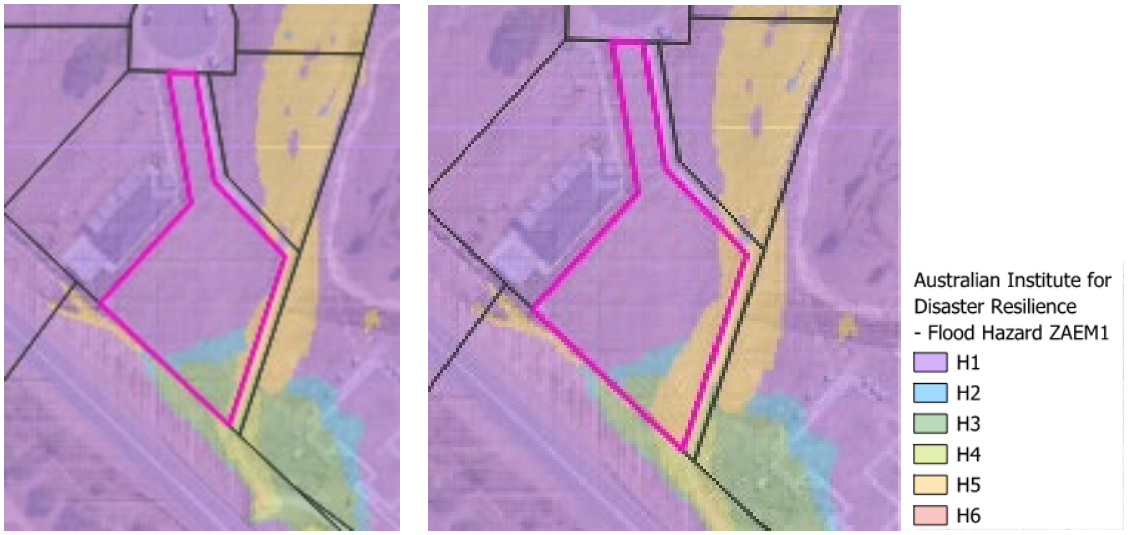


Figure 10: Flood hazard risk level pre (left) and post (right) development (Source: the applicant)

4. PLANNING SCHEME ASSESSMENT

4.1. 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.

4.2. Determining applications:

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.

6.10.2 In determining an application for a permit for a Discretionary use the planning authority must, in addition to the matters referred to in sub-clause 6.10.1 of this planning scheme, have regard to:

(a) the purpose of the applicable zone;

(b) any relevant local area objective for the applicable zone;

(c) the purpose of any applicable code;

(d) the purpose of any applicable specific area plan;

(e) any relevant local area objective for any applicable specific area plan; and

(f) the requirements of any site-specific qualification,

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

4.3. Use Class

The Use Class is categorised as *Service Industry* under the Scheme. In the General Business Zone, the *Service Industry Use* is a Discretionary Use.

4.4. Compliance with Performance Criteria

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

- Clause 15.3.2 P1 - Discretionary use: amenity and character
- Clause 15.3.2 P2 - Discretionary use: activity centre hierarchy
- Clause 15.4.3 P2 - Design of facades
- Clause C12.6.1 P1.1 and P1.2 - Buildings and works within a flood-prone hazard area

Assessment against each performance criteria and objectives of the above standards are provided below:

Clause 15.3.2 P1 & P2 - Discretionary use

Objective: That uses listed as Discretionary do not compromise or distort the activity centre hierarchy.

Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution.	P1 A use listed as Discretionary must: (a) not cause an unreasonable loss of amenity to properties in adjoining residential zones; and (b) be of an intensity that respects the character of the area.
A2 No Acceptable Solution.	P2 A use listed as Discretionary must not compromise or distort the activity centre hierarchy, having regard to: (a) the characteristics of the site; (b) the need to encourage activity at pedestrian levels; (c) the size and scale of the proposed use; (d) the functions of the activity centre and the surrounding activity centres; and (e) the extent that the proposed use impacts on other activity centres.

Planning assessment against Clause 15.3.2 P1

The proposal satisfies P1(a) as it will not cause an unreasonable loss of amenity to adjoining[1] residential zones, as none are within 130m or adjoining.

In relation to P1(b), as mentioned in the Brighton Activity Centre Strategy[2] endorsed by Council, Cove Hill is an activity centre with a mix of commercial activity and services, including a large supermarket, bulky goods retailers and industrial uses. The centre adjoins an industrial precinct to the north of local and regional significance. Current context of Cove Hill has diverse offerings, accessible parking. Looking into the future, Cove Hill has the potential to grow and develop into a more pedestrian-friendly centre.

[1] Adjoining is defined under the Scheme as next to, or having a common boundary with.

[2] https://www.brighton.tas.gov.au/wp-content/uploads/2025/08/Brighton-Activity-Centre-Strategy-Reduced-Size-HR.pdf

The scale and nature of the use are modest and confined. It will provide a supporting service to the area where customers can leavy their car for servicing and rely on walking distance to the shopping/entertainment centre or bus stop nearby to travel to their place of employment. The proposed use can respect the character of Cove Hill.

Considering the adjoining land. The site adjoins a Hindu temple (6-7 Letitia Grove) to the west, East Derwent Highway to the south, and a public walkway to the east. Based on their website[3], Hindu temple is only open from 10am to 1pm weekends and only open outside of the above hours on special occasions.

Accordingly, the proposed use satisfies P1 of this standard.

The consideration of this standard's objective is provided in planning assessment below against Clause 15.3.2 P2.

Planning assessment against Clause 15.3.2 P2

To determine whether the type and scale of the proposed Service Industry use and development compromise or distort the activity centre hierarchy, it is necessary to determine what is activity centre, activity centre hierarchy and how they work.

Activity Centre

The subject site is located within Cove Hill (Bridgewater Activity Centre context). The Southern Tasmania Regional Land Use Strategy 2010-2035 (STRLUS) amended 2025[4], identifies Bridgewater as a Major Activity Centre.

A Major Activity Centre is intended to serve the surrounding district and provide a range of convenience goods and services, as well as some community services and facilities. The STRLUS also identifies that Major Activity Centres provide a focus for employment at the LGA level, primarily in retailing, complemented by office-based employment, professional services and personal services.

Under the STRLUS, the commercial features of a Major Activity Centre are *"at least 1 major supermarket, a range of speciality shops and secondary retailing. May contain small discount department store. Office spaces are limited to small- scale finance, banking, insurance, property, and professional services."*

Activity Centre Hierarchy (defined as activity centre network in STRLUS)

The activity centre hierarchy is a strategic planning framework that organises centres according to their intended role, function, catchment, scale and range of services. It is intended to avoid unnecessary competition between centres and ensure that retail,

[3] The Hindu Temple by Hindu Society of Tasmania, URL: https://hsot.org.au/, accessed on 3 September 2026.

[4] https://www.stateplanning.tas.gov.au/__data/assets/pdf_file/0009/541467/Southern-Tasmania-Regional-Land-Use-Strategy-2010-2035-amended-19-May-2025.PDF

commercial, community, employment and service functions are located in appropriate centres according to their role in the broader network.

The STRLUS explains that the Activity Centre Network provides a regionally planned and defined hierarchy to ensure complementarity and efficiency between centres, rather than unnecessary competition. It recognises Hobart CBD as the pre-eminent centre for the region and State, while also recognising the polycentric structure of Greater Hobart. The STRLUS further states that centres are described in a hierarchy of importance, but should be understood as a continuum of size and function, with the size and townscape of each centre relative to its function, available land, pedestrian movement and public transport linkages.

Activity centres are not intended to be identical or to perform the same role. Rather, each centre has a role within the network. The role of a Major Activity Centre is to serve the surrounding district and provide a range of convenience goods and services, as well as some community services and facilities.

Considering the proposal

The proposed vehicle servicing business is not a core Major Activity Centre feature in the same way as a supermarket, specialty shop, professional office, community service or entertainment use. However, considering the purpose of a Major Activity Centre is to service and provide a range of convenience goods and services, in which the proposal is to provide a vehicle service to the Cove Hill area and potentially to surrounding areas.

Planning assessment against each criterion of P2 is provided below:

(a) The site is an internal lot with limited frontage to offer. The land size is limited to approximately 1,300 m2.

(b) Due to the site limitation, and the nature of the use, most customers will visit the site by driving their vehicles. Therefore, it is constraint for the activity at pedestrian levels, however, the site is accessible and can be visible from a public walkway. Good landscaping will provide a good visual amenity for the area.

(c) The use is service-based, modest in scale, and compatible with the existing mixed commercial and industrial character of Cove Hill. It does not undermine the role of Cove Hill as a higher-order centre and does not appear likely to adversely affect other activity centres or hierarchy.

(d) The site is in Cove Hill area, which is identified in the Brighton Activity Centre Strategy (and the current SRLUS) as a Major Activity Centre and a location with commercial, bulky goods and industrial characteristics. The proposal is small scale relative to the broader activity centre and does not involve a competing retail floor area or a use that would redirect significant retail activity away from another centre.

Within the Bridgewater area catchment, there is only one car repair and maintenance service (GT Garage) which locates at 57B Cove Hill Road. In the Brighton Industrial Hub,

there is one car service workshop, Specialist Auto Brighton. The proposed use will offer additional supporting services that complement the activity centre. It is also unlikely to displace a significant opportunity for the permitted uses within the centre.

Accordingly, the proposal is able to meet P2. The use is compatible with the characteristics and function of Cove Hill and will unlikely compromise or distort the activity centre hierarchy. Therefore, it is considered that the proposal is consistent with the standard's objective of Clause 15.3.2.

Clause 15.4.3 P2 - Design

Objective: That building façades promote and maintain high levels of pedestrian interaction, amenity, and safety and are compatible with the streetscape.	
Acceptable Solutions	Performance Criteria
A2 New buildings or alterations to an existing façade must be designed to satisfy all of the following: (a) provide a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site; (b) if for a ground floor level façade facing a frontage: i. have not less than 40% of the total surface area consisting of windows or doorways; or ii. not reduce the surface area of windows or doorways of an existing building, if the surface area is already less than 40%; (c) if for a ground floor level façade facing a frontage must: iii. not include a single length of blank wall greater than 30% of the length of façade on that frontage; or iv. not increase the length of an existing blank wall, if already greater than 30% of the	P2 New buildings or alterations to an existing façade must be designed to be compatible with the streetscape, having regard to: (a) how the main pedestrian access to the building addresses the street or other public places; (b) windows on the façade facing the frontage for visual interest and passive surveillance of public spaces; (c) architectural detail or public art on large expanses of blank walls on the façade facing the frontage and other public spaces so as to contribute positively to the streetscape and public spaces; (d) installing security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces only if essential for the security of the premises and any other alternatives are not practical; and (e) the need for provision of awnings over a public footpath.

length of the façade on that frontage; and (d) provide awnings over a public footpath if existing on the site or on adjoining properties.	

Planning assessment:

The subject site is an irregularly shaped allotment with frontage[5] to both East Derwent Highway and Letitia Grove. While both East Derwent Highway and Letitia Grove constitute road frontages, access to the site is obtained solely from Letitia Grove via the access strip.

The proposed building does not satisfy Acceptable Solution A2 as less than 40% of the frontage-facing surface area comprises windows or doorways, and the building includes a single length of blank wall measuring 12.106m facing East Derwent Highway.

Assessment against the relevant elements of Performance Criterion P2 is provided below:

(a) As an internal lot, site access is limited to Letitia Grove, which reduces opportunities for the development to provide an active pedestrian interface. Notwithstanding this, the main pedestrian access to the building will remain clearly visible from both road frontages and other public places, enabling passers-by to readily identify the commercial nature of the use and make an informed decision to access the site.

(b) Given the nature of the business is for mechanical works, not many windows are included for the proposed building facing frontages as they are impractical. However, the way that the proposed building is sited will provide more open space to allow passive surveillance.

(c) No façade of the proposed building directly addresses the Letitia Grove frontage due to the site's battle-axe configuration. The northern façade faces the access strip and provides a window and doorway to the proposed office space.

The southern elevation contains approximately 73.45m² of blank wall facing East Derwent Highway. The wall has a length of 12.1m, representing approximately 30.2% of the site's frontage to East Derwent Highway. This exceeds the maximum length prescribed by Acceptable Solution A2(c) by only 0.2%.

The purpose of this criterion is to ensure new buildings contribute positively to the streetscape and adjoining public spaces. In assessing the proposal, regard has been given to the streetscape along East Derwent Highway. Developments visible from this section of East Derwent Highway includes the Hindu Temple

[5] Frontage is defined under the planning scheme as a boundary of a lot which abuts a road.

at 6-7 Letitia Grove, the Centacare Evolve Housing office at 2-4 Paice Street, and an existing industrial shed at 2A Hurst Street.

A public footpath adjoins the site and forms the primary public space from which the development will be viewed.

While the building includes a section of blank wall facing East Derwent Highway, this wall occupies less than one-third of the frontage length. The visual impact of the blank wall has the potential to be mitigated through appropriate landscaping. The site provides sufficient area along the East Derwent Highway frontage and around the site to accommodate substantial tree planting and landscaping. In particular, tree species capable of achieving a mature height comparable to the building height could assist in softening the appearance of the built form and improving its contribution to the streetscape. It is therefore recommended that an amended landscaping plan prepared by a suitably qualified person be submitted for Council's approval prior to the commencement of works.

Moreover, Council could impose a condition requiring public art on the blank wall facing East Derwent Highway to further enhance the visual appearance of the development and its contribution to the streetscape. However, as no public art is proposed as part of the application, the assessment has been undertaken without reliance on such measures, instead giving weight to the proposed landscaping as the primary means of mitigating the visual impact of the blank wall. It is noted that public art displayed on the wall may constitute signage under the planning scheme and may require a separate planning approval.

(d) The proposal does not include security shutters or grilles over windows or doors.

(e) Due to the site's internal configuration and the flood-prone area adjacent to the shared boundary with the public walkway, it is neither necessary nor practical to provide an awning over a public footpath.

On balance, the proposal is able to provide a compatible interface with surrounding public spaces via landscaping condition. The building will remain sufficiently visible to assist visitors in identifying its location and pedestrian entrance. The proposal therefore is able to meet P2 and the objective of this standard with conditions.

Clause C12.6.1 P1.1 and P1.2 - Buildings and works within a flood-prone hazard area

Objective: That: (a) building and works within a flood-prone hazard area can achieve and maintain a tolerable risk from flood; and (b) buildings and works do not increase the risk from flood to adjacent land and public infrastructure.	
Acceptable Solutions	**Performance Criteria**

A1 No Acceptable Solution.	**P1.1** Buildings and works within a flood-prone hazard area must achieve and maintain a tolerable risk from a flood, having regard to: (a) the type, form, scale and intended duration of the development; (b) whether any increase in the level of risk from flood requires any specific hazard reduction or protection measures; (c) any advice from a State authority, regulated entity or a council; and (d) the advice contained in a flood hazard report. **P1.2** A flood hazard report also demonstrates that the building and works: (a) do not cause or contribute to flood on the site, on adjacent land or public infrastructure; and (b) can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.

There are no Acceptable Solutions for this standard. Assessment against P1.1 and P1.2 is required.

Planning assessment against Clause C12.6.1 P1.1:

A Flood Hazard Report has been submitted in support of the application. It is considered that the proposed works within the flood-prone hazard area can achieve and maintain a tolerable level of flood risk, having regard to the following:

(a) The proposed building, vehicular access, and manoeuvring areas are located outside the mapped flood-prone area. Only a portion of the proposed car parking area and associated works are affected by flood inundation. The Flood Hazard Report identifies a maximum flood depth of approximately 200mm within this area. The assessment incorporates

climate change projections through to the year 2100. The report recommends that no parking markings are provided in the south eastern corner where flood depths are considerable. Having regard to the anticipated design life of the proposed development, estimated at approximately 50 years, the level of risk is considered acceptable.

(b) The assessment identifies a minor increase in flood risk at the south-eastern corner of the site. However, no buildings, parking spaces, or operational areas are proposed within this location. A permit condition is recommended requiring this area to be landscaped, thereby preventing its use for development or parking purposes.

(c) Council's overland flow information was provided to the applicant and has been incorporated into the assessment undertaken by the Flood Hazard Report.

(d) The recommendations of the Flood Hazard Report will be implemented through permit conditions and must be completed prior to commencement of the approved use.

Planning assessment against Clause C12.6.1 P1.2:

(a) The proposed car parking works located within the flood-prone area are not expected to have more than a negligible impact on overland flow paths, flood behaviour, adjoining land, or public infrastructure. This is demonstrated in the hydraulic modelling contained within the Flood Hazard Report (refer Figure 9).

(b) The flood modelling incorporates climate change projections through to the year 2100. Having regard to the intended life of the proposed use and development, the assessment demonstrates that the proposal can achieve and maintain a tolerable level of risk from a 1% AEP flood event.

On this basis, it is considered that the proposed buildings and works within the flood-prone hazard area can achieve and maintain a tolerable level of flood risk. The Flood Hazard Report also demonstrates that the proposal will not result in any material increase in flood risk to adjoining land or public infrastructure. Accordingly, the proposal satisfies the requirements of Clause C12.6.1 P1.1 and P1.2 and is consistent with the objective of this standard.

4.5. Compliance with Local Area Objectives

The site is within the Cove Hill Local Area Objectives BRI-15.2.

Ref Number	Area description	Local area objectives
BRI-15.2	Cove Hill, shown on overlay map as BRI-15.2	To develop Cove Hill as a bulky goods and larger format retailing focal point. Larger speciality format retailing and support services to include supermarkets, hardware, discount department stores, camping, disposals, clothing, furniture,

		lighting, cafes, restaurants and entertainment facilities are to be concentrated at Cove Hill.

Planning assessment:

BRI-15.2 identifies Cove Hill's strategic role as a focal point for bulky goods and larger-format retailing and associated support services. It provides examples for the larger speciality format retailing as supermarkets, hardware, discount department stores, camping, disposals, clothing, furniture, lightings. It also provides examples for support services as cafés, restaurants and entertainment facilities.

The proposal is for a vehicle servicing business, which falls within the Service Industry use class. It is not a bulky goods or larger-format retail use.

However, BRI-15.2 does not expressly exclude other business, or service uses from Cove Hill. Specifically, it can be considered that the proposed vehicle mechanical repair centre offers supporting services to the Cove Hill area, overall helping to strengthen the strategic location of Cove Hill business area.

The subject site is also an internal lot of approximately 1,363m², with limited street frontage and reduced exposure to passing trade. These characteristics make the site less suited to bulky goods sales or larger-format retailing, which generally benefit from prominent road exposure, customer legibility, larger display areas, convenient access and a strong relationship with the public realm. The internal configuration also limits opportunities for an active frontage, shopfront presentation and product display.

In this context, the proposed Service Industry use is considered a practical and site-responsive use of the land. This is consistent with the broader role of Cove Hill identified in the Brighton Activity Centre Strategy, which recognises Cove Hill as a Major Activity Centre containing commercial activity, services, bulky goods retailers and industrial uses, with capacity to accommodate a broader range of commercial uses.

Accordingly, the proposal is not considered to undermine the intent of BRI-15.2 and is unlikely to compromise the broader function of Cove Hill as a bulky goods and larger-format retailing focal point.

5. REFERRALS

Development Engineering

The proposal has been considered by Council's 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 2026/00087-BTN dated 5 February 2026, which is to be annexed to any permit issued.

6. REPRESENTATIONS

One (1) representation received during the statutory public exhibition period between 8th August 2026 and 24th August 2026. The concerns of the representor are summarised below:

Representors / Issues	*Planning Response*
The representor raises the following concerns: • The proposed development and existing shipping container are located close to the boundary. • Concern that the proximity of the development may reduce natural light and sunlight to the adjoining building. • Concern that structures close to the boundary may facilitate unauthorised access to the adjoining property and contribute to security risks. • Reference was made to previous incidents of theft, vandalism and property damage. • A minimum setback of 2.0m from the shared boundary/fence is requested.	*The concerns regarding building proximity, natural light and security are noted.* *The proposed setback complies with Clause 15.4.2 A1 of the General Business Zone. As the adjoining land is not residentially zoned, the Scheme does not require a minimum 2.0m setback from the shared boundary.* *Security incidents and anti-social behaviour are generally matters for Tasmania Police and property owners.* *It is considered that the representation does not establish a planning merit to require a 2.0m setback or to refuse the application on this ground.*

7. CONCLUSION

The proposal for Service Industry (Vehicle Servicing) including *Workshop and Shipping Container* at 5 Letitia Grove, 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 DA 2026/012** for *Service Industry (vehicle servicing)* use, developed by *Workshop and Shipping Container* and ancillary site works at **5 Letitia Grove, 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) No signage is approved as part of this permit.

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) Details of surface finishes of paths and driveways.

(d) Details of fencing.

(e) A planting schedule of all proposed trees, shrubs and ground covers including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant. It must not use species listed as noxious weeds within Tasmania, displaying invasive characteristics or unsuitable for fire prone areas.

(f) Landscaping and planting of all open areas of the site, including the south-eastern corner of the land.

(g) The provision of advanced trees.

(h) Consideration of the recommended species selection list contained within the Greening Brighton Strategy 2024–2033.

(i) Species selection and planting densities that are appropriate to the scale of the development and capable of softening the visual appearance of the building when viewed from East Derwent Highway.

If considered satisfactory, the landscape plan will be endorsed and will form part of this permit.

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

(6) 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.

(7) 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.

TasWater

(8) 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 2026/00087-BTN dated 5th February 2026, as attached to this permit.

Services

(9) 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.

(10) 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.

(11) All private services and permanent structures are to be located at least 1.0 metre clear of public stormwater infrastructure and designed to ensure no loads are imposed on Council's pipes.

(12) Private services must not be installed within Council's drainage easements without prior approval from Council's Municipal Engineer.

Flood-prone Hazard

(13) Unless approved otherwise by Council's Municipal Engineer the proposed development must be substantially in accordance with *DA 2026 / 00012: 5 Letitia Grove, Bridgewater Stormwater Management & Flood Hazard Report – Revision 0 56233MW | July 2026*, prepared by PDA Surveyors, Engineers & Planners. All recommendations of the report are to be implemented prior to the use commencing.

Advice: *A revised/updated Flood hazard Report may be required to be submitted with the parking plan for endorsement should detailed design finished surface levels differ from the preliminary plans submitted with the development application. The amended Flood Hazard Report must demonstrate that the development does not cause or contribute to flood on the site, on adjacent land or public infrastructure*.

Parking and Access

(14) At least six (6) car parking spaces must be provided in the car park at all times for the use of the development.

(15) At least one (1) bicycle parking space must be provided on site at all times for the use of the development.

(16) 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 concrete or 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 B85, B99 and medium heavy rigid service vehicles to enter and exit the site in a forward direction.

(f) Be delineated by line marking or other clear physical means.

(g) Lighting.

(17) 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.*

(18) Prior to the development commencing, or application for building or plumbing permits, the developer must submit to Council a parking plan including:

(a) pavement details,

(b) design surface levels and gradients,

(c) drainage,

(d) turning and travel paths (where required to demonstrate compliance with AS2890),

(e) dimensions (including clearances),

(f) line marking,

(g) lighting,

(h) signage

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.*

(19) The completed parking and associated turning areas and access must be certified by a practicing civil engineer to the effect that they have been constructed in accordance with the endorsed drawings and specifications approved by Council before the proposed hospital is occupied.

(20) 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.

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

(21) Stormwater drainage from the proposed development must drain to a legal point of discharge to the satisfaction of Council's Chief Executive Officer and in accordance with the *Building Act 2016.*

(22) 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 2% AEP + Climate Change event are limited to pre-existing.

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

i. the 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

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

(23) The stormwater system within the development must continue to be maintained to ensure the quality targets, 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.

(24) The development must incorporate overland flow paths through the site to accommodate a 1% AEP (plus climate change) rainfall event.

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

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

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

Erosion and Sediment Control

(26) 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.*

(27) Temporary run-off, erosion, and sediment controls must be installed in accordance with the approved SWMP and must be maintained at full operational capacity to the satisfaction of Council's Municipal Engineer until the land is effectively rehabilitated and stabilised after completion of the development

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

Construction amenity

(29) The developer must make good and/or clean any footpath, road surface or other element damaged or soiled by the development to the satisfaction of the Council's Municipal Engineer.

(30) 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.

(31) 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.

(32) 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.

(33) 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.

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

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT:

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

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

Cr Murtagh entered the meeting at 6.46 p.m.

17. OFFICERS REPORTS

Cr Geard declared an interest in item 17.1 and left the meeting at 6.47 p.m.

17.1 Expressions of Interest - Lease - 10 Sorell Street, Bridgewater

Author: Executive Officer Risk & Property (M Braslin)

Authorised: Director Corporate Services (G Browne)

Background

The current tenant of 10 Sorell Street, Bridgewater advised Council earlier in the year that they would not be renewing their lease.

When this information was made public Council received several enquiries about this facility and conducted an Expression of Interest process which closed on the 23rd August 2026. Evaluation criteria were developed that sought applicants that would understand the needs of the community and would seek to reactivate the space that the facility was located in. It was also important that the new tenant aligned with Council's 2050 vison.

The process resulted in two submissions being received after numerous phone and email enquiries.

Two (2) Expressions of Interest were received from the below applicants.

1. Applicant: Northern Suburbs Central Shed
   Proposed Use: Community Shed
2. Applicant: John Bedelph
   Proposed Use: Bridgewater Fire Heritage Museum

Consultation

SMT, Director Corporate Services, Council workshop

Risk Implications

There is a risk of vandalism if the building is left unoccupied.

Financial Implications

Both applicants would come under the Community Lease Policy paying $533.00 per annum + GST plus all outgoings.

Strategic Plan

Goal 3 Manage infrastructure and growth effectively (3.3)

Goal 4 Ensure a progressive, efficient and caring Council.

Social Implications

Both submissions benefit the community in different ways.

A Community Shed would provide Council with a strong direct social and wellbeing benefit.

The Northern Suburbs Central Shed have recently jointed The Australian Men's Shed Association which identifies social connection, community participation and reducing social isolation as important outcomes of Community Sheds. Community Sheds can provide a place where people can meet, develop friendships, learn skills and undertake projects that benefit the broader community.

A Fire Heritage Museum could preserve the history of the local fire service and the people who have contributed to protecting the community. This can create a strong sense of place and community identity as well as public education.

Environmental or Climate Change Implications

This building has solar panels installed and Council encourages sustainable practices in all our buildings.

Economic Implications

While a community lease may generate a lower financial return than a commercial lease, the economic assessment should also recognise the wider benefits generated by the successful organisation, including local expenditure, volunteer contributions, external funding, tourism and activation of an underutilised Council asset and other economic activity.

Other Issues

Nil.

Assessment

Both proposals provide potential benefits to the community, but those benefits are different in nature. A Community Shed would provide a strong ongoing social and wellbeing benefit by reducing social isolation, creating opportunities for social connection, skills development, volunteering and community projects. A Fire Heritage Museum would provide broader heritage, educational and intergenerational benefits, with potential tourism and community identity benefits.

Council should therefore assess the proposals against a transparent set of community-benefit criteria, including accessibility, social inclusion, frequency of use, number of beneficiaries, volunteer participation, intergenerational outcomes, heritage value and the extent to which the proposed use aligns with Council's strategic objectives as well as community needs.

Proposed use	Start date	Operating hours	Plan to Activate the shed	Understand community needs
Community Shed	1-Nov-26	Monday - Friday	Working to obtain equpment to start the shed -looking for grants. Use social mdeia and community news to liaise with community groups, schools and buisnesses to engage the commnity	Will discuss with local groups, schools, council and buisnesses to what the community needs
Community Fire Heritage Museum	1-May-27	Two days per week including weekends and by appointment	Brigades 60 year milestone can be recognided and celebrated in Bridgewater. Provide an ongoing platform for education and celebration while engaging schools, community groups and visitors.	Honors the past, educates the future generations, celebrates the ongoing contributions of fire brigades, creating a lasting legacy for the community.

Options

1. Approve a two year lease to the Northern Suburbs Central Shed (Applicant) to operate a Community Shed at 10 Sorell Street, Bridgewater, effective from November 2026.
2. Approve a two year lease to John Bedelph (Applicant) to operate a Community Fire Heritage Museum at 10 Sorell Street, Bridgewater effective from May 2027.
3. Other.

RECOMMENDATION:

That Council approve a two year lease to be offered to the Northern Suburbs Central Shed to operate a Community Shed at 10 Sorell Street, Bridgewater, effective from November 2026.

DECISION:

Cr De La Torre moved, Cr Curran seconded that Council approve a two year lease to be offered to the Northern Suburbs Central Shed to operate a Community Shed at 10 Sorell Street, Bridgewater, effective from November 2026.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	Cr Owen (abstained)
Cr De La Torre	
Cr Gray	
Cr Irons	
Cr McMaster	
Cr Murtagh	
Cr Whelan	

Cr Geard returned to the meeting at 6.55 p.m.

17.2 Naming Roads and Streets - 115 Cove Hill Road, Bridgewater

Attachment: Proposed Roadway Plan

Author: Development Services Officer (K Clifton)

Authorised: Manager Planning (J Blackwell)

Background

The purpose of this report is to seek endorsement for the naming of a new road in Cove Hill Road, Bridgewater, in accordance with the *Place Names Act 2020*. The name has been supplied by the Developer for consideration.

In 2020, the *Place Names Act 2020* (the Act) was introduced to provide for contemporary Governance arrangements for the place naming process and clarity in the responsibility for the naming of roads and streets.

Under the Act, local councils are the naming authority for roads and streets.

The Tasmanian Place Naming Guidelines (the Guidelines) are provided for under the Act and are to be used by all naming authorities to assist in the selection of a conforming name, as well as providing the public and community with the principals that apply to the selection of a name.

Section 7.11 of the Guidelines states: "Road and street name proposals should be endorsed by the elected council members".

The proposed road name for 115 Cove Hill Road (Permit SA2025/011) is listed below:

- Traders Lane

Consultation

No consultation has been undertaken as the proposal is to name a new road that does not currently have any landowners other than the developer.

Risk Implications

There is a risk that the proposed road names do not conform with the Guidelines and that the proposed names will be referred back to Council. Council staff have considered the Guidelines, liaised with Placenames Tasmania for a pre-check assessment, and advise that the proposed road meets the requirements.

Financial Implications

Nil.

Strategic Plan

1.4 Encourages a sense of pride and engaging in local activities.

3.3 Community facilities are safe and meet contemporary needs.

Social Implications

Nil.

Environmental or Climate Change Implications

Nil.

Economic Implications

Nil.

Other Issues

Nil.

Assessment

The developers at 115 Cove Hill Road, Bridgewater were keen to play a part in the street-naming process. Their chosen name reflects the Light Industrial zoning of the area and is a marker of the future business that may trade there.

The suggested name has passed a pre-check completed by Placenames Tasmania, meets the requirements of the Guidelines and should be endorsed.

Options

1. As per the recommendation.
2. Endorse the road name with amendments.
3. Other.

RECOMMENDATION:

That Council endorse 'Traders Lane' as the road name for 115 Cove Hill Road, Bridgewater.

DECISION:

Cr Geard moved, Cr McMaster seconded that Council endorse 'Traders Lane' as the road name for 115 Cove Hill Road, Bridgewater.

CARRIED

VOTING RECORD

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

17.3 Emergency Management - Appointment of Municipal Coordinator Roles

Author: Director Asset Services (C Pearce-Rasmussen)

Background

In accordance with the *Tasmanian Emergency Management Act 2006*, Council must nominate a Municipal Coordinator and Deputy Municipal Coordinator to undertake emergency management functions and liaise with State Emergency Services at the local, regional, and state levels, as well as with other stakeholders during the prevention, preparedness, response and recovery phase of Emergency Management.

Consultation

Chief Executive Officer, Director Asset Services, Director Development Services, Manager Regulatory Services

Risk Implications

N/A

Financial Implications

N/A

Strategic Plan

S1.5 Build a resilient community and environmentally sustainable future

S4.1 Ensure Financial and Risk Sustainability

Social Implications

N/A

Environmental or Climate Change Implications

N/A

Economic Implications

N/A

Other Issues

Appointments are usually for a 3 or 5 year period at the discretion of Council. Once nominations are received they need to be forwarded to the Minister for Police and Emergency Management for approval and appointment.

Assessment

The previous Municipal Coordinator and Deputy Municipal Coordinator appointments were Peter Geard and Callum Pearce-Rasmussen respectively. The SES no longer allow for an elected representative to hold the position for the purposes of separation from operational issues.

Council have recently recruited Adam Wright to the position of Manager Regulatory Services. Adam attained significant experience in the Emergency Management sphere while working interstate and will make a capable addition the Emergency Management coordination of council.

Options

1. As per the recommendation.

2. Nominate alternative persons for the positions of Municipal Coordinator and Deputy Municipal Coordinator or specify a different time period.

RECOMMENDATION:

That Council nominate Callum Pearce-Rasmussen for the position of Municipal Coordinator and Adam Wright for the position of Deputy Municipal Coordinator, for a period of 5 years.

DECISION:

Cr Owen moved, Cr Geard seconded that Council nominate Callum Pearce-Rasmussen for the position of Municipal Coordinator and Adam Wright for the position of Deputy Municipal Coordinator, for a period of 5 years.

CARRIED

VOTING RECORD

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

18. Closed Meeting

Regulation 17 of the *Local Government (Meeting Procedures) Regulations 2025* provides that Council may consider certain sensitive matters in Closed Meeting.

RECOMMENDATION:

That in accordance with Regulation 17 of the *Local Government (Meeting Procedures) Regulations 2025*, Council move into Closed Session and the meeting be closed to members of the public to deal with the following item:

Item:	Closed under:
18.1 –General Waste Disposal & Collaboration Opportunity with GCC	17(2)(d)

DECISION:

Cr De La Torre moved, Cr Curran seconded that in accordance with Regulation 17 of the Local Government (Meeting Procedures) Regulations 2025, Council move into Closed Session and the meeting be closed to members of the public to deal with the following item:

Item 18.1 - General Waste Disposal & Collaboration Opportunity with GCC 17(2)(d)

CARRIED

VOTING RECORD

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

18.1 General Waste Disposal & Collaboration Opportunity with GCC

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

DECISION:

Cr De La Torre moved, Cr McMaster seconded that Council, having met and dealt with its business formally moves out of Closed Session and resolves to report that it has determined the following:

Item	*Matter*	*Outcome*
18.1	*General Waste Disposal & Collaboration Opportunity with GCC*	*Council received a report about greater collaboration with Glenorchy City Council on waste management services.*

CARRIED

VOTING RECORD

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

Meeting closed: 7.13 p.m.

Confirmed: _____

(Mayor)

20th October 2026

POLICY NAME: BRIGHTON COUNCIL YOUTH POLICY POLICY NO: 7.17

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DEFINITIONS

Brighton Youth Action Group (BYAG) – a Brighton Council supported youth action group for young people between the age of 12 and 17 years, that provides an active voice for young people from communities across the Brighton municipality and enables young people to influence and lead local action.

Child – a person under 18 years of age.

Community Creators – Council's asset-based youth development program that supports young people to identify strengths, build leadership and project skills, and create community led initiatives.

Bridgewater Youth Hub – a place-based, community-led initiative being developed with the Tasmanian Aboriginal Legal Service and partners for young people aged 12–25 years, with a focus on prevention, diversion, cultural safety and access to support.

DRAFT

Council – Brighton Council.

Youth initiative – any Council-led, Council-supported or partnered program, event, consultation, outreach activity, place or project involving young people, including BYAG, Community Creators, the Bridgewater Youth Hub, Youth Week activities, school-based engagement, school holiday activities, local events and place-based early-intervention initiatives.

Young person – generally a person aged 12–25 years; individual programs may adopt another age range where required by law, funding conditions, developmental suitability or program design.

PURPOSE

The purpose of this policy is to establish a clear, safe and consistent framework for Brighton Council's work with children and young people, including the Brighton Youth Action Group and Community Creators. It supports young people to have a genuine voice in decisions that affect them, to develop leadership and participation skills, and to contribute to positive community outcomes.

Council identifies the Brighton Youth Action Group as the active voice of young people in the local area. Community Creators is a youth-led program focused on voice, agency, belonging, leadership, communication and project management skills.

SCOPE

This policy applies to all Brighton Council staff, elected members, volunteers, contractors, service providers and partner organisations who plan, deliver, support, supervise or participate in Council activities involving children and young people. It applies to youth engagement, consultation, events, programs, projects, communications, transport, outreach, schools-based activities and community partnerships, including the Brighton Youth Action Group, Community Creators and other Council-supported youth initiatives.

POLICY

Brighton Council is committed to placing young people at the centre of community life by providing safe, inclusive and meaningful opportunities for participation, leadership, consultation and community action. Council will support young people through BYAG, Community Creators, the Bridgewater Youth Hub, Youth Week activities, school and school-holiday engagement, place-based prevention and early-intervention projects, and other initiatives developed with young people and community partners.

Link to Council Strategic Plan 2023-2033

This policy supports Council's strategic commitment to a thriving place with opportunities for all. Specifically but not limited to:

S1.1 Engage with and enable our community

S1.2 Build resilience and opportunities

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

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

Implementation will align with the current Brighton Council Strategic Plan, Annual Plan and Community Engagement Strategy.

Recognition of Aboriginal Peoples, Culture and Heritage

Council recognises the Mumirimina people as the original custodians of the skies, land and water of kutalayna/Jordan River and respects the continuing custodianship of the palawa/pakana community. Youth initiatives will promote Aboriginal cultural safety, support self-determination and cultural connection, and seek meaningful participation by Aboriginal children, young people, families and organisations.

Roles and Responsibilities:

Council is responsible for governance, resourcing and oversight of youth engagement and child-safe practice. The Chief Executive Officer and relevant directors ensure appropriate systems, accountabilities and resources are in place. Managers ensure programs are planned, risk assessed, staffed, supervised, documented and reviewed. Staff, volunteers, contractors and service providers must comply with this policy, applicable legislation, Council procedures, codes of conduct, privacy requirements and child-safe reporting obligations. Young people will be supported to understand their rights, responsibilities, behavioural expectations and support pathways in age-appropriate ways.

Risk Considerations:

Key risks include harm to children or young people, inadequate supervision, unsafe physical or online environments, privacy breaches, inappropriate conduct or boundaries, exclusion from participation, transport and event risks, unmanaged disclosures or critical incidents, and failure to meet reporting obligations. Each initiative must use Council's risk management, safeguarding, incident, complaint and escalation processes.

Principles & Ethics:

Council's approach will be guided by youth voice and agency; safety and wellbeing; respect, dignity and inclusion; Aboriginal cultural safety; equity of access; strengths-based and asset-based practice; partnerships; transparency and accountability; and meaningful participation in decisions that affect young people. Council will uphold the United Nations Convention on the Rights of the Child, the Youth Ethics Framework for Tasmania and the Tasmanian Child and Youth Wellbeing Framework. In line with Asset Based Community Development principles, Council will start with the strengths, skills, relationships, lived experience, culture, care, local knowledge and aspirations that already exist among young people, families and communities.

YOUTH VOICE, PARTICIPATION AND BRIGHTON INITIATIVES

Council will provide regular and practical opportunities for young people to be heard, influence decisions and lead local projects.

Brighton Youth Action Group (BYAG):

BYAG is a key youth advisory and action mechanism representing young people from across the municipality. Council will support BYAG to identify priorities, advise on Council and community matters, design and deliver activities, and report back to young people and community overall about how their input has influenced decisions.

Community Creators:

Community Creators will use an Asset Based Community Development approach to help young people identify personal and community strengths, build relationships, develop leadership and project-management skills, work with community champions and create practical local projects.

Bridgewater Youth Hub & Place-Based Initiatives:

Council will support co-design and partnership development of the Bridgewater Youth Hub as a community-led space for young people aged 12–25 years, including a strong focus on Aboriginal cultural representation, prevention, diversion and connections to services. Council may also support place-based youth justice prevention, early-intervention, community safety, creative, sporting, employment, volunteering and wellbeing initiatives where these align with community priorities and Council responsibilities.

Other Youth Engagement:

Youth Week activities, school and school-holiday programs, consultations, events, detached or outreach engagement and partnership projects will be planned with young people wherever practicable. Council will involve young people early, provide feedback about how their input was used and address barriers including transport, cost, accessibility, confidence, safety, culture and communication.

SAFETY & PROTECTION MEASURES

Duty of Care & Child-Safe Practice:

Council will prioritise the safety and wellbeing of children and young people and align youth engagement with Tasmania's Child and Youth Safe Organisations Framework. Planning must include risk assessment, appropriate supervision, safe venues, emergency procedures, incident reporting, child-focused complaints pathways, online safeguards and referral arrangements. Workers must maintain professional boundaries and respond promptly to concerns.

Consent, Privacy and Communication:

Council will collect, use, store and disclose personal information only for lawful and necessary purposes. Consent must be obtained where required for participation, photography, recording, promotion, transport, excursions, referrals and information sharing. Communications must be respectful, transparent, age-appropriate, use approved Council channels and comply with professional boundaries and Council policy.

Reportable Conduct, Disclosures and Crisis Response:

Concerns about harm, abuse, neglect, reportable conduct or a young person's immediate safety must be acted on without delay under Tasmanian law and Council procedures, including the Brighton Council Safeguarding Children and Young People Policy. Workers must listen, avoid investigating beyond clarifying immediate safety, explain the limits of confidentiality, record facts accurately, notify the appropriate Council officer and make any required external report. In an emergency, contact emergency services. Council workers provide initial support and referral but do not act as specialist mental-health practitioners unless appropriately qualified and authorised.

Supervision, Transport and Activities:

Supervision levels, worker suitability, Working with Vulnerable People requirements, transport arrangements, venue amenities, visiting providers and activity-specific controls must be determined through documented risk assessment, relevant law, participant needs and Council procedures. A worker must not use a personal vehicle to transport a young person unless specifically authorised under Council procedure.

Personal Relationships and Professional Boundaries:

Staff, volunteers, contractors and service providers must maintain professional, respectful and transparent relationships with children and young people. They must not pursue or enter into an inappropriate, exploitative or coercive personal relationship with a young person participating in a Council activity, and must avoid favouritism, secrecy, dependency, gifts of significant value, private or unauthorised contact, and conduct that could reasonably be misunderstood.

Existing family, social, cultural, mentoring or other personal connections that may create an actual, potential or perceived conflict of interest must be declared to the responsible manager and managed through documented safeguards. Contact must occur for legitimate program purposes, use approved Council communication channels and comply with Council codes of conduct, safeguarding requirements and reporting procedures.

Detached Youth Work:

Detached youth work is youth engagement undertaken in public places and community settings where young people choose to gather, rather than at a fixed Council venue. Detached youth work must be purposeful, voluntary, strengths-based and planned through a documented risk assessment that addresses location, timing, staffing, communication, visibility, transport, environmental hazards, community context, emergency response and referral pathways.

Workers must operate in pairs unless an approved risk assessment authorises another arrangement, carry Council identification, maintain agreed check-in and escalation procedures, record significant contacts and incidents, and respect a young person's right not to engage. Detached youth work must not involve enforcement, surveillance or transporting a young person in a personal vehicle unless specifically authorised under Council procedure.

Adult Volunteers:

Adult volunteers involved in youth initiatives must be recruited, screened, inducted, supervised and supported in accordance with Council's Volunteer Policy and safeguarding requirements.

Before commencing, volunteers must have any required Registration to Work with Vulnerable People, understand their role description, code of conduct, professional boundaries, confidentiality, complaints and incident processes, and know how to report a safety concern or disclosure. Volunteers must not be given sole responsibility for program governance, specialist support or high-risk decisions unless appropriately qualified and expressly authorised. Council will maintain appropriate records and review volunteer suitability and performance.

Guest Speakers:

Guest speakers must be selected for a clear program purpose and their suitability, content and any conflicts of interest must be considered before engagement. Council must brief speakers on participant needs, cultural safety, accessibility, child-safe expectations, privacy, respectful language, approved content, time limits and boundaries on promotion, fundraising, political advocacy, recruitment or collection of personal information.

A Council worker must remain responsible for the session and provide appropriate supervision. Content that may be sensitive or distressing must be identified in advance, with informed consent, support options and referral pathways provided where

appropriate. Concerns or incidents arising during a presentation must be managed under Council procedures.

Services Providers and Partner Organisations:

External service providers and partner organisations involved in Council youth initiatives must be engaged through an appropriate agreement that defines scope, responsibilities, qualifications, insurance, supervision, information handling, safeguarding, incident reporting, complaints, evaluation and termination arrangements. Council must undertake proportionate due diligence, including checking required registrations, licences, experience and child-safe systems. Providers must comply with applicable law and Council requirements, promptly report safety concerns and incidents, and obtain approval before collecting, using or disclosing participant information, images or recordings. Council retains responsibility for monitoring contracted or partnered activity and responding where standards are not met.

Access and Equal Opportunity:

Council will make youth initiatives welcoming, inclusive and accessible to young people from diverse backgrounds, abilities, cultures, communities and circumstances. Council will actively consider the needs of Aboriginal young people, young people with disability, young carers, culturally and linguistically diverse young people, LGBTQIA+ young people, young people experiencing financial hardship and young people disengaged from education, employment or community life. Bullying, harassment, discrimination, racism and exclusion will not be tolerated in Council-supported activities.

IMPLEMENTATION & REVIEW

The Community Development and Engagement function will coordinate implementation with relevant Council teams and partners. Initiative plans will identify intended outcomes, responsibilities, resources, risk controls, participation methods and evaluation measures. Evaluation will consider reach, inclusion, safety, cultural safety, youth leadership, skills, connection, local asset use, community benefit and whether young people can see the results of their contribution.

Council will work with young people, families, schools, services, community organisations, Aboriginal organisations, State Government agencies, local networks, clubs, volunteers and businesses. This policy will be reviewed at least every four years, or earlier following significant legislative, organisational or program change, a serious incident, or evidence that the policy is not operating effectively. BYAG and other participating young people will be offered a meaningful role in review.

LEGISLATION & REFERENCES

Local Government Act 1993 (Tas)

Child and Youth Safe Organisations Act 2023 (Tas); Child and Youth Safe Organisations Framework, including the Tasmanian Child and Youth Safe Standards, Universal Principle for Aboriginal Cultural Safety and Reportable Conduct Scheme

Children, Young Persons and Their Families Act 1997 (Tas); Personal Information Protection Act 2004 (Tas); Anti-Discrimination Act 1998 (Tas)

Work Health and Safety Act 2012 (Tas)

Registration to Work with Vulnerable People Act 2013 (Tas); Privacy Act 1988 (Cth)

United Nations Convention on the Rights of the Child.

Local Government (Code of Conduct) Order 2024

RELATED BRIGHTON COUNCIL POLICIES, STRATEGIES AND DOCUMENTS

Brighton Council Strategic Plan 2023-2033

Safeguarding Children & Young People (Policy 7.12)

Safeguarding Children & Young People – Allegations & Complaints Handling (Policy 7.12)

Privacy (Policy AP 06)

Records Management (Policy AP 23)

Volunteer (Policy 7.13)

Volunteer Registration Form (Policy 7.13)

Social Media and Communication Devices (Policy 7.3)

Staff Code of Conduct (Policy HR14)

Discipline (Policy HR28)

Risk Management (Policy AP04)

ADMINISTRATIVE DETAILS

Policy compiled: October 2026

Adopted by Council:

To be reviewed: October 2030